



## Privacy Policy

**Effective date** [January 1, 2023]

The Avo Shopping Company (“Avo,” “we,” “us,” and “our”) is committed to protecting our visitors’ and members’ privacy. This Privacy Policy (“Privacy Policy”) describes the types of information that Avo collects from and about you when you visit our website, [www.avonow.com](http://www.avonow.com) (“Site”), mobile app (“App”), mobile messaging services, and or other online or offline communications (collectively, the “Services”). This Privacy Policy also explains how Avo may use and disclose such information, and your ability to control certain uses of it. This Privacy Policy does not apply to information collected by any third-party.

Please read this Privacy Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Site or App. By accessing or using the Site or App, you agree to this Privacy Policy. This Privacy Policy may change from time to time (see [Privacy Policy Changes](#)). Your continued use of the Site or App after we make changes is deemed to be acceptance of those changes, so please check this Privacy Policy periodically for updates.

### **1. Personal Data**

We and our third-party providers may collect several types of information from and about users of our Site and App (“Personal Data”), such as:

Information you provide to us, including:

- When you register with Avo, you provide us with your name, email address, telephone number, credit or debit card account number and expiration date (“Customer Registration Data”). You may be required to verify your age for alcohol-related services. You select a username and password allowing you access to our Services. Your password should be kept strictly confidential to prevent unauthorized use. While using our Services, you may give us special delivery and shopping instructions, which we store and use to fulfill and deliver your service-related choice to your specifications.
- Records and copies of your correspondence (including email addresses) if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Details of transactions you carry out through our Site and App and the fulfillment of our services. You may be required to provide financial information before placing an order through our Site and App.
- Your search queries on the Site and App.

Information we collect through automated data collection technologies, including:

- Information collected automatically may include usage details, IP addresses, your Internet activity while on our Site and others (e.g., pages viewed, clicks, scrolling, and mouse-overs), and other information collected through cookies, web beacons, session replay software, and other tracking technologies; and information about your computer and internet connection, i.e., your IP address, unique device identifier, unique advertising identifier, operating system, and browser type.

The information we collect automatically may include Personal Data, or we may maintain it or associate it with Personal Data we collect in other ways or receive from third parties. It helps us to improve our Site and App and to deliver a better and more personalized service by enabling us to: estimate our audience size and usage patterns; store information about your preferences, allowing us to customize our Site and App according to your individual interests; speed up your searches; and recognize you when you return to our Site.

The technologies we use for this automatic data collection may include:

- **Cookies.** Avo receives and stores certain types of information whenever you interact with us through the use of cookies, web beacons, and other technologies (“cookies”). Cookies are identifiers transferred to your computer’s hard drive through your Web browser, which enable our systems to recognize your browser and to provide you with certain shopping features. These “cookies” allow us to give you customized and personalized service and helps us identify ways to improve your shopping experience. Cookies are also used to help us track responses to messages sent on behalf of our advertisers so that Avo may aggregate such information and report results to them. The “Help” portion of the toolbar on most browsers will tell you how to reject or disable cookies or receive notification when a new cookie appears. If you choose to reject or disable cookies, you will be unable to use those Services that require the use of such cookies. Unless you have adjusted your browser or operating system setting to refuse cookies, our system will issue cookies when you direct your browser to our Site or use our App.
- **Google Analytics.** We use Google Analytics, a web analytics service provided by Google, Inc. (“Google”), to collect certain information relating to your use of the Site. Google Analytics uses cookies to help us analyze how users use the Site. You can learn more about how Google uses data when you visit our Site by visiting “How Google uses data when you use our partners’ sites or apps” (located at [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/)). We may also use Google Analytics Advertising Features or other advertising networks to provide you with interest-based advertising based on your online activity. For more information regarding Google Analytics, please visit Google’s website and pages that describe Google Analytics, such as [www.google.com/analytics/learn/privacy.html](http://www.google.com/analytics/learn/privacy.html).
- **Session Recording Software.** Our Site uses Hotjar’s services, a third-party service provider, which records a user’s activities on our Site to help us better understand our users’ experience. For example, Hotjar records your interaction with our Site through your keyboard strokes, mouse movements, and clicks, and how you scroll across multiple pages to find out how our users interact with different features and elements. This information enables us to build and maintain our Site and Services with user feedback. Hotjar uses cookies, session recording, and other technologies to collect data on our users’ behavior and their devices (in particular device’s IP address (captured and stored only in anonymized form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), preferred language used to display our Site. Hotjar stores this information in a pseudonymized user profile. Neither Hotjar nor we will ever use this information to identify individual users or to match it with further data on an individual user. Please see Hotjar’s privacy policy by clicking on [this link for further details](#). You can opt-out to the creation of a user profile, Hotjar’s storing of data about your usage of our site and Hotjar’s use of tracking cookies on other websites by following this [opt-out link](#).

- Facebook Pixel. We use Facebook Pixel, a web analytics and advertising service provided by Facebook Inc. (“Facebook”) on our Site and App. With its help, we and our customers can keep track of what users do after they see or click on a Facebook or Instagram advertisement, keep track of users who access our Site or App or advertisements from different devices, and better provide advertisements to our target audiences. The data from Facebook Pixel is also saved and processed by Facebook. Facebook can connect this data with your Facebook or Instagram account and use it for its own and others advertising purposes in accordance with Facebook’s Data Policy which can be found at <https://www.facebook.com/about/privacy/>. Please click here if you want to withdraw your consent for the use of your data with Facebook Pixel <https://www.facebook.com/settings/?tab=ads#> =

The Personal Data we collect from you is required to enter into a contract with Avo, for Avo to perform under the contract, and to provide you with our products and Services. If you refuse to provide such Personal Data or withdraw your consent to our processing of Personal Data, then in some cases, we may not be able to enter into the contract or fulfill our obligations to you under it.

## **2. How Avo Uses Your Information**

We use information that we collect about you or that you provide to us, including any Personal Data:

- To present our Site and App and their contents to you;
- To respond to your requests for our Services (including to validate, confirm, verify, fulfill, and deliver our services) and contact and communicate with you when necessary (including providing service-related announcements and account notices);
- To enhance your online experience, including as a way to recognize you and welcome you to the Services, and allow you to view your account history;
- To review the usage and operations of our Services, develop new products or services, and conduct analysis to enhance or improve our content, products, and services;
- To provide you with customized Site or App content, targeted offers, and advertising on the Site or App, via email, text message, or push notification, or across other websites, mobile applications, social media, or online services;
- To contact you with information, newsletters, and promotional materials from Avo or on behalf of our partners and affiliates;
- To administer quizzes, surveys, and sweepstakes;
- To use your data in an aggregated, non-specific format for analytical and demographic purposes;
- To protect the security or integrity of the Services and our business, such as by protecting against and preventing fraud, unauthorized transactions, claims, and other liabilities, and managing risk exposure, including by identifying potential hackers and other unauthorized users;

- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection; and
- For other purposes disclosed at the time you provide your information or otherwise with your consent.

We may also use your information to contact you about goods and services that may be of interest to you, including through newsletters. If you wish to opt out of receiving such communications, you may do so at any time by clicking unsubscribe at the bottom of these communications or by visiting your My Account page. For more information, see [Choices About How We Use and Disclose Your Information](#).

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your Personal Data for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

### **3. Disclosure of Your Information**

We do not share, sell, or otherwise disclose your Personal Data for purposes other than those outlined in this Privacy Policy. However, we may disclose aggregated information about our users and information that does not identify any individual without restriction.

We may disclose Personal Data that we collect or you provide as described in this privacy policy:

- To our parent company, subsidiaries, and affiliates;
- To contractors, service providers, and other third parties we use to support our business. Avo may employ other companies and individuals to perform certain functions, such as delivering, processing credit card payments, and analyzing data. They may have access to Personal Data to perform their functions. Our payment processors' privacy policies may be found at <http://stripe.com/us/privacy>;
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Avo's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Data held by Avo about our Site and App users is among the assets transferred;
- To fulfill the purpose for which you provide it;
- For any other purpose disclosed by us when you provide the information; and
- With your consent.

We may also disclose your Personal Data:

- To comply with any court order, law, or legal process, including responding to any government or regulatory request.
- To enforce or apply our terms of use available at <https://www.avonow.com/terms-of-use> and other agreements, including for billing and collection purposes. If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Avo, our customers, or others. This

includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

#### **4. Choices About How We Use and Disclose Your Information**

We do not control the collection and use of your information collected by third parties described above in [Disclosure of Your Information](#). When possible, these organizations are under contractual obligations to use this data only for providing services to us and to maintain this information strictly confidential. These third parties may, however, aggregate the information they collect with information from their other customers for their own purposes. In addition, we strive to provide you with choices regarding the Personal Data you provide to us. We have created mechanisms to provide you with control over your Personal Data:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of this site may be inaccessible or not function properly.
- **Promotional Offers from Avo.** If you do not wish to have your email address used by Avo to promote our own goods and Services, you can opt out at any time by clicking the unsubscribe link at the bottom of any email or other marketing communications you receive from us or logging onto your My Account page. This opt-out does not apply to information provided to Avo as a result of an order or your use of our Services.
- **Targeted Advertising.** By using our Site and App, you consent to our use of your Personal Data to deliver advertisements according to our advertisers' target-audience preferences. If you wish to opt out of such use, you may do so at any time by logging into the Site and App and adjusting your user preferences in your My Account page by checking or unchecking the relevant boxes or by contacting us at 1 (844) 213-8903.

#### **5. How To Change or Remove Your Personal Data**

You may review and change your Personal Data at any time by accessing the My Account page at [www.avonow.com](http://www.avonow.com), the My Account section of the App, or by contacting Avo Customer Care at 1 (844) 213-8903. You may also request that Avo permanently remove all Personal Data stored by Avo at any time by delivering notice requesting such removal via email or by contacting us at 1 (844) 213-8903. Upon such request, Avo will terminate your Avo Service and remove all such Personal Data. After we terminate your Service, we may retain your Personal Data: for as long as necessary to comply with any legal requirement; on our backup and disaster recovery systems in accordance with our backup and disaster recovery policies and procedures; for as long as necessary to protect our legal interests or otherwise pursue our legal rights and remedies; and for data that has been aggregated or otherwise rendered anonymous in such a manner that you are no longer identifiable, indefinitely.

#### **6. Privacy Policy Changes**

Avo reserves the right to change this policy at any time. If Avo makes a material change in how we treat your Personal Data, Avo will notify you via email. The date this Privacy Policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date, active, and valid email address for you, and for periodically visiting our Site and App

and this Privacy Policy to check for any changes. For other policy changes, please check this page periodically. Your use of our Services means that you accept the practices described in this Privacy Policy as changed from time to time.

## **7. Aggregated Information**

Avo may use aggregated information regarding its customers and usage of the Avo Service (such as customer demographics and traffic patterns) and disclose such aggregated information to advertisers, partners, and others for various purposes.

## **8. Jurisdiction-Specific Privacy Rights**

The law in some jurisdictions may provide you with additional rights regarding our use of Personal Data. To learn more about any additional rights that may be applicable to you as a resident of one of these jurisdictions, please see the privacy addendum for your state that is attached to this Privacy Policy.

### **Your California Privacy Rights**

If you are a resident of California, you have the additional rights described in the [California Privacy Addendum](#).

### **Your GDPR Privacy Rights**

If you are a resident of the European Economic Area or the United Kingdom, you have the additional rights described in our [GDPR Privacy Addendum](#).

## **9. Do Not Track Signals**

Some web browsers permit you to broadcast a signal to websites and online services indicating a preference that they “do not track” your online activities. At this time, we do not honor such signals, but we currently do not use automated data collection technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking).

## **10. Children under the Age of 18**

Our Site and App are not intended for children under 18 years of age. No one under 18 years old may provide any information to or on the Site or App. We do not knowingly collect Personal Data from children under 18. If you are under 18, do not register on the Site or App, make any purchases through the Site or App, use any of the interactive or public comment features of our Site or App or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or username you may use. If we learn we have collected or received Personal Data from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from a child under 18, please contact us at [support@avonow.com](mailto:support@avonow.com).

## **11. Contact Us**

If you have any questions, concerns, complaints, or suggestions regarding our Privacy Policy or need to contact us, you may contact us at the contact information below.

To Contact The Avo Shopping Company

Avo

Phone: 1 (844) 213-8903

Email: [Support@avonow.com](mailto:Support@avonow.com)

## Privacy Policy Addendum for California Residents

**Effective date** [January 1, 2023]

**[Last Reviewed on:** [January 1, 2023]

### 1. Introduction

This Privacy Policy Addendum for California Residents (the “**California Privacy Addendum**”) supplements the information contained in Avo’s [Privacy Policy](#) and describes our collection and use of Personal Information (as defined below). This California Privacy Addendum applies solely to all visitors, users, and others who reside in the State of California (“**Consumers**” or “**you**”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 as amended by the California Privacy Rights Act of 2020 (collectively, the “**CPRA**”). Any terms defined in the CPRA have the same meaning when used in this notice.

### 2. Scope of this California Privacy Addendum

This California Privacy Addendum applies to information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your device (“**Personal Information**”) that we collect when you use our Services. However, publicly available information that we collect from government records and deidentified or aggregated information (when deidentified or aggregated as described in the CPRA) are not considered Personal Information, and this California Privacy Addendum does not apply.

This California Privacy Addendum does not apply to employment-related Personal Information collected from our California-based employees, job applicants, contractors, or similar individuals (“**Personnel**”).

### 3. Information We Collect About You and How We Collect It

We collect, and over the prior twelve (12) months have collected, the following categories of Personal Information about Consumers:

<b>Category</b>	<b>Applicable Pieces of Personal Information Collected</b>
<b>A. Identifiers.</b>	A real name; alias; postal address; unique personal identifier; online identifier; Internet Protocol address; and email address.
<b>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</b>	A name; address; telephone number, credit card number, debit card number, or any other financial information.  <i>Some Personal Information included in this category may overlap with other categories.</i>
<b>C. Protected classification characteristics</b>	Age (40 years or older); national origin.

<b>under California or federal law.</b>	
<b>F. Internet or other similar network activity.</b>	Browsing history; search history; information on a Consumer's interaction with a website, application, or advertisement; information about your computer and internet connection, i.e., your IP address, unique device identifier, unique advertising identifier, operating system, and browser type.
<b>I. Professional or employment-related information.</b>	Current or past job history or performance evaluations.
<b>K. Inferences drawn from other Personal Information.</b>	Profile reflecting a person's preferences and characteristics.

Avo will not collect additional categories of Personal Information without providing you notice.

#### **4. Sources of Personal Information**

We collect Personal Information about you from the sources described in our [Privacy Policy](#).

#### **5. Purposes for Our Collection of Your Personal Information**

Through the use of cookies on our Site and App, we may use, "sell" for monetary *or other valuable consideration*, "share" for the purposes of cross-context behavioral advertising, or disclose the Personal Information we collect and, over the prior twelve (12) months, have used, "sold" for monetary *or other valuable consideration*, "shared" for the purpose of cross-context behavioral advertising, or disclosed the Personal Information we have collected, for the purposes described in our [Privacy Policy](#).

Avo will not use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### **6. Third Parties to Whom Do We Disclose Your Personal Information for Business Purposes**

When we disclose Personal Information to non-affiliated third parties for a business purpose, when possible, we enter a contract that describes the purpose, requires the recipient to both keep that Personal Information confidential and not use it for any purpose except for the purposes for which the Personal Information was disclosed and requires the recipient to otherwise comply with the requirements of the CPRA.

In the preceding twelve (12) months, Avo has disclosed the following categories of Personal Information for one or more of the business purposes described below to the following categories of third parties:

<b>Personal Information Category</b>	<b>Categories of Non-Service Provider and Non-Contractor Third Party Recipients</b>
A. Identifiers.	Affiliates, parents, and subsidiary organizations of Avo, Internet cookie information recipients.
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	Affiliates, parents, and subsidiary organizations of Avo, Internet cookie information recipients..
C. Protected classification characteristics under California or federal law.	Affiliates, parents, and subsidiary organizations of Avo, Internet cookie information recipients.
F. Internet or other similar network activity.	Internet cookie information recipients.
I. Professional or employment-related information.	Affiliates, parents, and subsidiary organizations of Avo
K. Inferences drawn from other Personal Information.	Affiliates, parents, and subsidiary organizations of Avo, Internet cookie information recipients.

We disclose your Personal Information to the categories of third parties listed above for the following business purposes:

- Auditing related to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards.
- Helping to ensure the security and integrity of the Services and IT infrastructure, to the extent the use of the Personal Information is reasonably necessary and proportionate for these purposes.
- Debugging to identify and repair errors that impair existing intended functionality.
- Short-term, transient use, including, but not limited to, non-personalized advertising shown as part of your current interaction with us. Our agreements with third parties prohibit your Personal Information from disclosure to another third party and from using your Personal Information to build a profile about you or otherwise alter your experience outside your current interaction with us.
- Performing services on our behalf, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying

customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on our behalf.

- Providing advertising and marketing services, except for cross-context behavioral advertising, to Consumers.
- Undertaking internal research for technological development and demonstration.
- Undertaking activities to verify or maintain the quality or safety of a service or device owned, manufactured, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us.

In addition to the above, we may disclose any or all categories of Personal Information to any third party (including government entities and/or law enforcement entities) as necessary to:

- Comply with federal, state, or local laws or to comply with a court order or subpoena to provide information;
- Comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities;
- Cooperate with law enforcement agencies concerning conduct or activities that we (or one of our service providers) believe may violate federal, state, or local law;
- Comply with certain government agency requests for emergency access to your Personal Information if you are at risk or danger of death or serious physical injury; or
- Exercise or defend legal claims.

## **7. To Whom Do We Sell or Share Your Personal Information**

### **“Sale” of Your Personal Information for Monetary or Other Valuable Consideration**

As noted in our general Privacy Policy, we do not sell Personal Information as the term “sell” is commonly understood to require an exchange for money. However, the use of advertising and analytics cookies on our Site is considered a “sale” of Personal Information, as the term “sale” is broadly defined in the CPRA to include both monetary *and other valuable consideration*. Our “sale” would be limited to our use of third-party advertising and analytics cookies, their use in providing behavioral advertising, and their use in understanding how people use and interact with our Services. Our “sales” of your Personal Information in this matter are subject to your right to opt out of those sales (see [Your Choices Regarding our “Sale” or “Sharing” of your Personal Information](#)).

### **“Sharing” of Your Personal Information for Cross-Context Behavioral Advertising**

Avo may “share” your Personal Information for the purpose of cross-context behavioral advertising, subject to your right to opt out of that sharing (see [Your Choices Regarding our “Sale” or “Sharing” of your Personal Information](#)). Our “sharing” for the purpose of cross-context behavioral advertising would be limited to our use of third-party advertising cookies and their use in providing you cross-context behavioral advertising (i.e., advertising on other websites or in other mediums). When the recipients of your Personal Information disclosed for the purpose of cross-context behavioral advertising are also permitted to use your Personal Information to provide advertising to others, we also consider this disclosure as a “sale” for monetary or other valuable consideration under the CPRA.

In the preceding twelve (12) months, Avo has “sold” for monetary or other valuable consideration, or “shared” for the purpose of cross-context behavioral advertising, the following categories of Personal Information to the following categories of third parties:

<b>Personal Information Category</b>	<b>Sold or Shared</b>	<b>Categories of Third Parties To Whom Your Personal Information is Sold or Shared</b>
A. Identifiers.	Sold and Shared	Service Providers, gift vendors for the purpose of shipping fulfilment. Internet cookie information recipients
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	Shared	Service Providers, gift vendors for the purpose of shipping fulfilment
C. Protected classification characteristics under California or federal law.	No	N/A
F. Internet or other similar network activity.	Sold and Shared	Internet cookie information recipients
I. Professional or employment-related information.	No	N/A
K. Inferences drawn from other Personal Information.	No	N/A

***Sale of Personal Information of Minors Under the Age of 16***

We do not “sell” the Personal Information of minors under the age of 16 for monetary or other valuable consideration or “share” such Personal Information for cross-context behavioral advertising without affirmative consent as required by the CPRA. More information on how minors under the age of 16 may change their choice regarding the “sale” or “sharing” of their Personal Information can be found in [Your Choices Regarding our “Sale” or “Sharing” of Your Personal Information](#).

## 8. Consumer Data Requests

The CPRA provides California residents with specific rights regarding their Personal Information. This section describes your CPRA rights and explains how to exercise those rights. You may exercise these rights yourself or through your Authorized Agent. For more information on how you or your Authorized Agent can exercise your rights, please see [Exercising Your CPRA Privacy Rights](#).

- **Right to Know.** You have the right to request that Avo disclose certain information to you about our collection and use of your Personal Information over the past 12 months (a “**Right to Know**” Consumer Request). This includes: (a) the categories of Personal Information we have collected about you; (b) the categories of sources from which that Personal Information came from; (c) our purposes for collecting this Personal Information; (d) the categories of third parties with whom we have shared your Personal Information; and (e) if we have “sold” or “shared” or disclosed your Personal Information, a list of categories of third parties to whom we “sold” or “shared” your Personal Information, and a separate list of the categories of third parties to whom we disclosed your Personal Information. You must specifically describe if you are making a Right to Know request or a Data Portability Request. If you would like to make both a Right to Know Consumer Request and a Data Portability Consumer Request, you must make both requests clear in your request. If your request is not reasonably clear, we will only process your request as a Right to Know request. You may make a Right to Know or a Data Portability Consumer Request a total of two (2) times within a 12-month period at no charge.
- **Access to Specific Pieces of Information (Data Portability).** You also have the right to request that Avo provide you with a copy of the specific pieces of Personal Information that we have collected about you, including any Personal Information that we have created or otherwise received from a third party about you (a “**Data Portability**” Consumer Request). If you make a Data Portability Consumer Request electronically, we will provide you with a copy of your Personal Information in a portable and, to the extent technically feasible, readily reusable format that allows you to transmit the Personal Information to another third party. You must specifically describe if you are making a Right to Know request or a Data Portability request. If you would like to make both a Right to Know Consumer Request and a Data Portability Consumer Request, you must make both requests clear in your request. If your request is not reasonably clear, we will only process your request as a Right to Know request. In response to a Data Portability Consumer Request, we will not disclose your financial account number, account password, security question, or answers. We will also not provide this information if the disclosure would create a substantial, articulable, and unreasonable risk to your Personal Information, your account with Avo, or the security of our systems or networks. We will also not disclose any Personal Information that may be subject to another exception under the CPRA. If we are unable to disclose certain pieces of your Personal Information, we will describe generally the types of personal information that we were unable to

disclose and provide you a description of the reason we are unable to disclose it. You may make a Right to Know or a Data Portability Consumer Request a total of two (2) times within a 12-month period at no charge.

- **Correction.** You have the right to request that we correct any incorrect Personal Information about you to ensure that it is complete, accurate, and as current as possible. You may review and correct some Personal Information about yourself by logging into the Site or App and visiting your “My Account” page. You may also request that we correct the Personal Information we have about you as described below under [Exercising Your CPRA Privacy Rights](#). In some cases, we may require you to provide reasonable documentation to show that the Personal Information we have about you is incorrect and what the correct Personal Information may be. We may also be unable to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect or if the Personal Information is subject to another exception under the CPRA.
- **Deletion.** You have the right to request that Avo delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your Consumer Request (see [Exercising Your CPRA Privacy Rights](#)), we will delete (and direct our service providers to delete) your Personal Information from our records unless an exception applies pursuant to the CPRA. Some exceptions to your right to delete include, but are not limited to, if we are required to retain your Personal Information to complete the transaction or provide you the goods and services for which we collected the Personal Information or otherwise perform under our contract with you, to detect security incidents or protect against other malicious activities, and to comply with legal obligations. We may also retain your Personal Information for other internal and lawful uses that are compatible with the context in which we collected it.
- **Non-Discrimination.** We will not discriminate against you for exercising any of your CPRA rights. Unless permitted by the CPRA, we will not do any of the following as a result of you exercising your CPRA rights: (a) deny you goods or services; (b) charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties; (c) provide you a different level or quality of goods or services; or (d) suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

### **Exercising Your CPRA Privacy Rights**

To exercise the rights described above, please submit a request (a “**Consumer Request**”) to us by either:

- Calling us at 1 (844) 213-8903
- Emailing us at [support@avonow.com](mailto:support@avonow.com)
- Accessing the My Account page at [www.avonow.com](http://www.avonow.com) or the My Account section of the App

If you fail to make your Consumer Request in accordance with the ways described above, we may either treat your request as if it had been submitted with our methods described above or provide you with information on how to submit the request or remedy any deficiencies with your request.

Only you, or your Authorized Agent that you authorize to act on your behalf, may make a Consumer Request related to your Personal Information. To designate an Authorized Agent, see [Authorized Agents](#) below.

All Consumer Requests must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an Authorized Agent of such a person. This may include:
  - Verifying Personal Information that we may already have about you, such as your name, email address, telephone number, and other similar information.
- Describe your request in sufficient detail that allows us to understand, evaluate, and respond appropriately.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm which Personal Information relates to you or the individual for whom you are making the request as their Authorized Agent.

Making a Consumer Request does not require you to create an account with us. However, we do consider requests made through your password-protected account sufficiently verified when the request relates to Personal Information associated with that specific account.

We will only use Personal Information provided in a Consumer Request to verify the requestor's identity or authority to make the request.

For instructions on exercising sale opt-out rights, see [Your Choices Regarding our "Sale" or "Sharing" of Your Personal Information](#).

### **Authorized Agents**

You may authorize your agent to exercise your rights under the CPRA on your behalf by registering your agent with the California Secretary of State or by providing them with power of attorney to exercise your rights in accordance with applicable laws (an "**Authorized Agent**"). We may request that your Authorized Agent submit proof of identity and that they have been authorized to exercise your rights on your behalf. We may deny a request from your Authorized Agent to exercise your rights on your behalf if they fail to submit adequate proof of identity or adequate proof that they have the authority to exercise your rights.

## **9. Your Choices Regarding our "Sale" or "Sharing" of Your Personal Information**

### **"Sale" of Your Personal Information**

As described above, our use of cookies is considered a "sale" under the CPRA. We do not otherwise sell your Personal Information for monetary consideration. If you are 16 years of age or older, you have the right to direct us to not "sell" your Personal Information for monetary *or other valuable consideration* at any time (the "right to opt-out"). We do not "sell" the Personal Information of Consumers we actually know are less than 16 years of age unless we receive affirmative authorization (the "right to opt-in") from either the Consumer who is between 13 and 16 years of age, or the parent or guardian of a Consumer less than 13 years of age. Consumers who opt-in to Personal Information "sales" may opt out of future "sales" at any time.

### **"Sharing" of Your Personal Information**

If you are 16 years of age or older, you have the right to direct us to not share your Personal Information for the purposes of cross-context behavioral advertising, which is showing advertising on other websites or other media based on your browsing history with our Site (the “right to opt-out”). We do not share the Personal Information of Consumers we actually know are less than 16 years of age for this purpose, unless we receive affirmative authorization from either the Consumer who is between 13 and 16 years of age, or the parent or guardian of a Consumer less than 13 years of age. Consumers who opt-in to our sharing of Personal Information for these purposes may opt out of future such sharing at any time.

### **How You May Opt-Out of Our Sale or Sharing of Your Personal Information**

To exercise the right to opt-out of the “sale” and the “sharing” of your Personal Information for the purposes of cross-context behavioral advertising, you may do so by any of the following: clicking the link below, adjusting your cookie preferences, or by configuring your browser to send us a privacy signal as described in more detail below. You may also opt out of such “sales” and “sharing” by setting your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. However, if you do not consent to our use of cookies or select this setting, you may be unable to access certain parts of our Site, App, or other websites. You can find more information about cookies at <http://www.allaboutcookies.org> and <http://youonlinechoices.eu>.

### **[Do Not Sell or Share My Personal Information](#)**

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize Personal Information sales. However, you may change your mind and opt back into the sale of Personal Information at any time by:

- If you have opted out of the sale or sharing of your Personal Information through cookies by adjusting your cookie preferences or by following the above link, you may simply re-adjust your cookie preferences.
- If you have opted out of the sale or sharing of your Personal Information through the use of a browser privacy control signal, you may turn off the signal and re-adjust your cookie preferences.

If you (or your Authorized Agent) submit a request to opt-in to our “sale” or “sharing” of your Personal Information, we will use a two-step process to confirm that you want to opt-in for such “sale” or “sharing” of your Personal Information. This may include confirming your choice by a popup box or other requirement to confirm your new choice.

### **Browser Privacy Control Signals**

You may also exercise your right to opt out of the “sale” and “sharing” your Personal Information for the purposes of cross-context behavioral advertising by setting the privacy control signal on your browser, if your browser supports it. We currently recognize and support the following privacy signals sent by browsers:

- Global privacy control (for more information on how to configure your browser to send this signal, please see <https://globalprivacycontrol.org/>).

When we receive one of these privacy control signals, we will opt you out of any further “sales” or “sharing” of your Personal Information when you interact with our Services through that browser and on that mobile device. We are only able to propagate your choice to opt-out to your account if you are currently logged in when we receive the privacy control signal from your browser. When we are able to propagate your choice to your account, you will be opted out of “sale” or “sharing” of your Personal Information on all browsers and devices on which you are logged in, and for both online and offline “sales” and “sharing.”

## **10. Your Choices Regarding our Use and Disclosure of Your Sensitive Personal Information**

We do not collect any Sensitive Personal Information.

## **11. Personal Information Retention Periods**

We will keep your Personal Information for no longer than is necessary for the purpose(s) it was provided for. Further details of the periods for which we retain Personal Information are available on request. However, we may retain any or all categories of Personal Information when your information is subject to one of the following exceptions:

- When stored in our backup and disaster recovery systems. Your Personal Information will be deleted when the backup media your Personal Information is stored on expires or when our disaster recovery systems are updated.
- When necessary for us to exercise or defend legal claims.
- When necessary to comply with a legal obligation.
- When necessary to help ensure the security and integrity of our Site, App, or Services and IT systems.

## **12. Changes to This CPRA Privacy Addendum**

Avo reserves the right to amend this California Privacy Addendum at our discretion and at any time. When we make changes to this California Privacy Addendum, we will post the updated addendum on the Site and update the addendum’s effective date. If there are significant changes, Avo will notify you via email. You are responsible for ensuring we have an up-to-date, active, and valid email address for you, and for periodically visiting our Site and App and this California Privacy Addendum to check for any changes. **Your continued use of our Services following the posting of changes constitutes your acceptance of such changes.**

## **13. Contact Information**

If you have any questions or comments about this California Privacy Addendum, the ways in which Avo collects and uses your information described above and in the [Privacy Policy](#), your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** 1 (844) 213-8903

**Website:** [avonow.com](http://avonow.com)

**Email:** [support@avonow.com](mailto:support@avonow.com)

**Postal Address:** The Avo Shopping Company

Attn: Neri Bluman  
500 7th Ave, 8th Floor  
New York, New York 10018  
USA

## **GDPR Privacy Addendum**

Last modified: [January 1, 2023]

### **1. Introduction**

This GDPR Privacy Addendum (the “**GDPR Privacy Addendum**”) supplements the information contained in our Privacy Policy (our “[Privacy Policy](#)”) and applies to the processing of Personal Data that Avo receives in the United States concerning users whose data is collected in the European Economic Area and the United Kingdom. Avo provides software and services to Corporate Customers but may track Personal Data from users (visitors on Corporate Customers’ designated websites and mobile apps created and owned by Avo to provide Avo’s services to Corporate Clients) or Individuals users. Avo has adopted this GDPR Privacy Addendum to comply with the European Union’s General Data Protection Regulation, and any laws implementing the foregoing by any member states of the European Economic Area and the United Kingdom (including the UK Data Protection Act and the UK-GDPR) (collectively, the “**GDPR**”). Unless otherwise defined in this GDPR Privacy Addendum, any terms defined in the GDPR or our Privacy Policy have the same meaning when used in this GDPR Privacy Addendum. When this GDPR Privacy Addendum applies to you, it takes precedence over anything contradictory in our Privacy Policy.

### **2. Data Controller**

Avo is the data controller of your Personal Data. At this time, Avo is not required to appoint a Data Protection Officer or representative in either the European Union or the United Kingdom and has elected not to do so. Avo has designated its Legal Department to oversee its information security program, including compliance with the GDPR. The Legal Department shall review and approve any material changes to this program as necessary. For any questions, concerns, or comments, Avo may be contacted in any manner set forth below in the “[Contact Information](#)” Section of this GDPR Privacy Addendum.

### **3. Information We Collect About You and How We Collect It**

Avo collects Personal Data from Individuals when they purchase its software, register for a demonstration, log in to their account, complete surveys, request information, or otherwise communicate with Avo or utilizes our Services. The Personal Data we collect may vary based on the Individual’s interactions with our Site, App, and service requests.

As a general matter, Avo collects the following types of Personal Data: contact information, including a contact person’s name, work email address, work mailing address, work telephone number, title, company name, tax number (VAT), as well as payment information (which might include credit card, PayPal, and/or bank account information). We will collect any information that Individuals choose to provide to us through their account.

When Individuals browse our website or use our software and/or services, we may collect information about their language, browser, operating system, screen resolution, device type, time on site, number of pages viewed, navigation, page content, clicks, mouse movement, scrolling, and a recording of their user activity.

We also may collect Personal Data from Individuals who contact us through our website to request additional information; in such a situation, we would collect contact information (as discussed above) and any other information that the person chooses to submit through our website. This information is used to operate the Services Corporate Clients buy from us,

managing transactions, reporting, invoicing, renewals, and other operations related to providing Services to Corporate Client(s). In other cases, Avo serves as a service provider. In this capacity, we may receive, store, and/or process Personal Data from users. The information that we collect on behalf and from our Corporate Clients in this capacity is used for providing our Services to the Corporate Clients, and as otherwise requested by our Corporate Clients. We may request a Data Subject to voluntarily share its personal gift preferences, including (but not limited to): life events, hobbies, and other information for the purpose of gift personalization. Avo may also collect partial or masked IP addresses, language, browser, operating system, screen resolution, device type, time on site, number of pages viewed, navigation, page content, clicks, mouse movement, scrolling, and a recording of their user activity.

#### **4. Lawful Basis for Processing Your Personal Data**

The processing of your Personal Data is lawful only if it is permitted under the GDPR. We have a lawful basis for each of our processing activities (except when an exception applies as described below):

- **Consent.** By using our Services, you consent to our collection, use, and sharing of your Personal Data as described in our Privacy Policy and this GDPR Privacy Addendum. If you do not consent to the terms of our Privacy Policy and this GDPR Privacy Addendum, please do not use the Service.
- **Legitimate Interests.** We will process your Personal Data as necessary for our legitimate interests. Our legitimate interests are balanced against your interests, rights, and freedoms, and we do not process your Personal Data if your interests or rights and freedoms outweigh our legitimate interests. Our legitimate interests are to: facilitate communication between Avo and you, detect and correct bugs and improve our Service; safeguard our IT infrastructure and intellectual property; detect and prevent fraud and other financial crime; promote and market our business; develop our Services.
- **To Fulfill Our Obligations to You under our Contract.** We process your Personal Data to fulfill our obligations to you pursuant to our contract with you to deliver our Services to you. This may include verifying your identity (e.g., for online access to accounts) as requested by Individuals associated with Corporate Clients, for other business-related purposes permitted or required under applicable local law and regulation, and as otherwise required by law.
- **As Required by Law.** We may also process your Personal Data when we are required or permitted to by law; to comply with government inspections, audits, and other valid requests from government or other public authorities; to respond to legal processes such as subpoenas; or as necessary for us to protect our interests or otherwise pursue our legal rights and remedies (for instance, when necessary to prevent or detect fraud, attacks against our network, or other criminal and tortious activities), defend litigation, and manage complaints or claims.

#### **5. Special Categories of Information**

Avo does not ask you to provide, and we do not knowingly collect, any special categories of Personal Data from you. Avo also requires Corporate Clients to exclude any special categories of Personal Data from being collected or tracked when using our Services.

#### **6. Automated Decision Making**

Avo does not use your Personal Data with any automated decision-making process, including profiling, which may produce a legal effect concerning you or similarly significantly affect you.

## 7. How We Use Your Information

We use your Personal Data as described in our [Privacy Policy](#).

## 8. Disclosure of Your Information

We do not share or otherwise disclose your Personal Data for purposes other than to the entities and for the purposes described in our Privacy Policy.

## 9. Your Rights Regarding Your Information and Accessing and Correcting Your Information

The GDPR provides you with certain rights with regards to our processing of your Personal Data. These rights replace the similar rights provided in our Privacy Policy or are supplemental to such rights.

- **Access and Update.** You can review and change your Personal Data by accessing the “My Account” page on our Site or App. You may also notify us through the [Contact Information](#) below of any changes or errors in any Personal Data we have about you to ensure that it is complete, accurate, and as current as possible. We may also be unable to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect.
- **Restrictions.** You have the right to restrict our processing of your Personal Data under certain circumstances. In particular, you can request we restrict our use of it if you contest its accuracy, if the processing of your Personal Data is determined to be unlawful, or if we no longer need your Personal Data for processing, but we have retained it as permitted by law.
- **Portability.** To the extent the Personal Data you provide Avo is processed based on your consent and that we process it through automated means, you have the right to request that we provide you a copy of, or access to, all or part of such Personal Data in structured, commonly used and machine-readable format. You also have the right to request that we transmit this Personal Data to another controller when technically feasible.
- **Withdrawal of Consent.** To the extent that our processing of your Personal Data is based on your consent, you may withdraw your consent at any time by closing your account. Withdrawing your consent will not affect the lawfulness of the processing based on your consent before its withdrawal and will not affect the lawfulness of our continued processing that is based on any other lawful basis for processing your Personal Data.
- **Right to be Forgotten.** You have the right to request that we delete all of your Personal Data. We cannot delete your Personal Data except by also deleting your user account, and we will only delete your account when we no longer have a lawful basis for processing your Personal Data or after a final determination that your Personal Data was unlawfully processed. We may not accommodate a request to erase information if we believe the deletion would violate any law or legal requirement or cause the information to be incorrect. In all other cases, we will retain

your Personal Data as outlined in this policy. In addition, we cannot completely delete your Personal Data as some data may rest in previous backups. These will be retained for the periods outlined in our disaster recovery policies.

- **Complaints.** You have the right to lodge a complaint with the applicable supervisory authority in the country you live in, the country you work in, or the country where you believe your rights under applicable data protection laws have been violated. However, before doing so, we request that you contact us directly to give us an opportunity to work directly with you to resolve any concerns about your privacy.
- **How You May Exercise Your Rights.** You may exercise any of the above rights by contacting us through any of the methods listed under [Contact Information](#) below. If you contact us to exercise any of the foregoing rights, we may ask you for additional information to verify your identity. We reserve the right to limit or deny your request if you have failed to provide sufficient information to verify your identity or to satisfy our legal and business requirements. Please note that if you make unfounded, repetitive, or excessive requests (as determined in our reasonable discretion) to access your Personal Data, you may be charged a fee subject to a maximum set by applicable law.

#### **10. Consent to Processing of Personal Data In Other Countries Outside the European Economic Area or the United Kingdom**

To provide our Services to you, we may send and store your Personal Data outside the EEA or the United Kingdom, including to the United States. Accordingly, your Personal Data may be transferred outside the country where you reside or are located, including to countries that may not or do not provide an equivalent level of protection for your Personal Data. Your information may be processed and stored in the United States. United States federal, state, and local governments, courts, law enforcement, and regulatory agencies may be able to obtain disclosure of your information through the laws of the United States. By using our Services, you represent that you have read and understood the above and hereby consent to the storage and processing of Personal Data outside the country where you reside or are located, including in the United States.

Your Personal Data is transferred by Avo to another country only if required or permitted under the GDPR, provided that there are appropriate safeguards in place to protect your Personal Data. To ensure your Personal Data is treated in accordance with our Privacy Policy and this GDPR Privacy Addendum when we transfer it to a third party, Avo uses Data Protection Agreements between Avo and all other recipients of your data that include, where applicable, the standard contractual clauses adopted by the European Commission and/or the Information Commissioner's Office in the United Kingdom (collectively, the "**Standard Contractual Clause**"). The European Commission and the Information Commissioner's Office in the United Kingdom have determined that the transfer of Personal Data pursuant to the Standard Contractual Clauses provides for an adequate level of protection of your Personal Data. However, the Standard Contractual Clauses may need to be supplemented in some cases with additional measures on a case-by-case basis after an analysis that such supplemental measures can provide you with an essentially equivalent level of protection as afforded in the EEA and/or the UK. When, as a result of this analysis, we believe this to be appropriate and necessary, the Standard Contractual Clauses have been supplemented in this way. Under these Standard Contractual Clauses, you have the same rights as if your Personal Data was not transferred to such third-party country. You may request a copy of the Data Protection Agreement by contacting us through the [Contact Information](#) below.

## 11. Data Retention Periods

Avo will retain your Personal Data until you request that Avo delete your Personal Data (subject to the above. Upon such request, Avo will terminate your Avo Service and remove all such Personal Data. After we terminate your Service, we may retain your Personal Data:

- for as long as necessary to comply with any legal requirement;
- on our backup and disaster recovery systems in accordance with our backup and disaster recovery policies and procedures;
- for as long as necessary to protect our legal interests or otherwise pursue our legal rights and remedies; and
- for data that has been aggregated or otherwise rendered anonymous in such a manner that you are no longer identifiable, indefinitely.

## 12. Changes to This GDPR Privacy Addendum

We may change this GDPR Privacy Addendum at any time. Our policy is to post any changes we make to our GDPR Privacy Addendum on this page. If we make material changes to how we treat our users' Personal Data, we will notify you by email to the primary email address specified in your account. The date this GDPR Privacy Addendum was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date, active, and valid email address for you, and for periodically visiting this GDPR Privacy Addendum to check for any changes.

## 13. Contact Information

If you have any questions, concerns, complaints, or suggestions regarding our Privacy Policy or this GDPR Privacy Addendum, have any requests related to your Personal Data described in the [Privacy Policy](#) or this GDPR Privacy Addendum, or otherwise need to contact us, you can do so at the contact information below.

### To Contact Avo (Controller)

The Avo Shopping Company Inc.  
500 7th Ave, 8th Floor  
New York, New York 10018  
USA  
1 (844) 213-8903  
[Support@avonow.com](mailto:Support@avonow.com)