

PRIVACY POLICY (“PRIVACY POLICY”) \n

IMPORTANT: BY USING **Calliope's Po-Boys** (“**Calliope's Po-Boys**”, “COMPANY”, “WE”, “US”) ONLINE PLATFORMS (“PLATFORMS”) AND/OR BY VISITING **PARTNER'S NAME'S** WEBSITE AT: **Calliope's Po-Boys's** ONLINE ORDERING WEB ADDRESS (THE “WEBSITE” AND TOGETHER WITH THE PLATFORMS, THE “SERVICES”) YOU (“YOU”) GIVE YOUR CONSENT TO THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY, AND CONSENT THAT ALL PII (DEFINED BELOW) THAT YOU SUBMIT OR THAT IS PROCESSED OR COLLECTED THROUGH OR IN CONNECTION WITH YOUR USE OF THE SERVICES WILL BE PROCESSED BY **Calliope's Po-Boys's** NAME AND ITS AFFILIATES IN THE MANNER AND FOR THE PURPOSES DESCRIBED IN THE FOLLOWING PRIVACY POLICY. \n

Company is a controller of the PII it processes in relation to the personnel of its customers, vendors, service providers or partners. When Company processes PII on behalf of its customers, Company is a data processor under the GDPR (or may be deemed as a Service Provider under the CCPA), to the extent applicable. In that case, Company's customer will be a data controller under the GDPR (or a business under the CCPA), and will be responsible to obtain the data subject's consent or establish any other applicable lawful basis for processing and to ensure that data subjects can exercise their rights set forth in Rights of Data Subjects Section below. \n

YOU ARE NOT LEGALLY REQUIRED TO PROVIDE US WITH PII, HOWEVER USE OF THE SERVICES REQUIRES THAT YOU PROVIDE PII. IF YOU CHOOSE TO WITHHOLD ANY PII REQUIRED IN RESPECT THEREOF IT WILL NOT BE POSSIBLE FOR YOU TO USE THE SERVICES. IF YOU DO NOT AGREE TO THE TERMS AND CONDITIONS SET FORTH HEREIN PLEASE DO NOT USE THE SERVICES. \n

“PII” means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.\n

We recognize that privacy is important. This Privacy Policy applies to all of the services, information, tools, features and functionality available on the Services offered by the Company or its subsidiaries or affiliated companies and covers how PII that the Company collects and receives, including in respect of any use of the Services, is treated.

Information We Collect and How We Use It. \n

We collect personal data about our customers and their representatives and visitors of our Services. We also collect personal data included in publicly available sources. We use PII to provide and improve our Services, and to meet our contractual, ethical and legal obligations.\n

In order to provide and operate our Services and provide services in connection therewith, we collect and process PII, including the following types of information: \n

1. **Your Contact Information.** For activation of the Services we ask you to provide PII, including: name, date of birth, email address, address for delivery, zip code, allergens and phone number. \n
2. **Payment method.** All payment information is collected and held by credit card gateways and payment companies and in accordance with their own privacy policies \n
3. **Third Parties.** We sometimes supplement the PII with information that is received from third parties. \n
4. **Usage information.** When you use the Services, we automatically receive and record information from your device and browser, including without limitation information such as cookie information and statistics about your online/offline status, order history, your IP address, geolocation data (including country and city), device identifiers, internet service provider, connection speed, search history, type of browser, your regional and language settings and software and hardware attributes and if you participated in any campaigns. You are not obligated to allow transmission of location data, however you will not be able to use some features on the Services. Our systems automatically record and store technical information regarding the method and nature of your use of the Services. An IP address is a numeric code that identifies your browser on a network, or in this case, the Internet. Your IP address is also used to gather broad demographic information. The Company uses all of the PII identified in this Section in order to understand the usage trends and preferences of our users, including recent visits to our Services and how you move around different sections of our Services for analytics purposes and in order to make our Services more intuitive. \n
5. **User Communications.** When you send emails or other communications to the restaurant, we retain those communications in order to process your inquiries, respond to your requests and improve our Services. We send you push notifications, e-mails and text messages to send you news and updates in respect of the Services. We also send you updates and promotional communications regarding sales, products and gifts. You may opt-out of this service within the specific promotional communication. \n
6. **Optional User Image.** A profile image may be uploaded if you choose to do so. Uploading this image is completely optional and is not required for the app's functionality. You will never be prompted to upload this image. Changing the photo from your mobile app will prompt you to agree to allow the app to access your data storage in order to upload the image. \n
7. **Optional user contacts.** If you have received a shareable reward from the business, you will have the option to share it with another app user. If you do that from the mobile app, you will be prompted to allow the app access to you contacts in order to easily find the contact. Allowing this is not necessary for app functionality - if you do not allow access, you will still be able to manually enter the contact's phone number. The contacts data will only be presented in the app's UI for this functionality and will not be uploaded to the servers. \n

Cookies \n

We use cookies and similar technologies on our Services. You can disable cookies but then your online experience on our Services will be limited. \n

In order to collect the data described herein we use temporary cookies that remain on your browser for a limited period of time. We also use persistent cookies that remain on your browser until the Company's Services are removed, in order to manage and maintain the Services and record your use of the Services. Cookies by themselves cannot be used to discover the identity of the user. A cookie is a small piece of information which is sent to and stored on your browser. Cookies do not damage your browser. Most browsers allow you to block cookies but you may not be able to use some features on the Services if you block them. You may set most browsers to notify you if you receive a cookie (this enables you to decide if you want to accept it or not). We also use web beacons via the Services to collect information. Web beacons or "gifs", are electronic images that are used in our Services or in our emails. We use Web beacons to deliver cookies, count visits and to tell if an email has been opened and acted upon. \n

Links \n

Links to other services, sites and applications are provided by the Company as a convenience to our users. The Company is not responsible for the privacy practices or the content of other sites and applications and you visit them at your own risk. This Privacy Policy applies solely to PII collected by us. \n

Minors \n

If any of your data subjects (e.g. employees or customers) are minors under the age of 16, you must obtain parental consent prior to using our Services. The Company will not knowingly contact or engage with children under the age of 16 without said parental consent. If you have reason to believe that a child has provided us with their PII, please contact us at the address given above and we will endeavor to delete that PII from our databases \n

Text communication \n

By signing up on this website with your phone number, you are consenting to receiving SMS/MMS text marketing from **Calliope's Po-Boys**. You can always opt out from text marketing by replying to the text with the word "STOP". Your phone number will not be shared with any third parties and none of your information will be sold to third parties. Message frequency may change, and message & data rates may apply.

Disclosure of your information \n

In connection with the provisioning of the Services, we disclose your PII to third parties who assist us in providing the Services, such as affiliates, agents, representatives, clients (e.g. merchants working with us, with whom a data subject made a purchase using our online platforms) and service providers will have access to your PII. We have a contract with those third parties to govern their processing on our behalf. We may also transfer PII to comply with any obligations by which we are bound or to an investor or in connection with a merger or acquisition or similar transaction or to credit card companies, if so requested. \n

We require these parties to process such information in compliance with this Privacy Policy and subject to security and other appropriate confidentiality safeguards. The Company will also share

PII in the following circumstances: (a) as required for providing the Services; (b) for maintenance and improvement of the Services; (c) if we become involved in a reorganization, merger, consolidation, acquisition, or any form of sale of some or all of our assets, with any type of entity, whether public, private, foreign or local; (d) to satisfy applicable law or prevention of fraud or harm or to enforce applicable agreements and/or their terms, including investigation of potential violations thereof; and/or (e) if requested to do so by credit card companies. \n

Data Security \n

We follow generally accepted industry standards to protect against unauthorized access to or unauthorized alteration, disclosure or destruction of PII. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect your PII, we cannot guarantee its absolute security. We retain your PII only for as long as reasonably necessary for the purposes for which it was collected or to comply with any applicable legal or ethical reporting or document retention requirements.\n

Data Retention of your Personal Data \n

We retain PII only for as long as necessary to meet our legal and ethical obligations, which for different types of PII will be different periods. \n

1. Company will retain PII in accordance with its record retention policy. PII associated with our customers and business partners, will be retained for the duration of our engagement, and a period of seven years thereafter unless earlier requested to be deleted. Company performs periodic reviews of our databases, and have established specific time limits for data retention, based on the criticality of the PII and the purposes of the data processing. We will also retain PII to meet any audit, compliance and business best-practices. \n
2. PII with respect to which Company is the processor will be deleted only on instruction of the controller, except where such data must be retained by us, in our judgment, as above. \n
3. Personal Data that is no longer retained will be anonymized or deleted. Non-personal, non-identifiable, metadata and statistical information concerning the use of our Services are retained by Company perpetually. Some PII may also be retained on our third-party service providers' servers until deleted in accordance with their privacy policy and their retention policy. \n

Automated Decision-Making and Profiling \n

In order to offer you exclusive products through the Services, we use automated decision-making and profiling based on your purchase history. \n

Data Integrity \n

The Company processes PII only for the purposes for which it was collected and in accordance with this Privacy Policy or any applicable service agreements. We review our data collection, storage

and processing practices to ensure that we only collect, store and process the PII needed to provide or improve our Services. We take reasonable steps to ensure that the PII we process is accurate, complete, and current, but we depend on our users to update or correct their PII whenever necessary. Nothing in this Privacy Policy is interpreted as an obligation to store information, and we may, at our own discretion, delete or avoid from recording and storing any and all information. \n

Rights of Data Subjects. \n

1. **Accessing and Correcting Your Information.** Data subjects have the right to know what PII we collect about them and to ensure that such data is accurate and relevant for the purposes for which we collected it. We allow data subjects the option to access and obtain a copy of their PII and to rectify such PII if it is not accurate, complete or updated. However we may first ask data subjects to provide us certain credentials to permit us to identify their PII. \n
2. **Right to Delete PII or Restrict Processing.** Y Data subjects have the right to delete their PII or restrict its processing. We may postpone or deny such requests if the PII is in current use for the purposes for which it was collected or for other legitimate purposes such as compliance with legal obligations. \n
3. **Right to Withdraw Consent.** Data subjects have the right to withdraw their consent to the processing of their PII. Exercising this right will not affect the lawfulness of processing the PII based on consent obtained before its withdrawal. \n
4. **Right to Lodge Complaint.** Data subjects also have the right to lodge a complaint with a data protection supervisory authority regarding the processing of their PII. \n

Enforcement. \n

The Company regularly reviews its compliance with this Privacy Policy. Please feel free to direct any questions or concerns regarding this Privacy Policy or our treatment of PII by contacting us as provided above. When we receive formal written complaints it is the Company's policy to contact the complaining user regarding his or her concerns. We will cooperate with the appropriate regulatory authorities, including local data protection authorities, to resolve any complaints regarding the transfer of PII that cannot be resolved between the Company and an individual. \n

Changes to This Privacy Policy. \n

The Company may update this Privacy Policy. We will notify you about significant changes in the way we treat PII by sending a notice to the email address provided by you or by placing a prominent notice on the Services. We encourage you to periodically review this Privacy Policy for the latest information about our privacy practices. Our customers and business partners will be notified of such changes and are responsible to inform their data subjects. \n

We may update this Privacy Policy. We will notify you about significant changes in the way we treat PII by sending a notice to the email address provided by you or by placing a prominent notice on our Services. \n

Legal Justification and Consent to Processing. \n

1. By providing any PII to us pursuant to this Privacy Policy, all users, including, without limitation, users in the United States, Israel and member states of the European Union, fully understand and unambiguously consent to this Privacy Policy and to the collection and processing of such PII abroad. The server on which the Services are hosted and/or through which the Services are processed may be outside the country from which you access the Services and may be outside your country of residence. Some of the uses and disclosures mentioned in this Privacy Policy involve the transfer of your PII to various countries around the world that may have different levels of privacy protection than your country and will be transferred outside of the European Economic Area. If there is a transfer of your PII outside the EEA we will, in the absence of an EC Adequacy decision relevant to the destination country or to the transfer, seek to rely on appropriate safeguards such as entering into appropriate EC approved standard contractual clauses (see http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index_en.htm). By submitting your PII through the Services, you consent, acknowledge, and agree that we will collect, use, transfer, and disclose your PII as described in this Privacy Policy. \n
2. When Company processes PII on behalf of its customers, Company is a data processor. In that case, Company's customer will be a data controller, and will be responsible to obtain the data subject's consent or establish any other applicable lawful basis for processing and we rely on our contractual relationship with the controller (i.e. our customer). \n