

LoyaltyPlant Inc.

Privacy Policy and Prominent Disclosures

Your privacy is very important to loyaltyplant inc., owner of the loyaltyplant.com website, and its affiliates as defined below (“loyaltyplant”, “we” or “us”.) This privacy policy applies to your access and use of the loyaltyplant online services, including use of websites, mobile/tablet applications and/or other online programs developed by loyaltyplant and operated by loyaltyplant or its affiliates, and the materials, software and content available in or through them (altogether, “loyaltyplant online services”). By using and/or downloading any of the loyaltyplant online services, you consent to all actions that we take with respect to your data consistent with this privacy policy, and you acknowledge that you have read and agree to be bound by it. If you disagree with any part of this privacy policy, then please do not use any of the loyaltyplant online services.

We want you to enjoy every visit to LoyaltyPlant.com, as well as every experience with LoyaltyPlant Online Services, and you should be aware that the LoyaltyPlant Online Services may make sensitive permissions requests on your computer, tablet or mobile device, and handle personal or sensitive user data (including personally identifiable information, financial and payment information, authentication information, phonebook or contact data, microphone and camera sensor data, and sensitive device data), and collect information about you and we may share that information with third parties in certain circumstances. Please read the following provisions carefully to understand how LoyaltyPlant collects, uses and discloses personally identifiable information from its users.

LoyaltyPlant controls and operates its business and the LoyaltyPlant Online Services from within the United States of America. Our online privacy practices are governed by the laws of the United States and the State of New York, which may differ from privacy laws in your state or home country. By submitting your personal information to us or our agents, through use of the LoyaltyPlant Online Services, you consent to the transfer of your personal information to any country and its use and disclosure in accordance with applicable U.S. Federal and State laws and with this Privacy Policy.

We may change our Privacy Policy, so please check this page from time to time, as your continued use of the LoyaltyPlant Online Services, after we publish our changes, indicates your acceptance of any changed terms. Our full Privacy Policy is below:

1. What Kind of Information We Collect

2.

Whether accessing the LoyaltyPlant Online Services from your home computer or while on the run from your smart phone or tablet, LoyaltyPlant and its agents may collect some information that identifies you or relates to you as an individual (“Personal Information”), such as your: name; mailing address and/or zip code; telephone number; e-mail address; username and password (for account administration); device ID, including IP address; geolocation; financial account information and other payment information (that you submit to us for order processing); additional personal information necessary for the administration of certain promotional events (such as your preferences); and certain identifying information such as your education, consumer and employment history profile, date of birth and contact information.

In addition, we may collect other types of data elements (“Other Information”) that do not reveal your identity or that do not relate directly to you or any other individual, such as: browser and device information, including operating system; demographic information and other information provided by you that we may combine with other users of the LoyaltyPlant Online Services or use on its own; mobile application usage data; aggregated information such as “click stream” information such as entry and exit points for the LoyaltyPlant Online Services (including referring URLs or domains), certain LoyaltyPlant Online Services traffic statistics, page views, and impressions; and information collected through cookies, pixel tags and other technologies described in more detail later in this Privacy Policy.

In addition, when a user request pages on the LoyaltyPlant Online Services, our servers automatically log the IP address of the user. The IP address is a unique number assigned to your computer to identify it whenever you are surfing the Web.

2. How We Use the Personal Information We Collect

We may use Personal Information about you for purposes described in this Privacy Policy or as otherwise disclosed to you through the LoyaltyPlant Online Services. For example, we may use Personal Information to: process and manage your purchase and use of our products and services; respond to your inquiries or requests, and to post your comments or statements on message boards or in our online forums; create and deliver personalized promotions, including by combining your Personal Information with Other Information, such as the number of times you log in, and the amounts and types of purchases you make; communicate with you by mail, telephone, e-mail, mobile alerts and SMS text messaging about LoyaltyPlant, including but not limited to information about your activity or purchases, your services, accounts, contests you may enter, your requests for information, and to update you about changes to the LoyaltyPlant Online Services; communicate with you, including by mail, telephone, e-mail, mobile alerts and SMS text messaging, in connection with our marketing efforts, such as when we send you offers and promotions that you can take advantage of through the LoyaltyPlant Online Services; allow you to send communications to others through the LoyaltyPlant Online Services; to further our business purposes, such as to perform data analysis, audits, fraud monitoring and prevention, to enhance, improve or modify the LoyaltyPlant Online Services, to identify usage trends, determine the effectiveness of our promotional campaigns and to operate and expand our business activities; and to send “transactional or relationship” communications to you, such as notices to facilitate a transaction you have conducted or messages that provide information about your account, using various electronic communication, including email and mobile communications.

3. How We May Disclose Personal Information We Collect

Your privacy is very important to us. We generally won’t disclose your Personal Information to anyone outside of LoyaltyPlant or our Affiliates, except in the following circumstances

Service Providers

We may disclose your Personal Information to third-party service providers to provide us with services such as website hosting, professional services, including information technology services and related infrastructure, customer service, e-mail delivery, auditing and other similar services.

Affiliates

Affiliates are those companies that are under common control with LoyaltyPlant Inc. or its principals, or customers or other business partners of one of those (“Affiliates”). We may disclose personal Information to our Affiliates for the purposes described in this Privacy Policy, including for marketing purposes, and to be consistent with our goal of providing our consumers with the superior product and consumer experience that our customers have come to expect from us around the globe.

To Perform Services That You Request

We may disclose your Personal Information to third parties to perform services you request or functions you initiate, such as when you post information and materials on message boards and forums, including but not limited to those on LoyaltyPlant.com, our Facebook or other social media pages. When you post information in a public forum it becomes public information. In addition, we may disclose your Personal Information to identify you to anyone to whom you send communications through the LoyaltyPlant Online Services.

Corporate Transactions or Events

We may disclose your information to a third party in connection with a corporate reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock, including in connection with any bankruptcy or similar proceedings.

Other Legal Reasons

In addition, we may use or disclose your Personal Information as we deem necessary or appropriate: (1) under applicable law, including laws outside your country of residence; (2) to respond to requests from public and government authorities including public and government authorities outside your country of residence; (3) to comply with subpoenas and other legal processes; (4) to pursue available remedies or limit damages we may sustain; (5) to protect our operations or those of any of our Affiliates; (6) to protect the rights, privacy, safety or property of LoyaltyPlant, our Affiliates, you and others; and (7) to enforce our terms and conditions.

4. How We May Use and Disclose Other Information We Collect

Similarly, we generally use Other Information for any purpose not prohibited by law. More specifically, we may collect, compile, store, publish, promote, report, sell, or otherwise disclose or use any and all Other Information, provided that such information does not personally identify you. The Other Information that we collect generally will not personally identify you or be correlated to you individually for external purposes.

Where we combine Other Information with Personal Information in a way that can identify you or be used to identify you personally, we will treat that information as Personal Information, subject to the provisions of this Privacy Policy.

5. How to Manage Your Account Information

You can use the LoyaltyPlant Online Services to manage and correct factual inaccuracies in the information we have on file about you.

6. How We Provide Security and Protect Your Personal Information

LoyaltyPlant has implemented reasonable safeguards designed to prevent loss, misuse and unauthorized access, disclosure or modification of Personal Information provided or

collected through our LoyaltyPlant Online Services. With respect to payment card information and other Personal Information collected through our LoyaltyPlant Online Services, we use Secure Socket Layer Technology or SSL to encrypt or scramble that information during transmission. We also handle all user data securely, including transmitting it using modern cryptography (for example, over HTTPS).

Unfortunately, no system or online transmission of data can be guaranteed to be 100% secure and you should always take appropriate security measures to protect your Personal Information, including ensuring that you have up-to-date antivirus software. If you believe that your LoyaltyPlant account or any information you provided to us is no longer secure, please notify us immediately through the Contact Us information provided below.

7. Our Policy on Cookies, Interest-Based Advertising and “Do Not Track”

What Are Cookies?

Cookies are small text files placed in your computer browser directories to store your information about your use of the LoyaltyPlant Online Services and your activities online (collectively, “Cookies”). A Cookie will typically contain the name of the domain (internet location) from which the Cookie has come, the “lifetime” of the Cookie (i.e. when does it expire), and a value, usually a randomly generated unique number. To find out more about Cookies, including how to see what Cookies have been set on your device and how to manage and delete them, visit www.allaboutcookies.org.

How We Use Cookies

We use Cookies so that we can improve your online experience – for example, by remembering you when you come back to visit us, and making the content you see more relevant to you. Cookies also enable us to track online purchases made through the LoyaltyPlant Online Services.

Your Control of Cookies

If you do not wish to receive Cookies or wish to manage when you accept Cookies in general, you may set your browser to reject Cookies or to alert you when a Cookie is placed on your computer. Although you are not required to accept our Cookies, if you set your browser to reject Cookies, you may not be able to use all of the features and functionality of the LoyaltyPlant Online Services. The Help feature on most browsers will tell you how to prevent your browser from accepting new Cookies, how to have the browser notify you when you receive a new Cookie, or how to disable Cookies altogether.

If you block or otherwise reject our Cookies, you may lose some of the functionality of our site. For example, you may not be able to use any products and services that require you to sign in.

Online Marketing and Advertising

The LoyaltyPlant Online Services also use Cookies and other technologies such as pixel tags, web beacons and clear GIF files (collectively, “Data Collection Technologies”) to help manage our online marketing and advertising program. These Data Collection Technologies are provided by our ad management partners and other third parties.

In addition, we and our partners may use these Data Collection Technologies to track the actions of users of the LoyaltyPlant Online Services, to measure statistics of our marketing efforts, and to deliver advertisements on the LoyaltyPlant Online Services that may be more relevant to individual consumers and that will improve the consumer experience on the LoyaltyPlant Online Services. For example, if you give us your zip code and we thus know you live in an area where a particular promotion is going on, we may deliver to you a communication or advertisement that is specific to that promotion.

In addition, please note that certain third parties that we do not control may use Data Collection Technologies on the LoyaltyPlant Online Services such as information about

your use of the LoyaltyPlant Online Services, including for analytics and fraud prevention as well as any other legal purpose. When we use the term “Data Collection Technologies” we are referring to any technology that collects information about your use of the LoyaltyPlant Online Services and potentially about your activities when you leave the LoyaltyPlant Online Services and visit other sites on the Internet.

WHILE WE ARE COMMITTED TO PROVIDING YOU WITH MEANINGFUL PRIVACY PROTECTIONS, PLEASE BE AWARE THAT CURRENTLY, WE DO NOT RECOGNIZE OR RESPOND TO BROWSER INITIATED DO NOT TRACK (“DNT”) SIGNALS.

8. Social Networking and Third Party Sites

When you link to the LoyaltyPlant Online Services through any social networking or third party sites, applications or services, please remember that you are bound by the privacy policy of the social network or third-party site, application or service, and we do not control and are not responsible for the privacy practices of such sites. You should consult the privacy policy of such sites to determine the information practices of those sites.

9. Children’s Online Privacy

LoyaltyPlant recognizes the importance of protecting the privacy of children. We will not knowingly collect any personally identifiable information from children under the age of thirteen (13). When a user discloses personal information on the LoyaltyPlant Online Services, the user is representing to us that he or she is at least thirteen (13) years of age.

If a child under the age of thirteen (13) has provided us with personally identifiable information through the LoyaltyPlant Online Services, we ask that a parent or guardian notify us by using the Contact form on the LoyaltyPlant [website](#), and we will delete the child’s information from our records.

10. Third Parties and Your Responsibilities

If you choose to use any LoyaltyPlant Online Services functionality that allows you to send messages to third parties outside of the LoyaltyPlant Online Services, you must obtain their permission to provide their personal information, such as their name, phone number or email address, to LoyaltyPlant, and all other parties necessary to carry out the requested functionality, for example, by routing a message. You are solely responsible for maintenance of the confidentiality and security of any information which you transmit from or store on your computer, tablet, or mobile device for purposes of accessing and using the LoyaltyPlant Online Services, and for all transactions and other activities undertaken in your name, whether authorized or unauthorized. You agree to immediately notify LoyaltyPlant of any unauthorized transactions associated with the LoyaltyPlant Online Services, or any other breach of security, and that LoyaltyPlant shall not be responsible for any losses, costs or expenses arising out of the loss or theft of information which you may have transmitted from or stored on any device of yours, or from unauthorized or fraudulent transactions associated with the LoyaltyPlant Online Services.

11. Email Communications, Text Communications and Push Notifications

If you sign up for a user account using the LoyaltyPlant Online Services, you are by default opted in to receive promotional email communications, text communications and push notifications from LoyaltyPlant (“Electronic Communications”) which may include promotional communications, special offers, account related information, and system messages.

You may opt-out to stop receiving Electronic Communications other than “transactional or relationship” communications referenced above by clicking the unsubscribe link at the bottom of any LoyaltyPlant email or updating your LoyaltyPlant account if you have one. To opt-out of SMS text messages from LoyaltyPlant, you can update your LoyaltyPlant account if you have one OR text STOP to the appropriate short code from the mobile device where you received the SMS text message. If you wish to stop receiving “transactional or relationship” Electronic Communications, you must delete your LoyaltyPlant user account. If you decide not to opt out, our communications to you will be subject to this Privacy Policy.

12. Location Based Services

When you access the LoyaltyPlant Online Services through your mobile device, LoyaltyPlant may collect information regarding your actual location if you allow it. LoyaltyPlant uses this data for anonymous statistical purposes (see above under “Other Information”). In addition, LoyaltyPlant may provide you with different options for providing such location information to certain of its Affiliates, such as its customers, and you may change your selection at any time by accessing the Profile tab of the mobile application that is part of the LoyaltyPlant Online Services. LoyaltyPlant will not share your location with any third party except as anonymized Other Information or to its Affiliates, including its customers, unless you consent.

13. Customers

LoyaltyPlant's business is to provide you with loyalty points and rewards that enhance your shopping and consumer experience. In order to achieve this goal, LoyaltyPlant provides its Affiliates, including its customers that you specify, with some of your Personal Information, including your past shopping and/or visit history and, if you consent, your actual location. Any Personal Information that is provided to a LoyaltyPlant Affiliate or any other third party also is subject to that third party's provider's privacy policy. Except as described above, LoyaltyPlant is not responsible for the content or privacy practices of its Affiliates or other third parties. We encourage you to learn about the privacy practices of our Affiliates and other third parties before providing your Personal Information.

14. International

This English-language Privacy Policy is LoyaltyPlant official statement of its LoyaltyPlant Online Services privacy practices. In case of any inconsistency between this English-language Privacy Policy and its translation into another language, this English-language document prevails.

15. Contact Us

If you have any questions regarding our privacy practices, you can contact us by using the Contact form on the LoyaltyPlant website <https://restaurants.loyaltyplant.com/support>.

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