

# USER PRIVACY STATEMENT

## Human Readable Summary

In conducting its business, Universal Audio and its subsidiaries often collect data that identifies, or can be used to identify, specific individuals or households. In some cases, we may expressly ask for the data. In others, we may collect the data on our own, without involving you. And, in still others, we may receive the data from a third party. The types of data that we collect, and the purposes for which we collect and/or process such data, vary. By way of example, when you use one of our websites, we may ask you for your contact information in order to market relevant information to you. Or, when you use one of our products, we may collect usage metrics or data that helps us improve how the product functions. You can find more detail about the scope of these activities further down in this User Privacy Statement.

We know how valuable your privacy is to you. We will work to keep your data secure and we will place restrictions on who can access that data and for what purposes. Again, you can learn more about what that commitment means below.

You should be aware that you may have legal rights relating to the collection, processing and sharing of your data. Depending upon where you live, these rights can include the right to know what data is being collected, the right to access your data, the right to delete your data, the right to opt out of the sale of your data and other rights. Because the world is a big place and privacy law is evolving rapidly, we strongly recommend that you take the time to learn what rights are applicable to you, personally. And, while we can't provide you with legal advice, we want you to know that we've put an organizational framework in place that is designed to help you answer questions you may have about our data collection and processing practices and to facilitate the exercise of those rights, consistent with our legal obligations to you. To learn more about that framework, please read on.

## 1. Who Is Universal Audio?

Universal Audio, Inc., a California corporation ("**UA, Inc.**") is a private company based in Scotts Valley, California. It has three (3) wholly-owned subsidiaries: Universal Audio B.V., a Netherlands private limited liability company ("**UA, B.V.**"), Universal Audio, Limited, an England and Wales private limited company ("**UA, Ltd.**") and Universal Audio, G.K., a Japan Godo Kaisha ("**UA, G.K.**"). Together, these four companies (collectively, "**UA**" or "**We**") manufacture hardware and software (collectively, "**Systems**") that enable the processing of audio signals. We sell such Systems indirectly through distributors and retailers and online through our own websites, including, without limitation: [uaudio.com](http://uaudio.com), [uaudio.jp](http://uaudio.jp), [uaudio.fr](http://uaudio.fr), [uaudio.de](http://uaudio.de) and [spark.uaudio.com](http://spark.uaudio.com). We also provide customer support through [help.uaudio.com](http://help.uaudio.com). Our websites are each referred to in this User Privacy Statement as a "**UA Domain**" and, collectively, as "**UA Domains**."

UA's privacy policies are established, implemented and overseen by a Privacy Team consisting of employees of UA, Inc., whose main corporate offices are located at 4585 Scotts Valley Drive, Scotts Valley, CA 95066 and whose main phone number is (831) 440-1176. Questions relating to our privacy policies are processed by specific employees at UA, Inc., depending upon the nature of the question. Please see Section 12 for the contact information of the employee who can best answer your specific question.

## 2. Why Am I Being Asked to Review this Privacy Statement?

In conducting its business, UA often collects and/or Processes data that identifies, or can be used to identify, specific individuals or households including, without limitation, customers, employees and contractors, as well as members of the public who visit UA Domain(s). “**Processing**” may consist of a variety of operations including, without limitation, recording, organizing, structuring, adapting, altering or retrieving.

As someone whose data we collect and/or Process, you have legal rights depending upon where you live. For example:

- If you are a resident of the European Union (the “**EU**”), you are protected by the “**General Data Protection Regulation**” or “**GDPR**,”<sup>1</sup> the “**EU ePrivacy Regulation**”<sup>2</sup> and related rules and regulations (together, the “**EU Privacy Laws**”); and
- If you are resident of California, you are protected by the Consumer Protection Act of 2018 (“**CCPA**”), the California Privacy Rights Act of 2020 (“**CPRA**”) and related rules and regulations (together, the “**California Privacy Laws**”). If you are a California consumer or household and you wish to learn more about your rights under the California Privacy laws, please see §1798.100 through §1798.199 of the California Civil Code.

We identify the EU Privacy Laws and the California Privacy Laws, specifically, because of the amount of business that we do in those jurisdictions. But, please always remember that these laws are just examples. If you are a resident of another jurisdiction, your rights may differ depending upon the law in that jurisdiction. This document contains provisions intended to make UA compliant with all applicable privacy laws (together, “**Applicable Laws**”).

## 3. What is Personal Data?

Because different jurisdictions have different privacy laws, the specific kinds of data that are protected can also vary. For example, the EU Privacy Laws and the California Privacy Laws cover very similar, but not identical, kinds of data. They also use slightly different terminology to define what’s covered. We borrow the term used by the EU Privacy Laws—“**Personal Data**”—for purposes of this User Privacy Statement. But, to the extent that the EU Privacy Laws and the CA Privacy Laws conflict, as might possibly occur for California consumers, the term used by the CCPA---“**Personal Information**”-- shall apply, instead (and, more generally, to the extent there is a conflict between a provision of the EU Privacy Laws and a provision of the California Privacy Laws, then the California Privacy Law provision shall take precedence).

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<sup>1</sup> The full name of the GDPR is “The Regulation (EU) 2016/679) of the European Parliament and Of the Council (dated April 27, 2016): On the Protection of Natural Persons With Regard to the Processing of Personal Data and on the Free Movement of Such Data and Repealing Directive 95/465/EC.” It became effective on May 25, 2018.

<sup>2</sup> The full name of the ePrivacy Regulation is “Regulation of European Parliament and of the Council Concerning the Respect for Private Life and the Protection of Personal Data in Electronic Communications and Repealing Directive 2002/58/EC (Regulation on Privacy and Electronic Communication).”

## 4. What Personal Data About Me Does UA Collect And/Or Process and For What Purposes?

Here are the categories of Personal Data that UA collects about you, along with the purposes for which such data is used:

(a) **Personal Data That You Intentionally Give Us.** We receive and store Personal Data that you enter on a UA Domain or otherwise give us, including, without limitation, the information found [here](#). We also Process the Personal Data that you provide for a variety of purposes including, without limitation, responding to your requests, customizing future shopping experiences for you, improving our webstores, and communicating with you.

(b) **Personal Data that We Collect And/Or Process on Our Own.** We also collect and/or Process certain Personal Data when you interact with us that you may not intentionally give us including, without limitation, the information found [here](#). In some cases, this involves using "**Cookies**." Cookies are unique identifiers that we transfer to your device to enable our systems to recognize your device in order to facilitate shopping on a UA Domain, enable personalized "remarketing" advertisements on other websites with content served by UA, and provide other functionality. In some cases, you have the legal right to prevent us from using Cookies. Please see Section 9(b)(i) below for information on how to disable Cookies.

(c) **Personal Data We Receive from Other Sources.** We also collect and/or Process Personal Data that originates from other sources. [Click here](#) to see examples of the information we receive.

You have the right to restrict UA's collection and Processing of your Personal Data under certain circumstances, as described under Section 9 below.

## 5. How Long Does UA Keep My Personal Data?

UA will retain your Personal Data for no longer than is necessary to serve the purposes for which such data was collected, subject to your rights under Section 9 below.

## 6. Does UA Share My Personal Data With Anyone Else? If So, For What Purposes?

UA will not sell your Personal Data to any third party. However, UA may share some of your Personal Data with third parties for the reasons set forth below. Some of these third parties are located outside of the EU and some use Profiling and other kinds of automated decision making. "**Profiling**" means the use of Personal Data to analyze, monitor or predict your behavior including, without limitation, your personal preferences, interests or location.

(a) **UA Business Partners.** UA works closely with a number of businesses, including, for example, businesses from whom we license technology and business who sell complementary products or

services (each, a “**UA Business Partner**”). In some cases, the UA Business Partner may sell offerings to you through a UA Domain. In other cases, we may provide services, or sell product lines jointly with the UA Business Partner. [Click here](#) for some examples of these kinds of arrangements. In each of these cases, we may share Personal Data that relates to those transactions with the UA Business Partner.

**(b) UA Third-Party Service Providers.** UA engages other companies and individuals to perform functions on our behalf (each, a “**UA Third Party Service Provider**”), including, without limitation, the kinds of UA Third Party Service Providers described [here](#). Where EU Privacy Laws apply, UA promises that UA shall engage as UA Third Party Service Providers only Providers who have guaranteed, in writing, that they will: (i) act only on UA’s documented instructions, (ii) impose confidentiality obligations on all personnel who process any Personal Data, (iii) ensure the security of the Personal Data it processes, (iv) abide by the rules regarding appointment of sub-processors, (v) implement measures to assist UA in complying with your rights, (vi) assist UA in obtaining approval from appropriate governmental authorities, (vii) at UA’s election, either return or destroy the Personal Data at the end of the relationship (except as required by applicable law) and (viii) provide UA with all information necessary to demonstrate compliance with the rules set forth under the applicable EU Privacy Laws.

**(c) Business Transfers.** As we continue to develop our business, UA might buy other companies or business units. It is also possible that UA may sell some or all of its assets to another company. In such transactions, information about the public’s web usage, customers, employees and contractors, including Personal Data, generally is one of the transferred business assets. In the event your Personal Data is transferred in this way, such data would continue to be governed by the terms of this Privacy Statement.

**(d) Protection of UA and Others.** We may Process your Personal Data to enforce or apply the Terms of Use that govern your use of UA Domains and other agreements, to protect the rights, property, or safety of UA, our users, or others or to comply with applicable law.

You have the right to restrict UA’s ability to share your Personal Data under certain circumstances, as described in Section 9 below.

## **7. Do I have the Right to Access My Personal Data? If So, How Do I Exercise That Right?**

**(a) Your Right of Access.** If EU Privacy Laws apply to you, you have the right to: (i) obtain from UA confirmation about whether or not UA is processing Personal Data relating to you, (ii) obtain such Personal Data so that you can verify its accuracy and the lawfulness of the processing and (iii) have such Personal Data corrected or amended where it is inaccurate or processed in violation of EU Privacy Laws, subject to certain qualifications and restrictions described under such laws. You also have a right to have our Personal Data deleted under the circumstances described in Section 9 below. California Privacy Laws and other Applicable Laws provide for similar, but not identical rights, as further described in Section 9 below.

**(b) How You Exercise That Right. Who Do I Contact at UA to Get that Data?** To exercise your right of access as described above, please complete [this form](#). You are entitled to receive

one (1) electronic copy of your Personal Data for free. After that, UA may charge you a reasonable fee based on administrative costs for further copies.

## **8. On What Basis is UA Claiming It Has the Right to Process My Personal Data?**

The GDPR lists six (6) instances in which a data “Controller”, like UA, may legally Process the Personal Data of a person who is covered by that law:

- (a) The person has given ***consent*** to the processing of the information for one or more specific purposes;
- (b) Processing is ***necessary for the performance of a contract*** to which the person is party or to take steps at the request of the person prior to entering into a contract;
- (c) Processing is ***necessary for compliance with a legal obligation*** to which the Controller is subject;
- (d) Processing is ***necessary to protect the vital interests of the person or of another individual***;
- (e) Processing is ***necessary for the performance of a task carried out in the public interest*** or in the exercise of official authority vested in the entity; OR
- (f) Processing is ***necessary for the purposes of a legitimate interest pursued by the Controller or by a third party unless such interests are overridden by the interests or ***fundamental rights*** and freedoms of the person, which require protection of his/her information***, in particular if the person is a child.

Because the categories of Personal Data that UA is collecting and processing and the purposes for which such Personal Data is being used, as described in this User Privacy Statement, are (taken as a whole) broad, UA is relying on “Consent” as the legal basis for collecting and processing such information for purposes of GDPR compliance. However, it is possible, as to particular categories/uses that other legal bases exist, as well. Where this true, UA reserves the right to rely on the alternative basis where it deems necessary or appropriate.

## **9. How Can I Restrict or Otherwise Control the Kinds of Personal Data That UA Controls, Processes or Shares?**

(a) **Your Rights Under this Privacy Statement.** If you are covered by California Privacy Laws, you have the right to have UA delete your Personal Data, except under the limited circumstances set forth in the CCPA. Under the CPRA, you also have the qualified right to opt out of certain uses and disclosures of “sensitive” Personal Data, including without limitation, precise geolocation, race, ethnicity, religion, genetic data, private communications, sexual orientation and certain health information and the qualified right to opt out of allowing UA to share your Personal Information. In addition, if you live in

the EU, this User Privacy Statement gives you the following rights with respect to restricting or otherwise controlling your Personal Data (in addition to the right of access and other rights described elsewhere in this Privacy Policy), consistent with the New EU Privacy Laws. In all cases, to exercise your rights, you should notify UA's Customer Service Department of such request by completing this form. If you would like to request that UA does not share your data, please complete this form

[https://preferences.uaudio.com/dont\\_sell](https://preferences.uaudio.com/dont_sell)

(i) **Right of Rectification.** You have the right to cause UA to rectify inaccurate information about you without undue delay.

(ii) **Right to be Forgotten (Also known as "The Right of Erasure").**

(A) You have the right to have UA erase your Personal Data without undue delay where one of the following grounds applies:

(1) The Personal Data are no longer necessary in relation to the purposes for which they were collected or otherwise Processed;

(2) You withdraw your Consent to the Processing in accordance with Section 9(a)(vi) below, where there is no other legal ground for the Processing;

(3) You object to the Processing in accordance with Section 9(a)(iv) below and there are no overriding legitimate grounds for the Processing;

(4) The Personal Data have been unlawfully Processed;

(5) The Personal Data are required to be erased for compliance with a legal obligation in European Union or Member State law to which UA is subject (if applicable); or

(6) The Personal Data have been collected in relation to the offer of information society services referred to in Article 8(1) of the GPDR.

(B) Where UA has made the Personal Data public and is obliged pursuant to the paragraph above to erase the Personal Data, UA, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform third parties which are Processing the Personal Data that you have requested the erasure by such third party of any links to, or copy or replication of, those Personal Data.

(C) Paragraphs A and B shall not apply to the extent that Processing is necessary:

(1) For exercising the right of freedom of expression and information;

(2) For compliance with a legal obligation which requires processing by Union or Member State law to which UA is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in UA;

(3) For reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) and Article 9(3) of the GDPR;

(4) For archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) of the GDPR in so far as the right of erasure is likely to render impossible or seriously impair the achievement of the objectives of that Processing; or

(5) For the establishment, exercise or defense of legal claims.

**(iii) Right to Restriction of Processing.** You have the right to restrict Processing where one or more of the following applies:

(A) The accuracy of the Personal Data is contested by you for a period enabling UA to verify the accuracy of the Personal Data;

(B) The Processing is unlawful and you oppose the erasure of your Personal Data and request the restriction of the Personal Data use, instead;

(C) You no longer need the Personal Data for the purposes of the Processing, but they are required by you for the establishment, exercise or defense of legal claims; or

(D) You have objected to Processing pursuant to Article 21(1) of the GDPR pending verification whether the legitimate grounds of UA override yours.

Where Processing has been restricted in accordance with the above, your Personal Data shall, with the exception of storage, only be Processed with your consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal or for reasons of important public interest to the EU or a Member State (if applicable).

**(iv) Right to Object to Automated Decision Making.**

(A) **General Rule.** Where the Personal Data is processed on the grounds of the legitimate interests of UA or a third party under Section 8(f) above, you are, nevertheless, entitled to object to the processing of any Personal Data relating to your particular situation. If you so object, UA has the burden of showing that UA's purported compelling legitimate purpose overrides your interests or the fundamental rights and freedoms.

(B) **Stronger Rule for Direct Marketing.** Where Personal Data are processed for direct marketing purposes (with or without Profiling or other automated decision making process), you have the right to object at any time to the Processing of your Personal Data for such marketing. And, where you so object, the Personal Data shall no longer be Processed for such purposes.

**(v) Automated Decision-Making.**

(A) **Rule.** Subject to the exceptions set forth in paragraph (B) below, you have the right not to be subject to a decision based solely on automated processing, including Profiling, in a way that produces legal (or similar) effects on you.

**(B) Exceptions.** The foregoing rule does not apply if the decision:

**(1)** Is necessary for entering into, or performance of, a contract between you and UA;

**(2)** Is authorized by EU or Member State law to which UA is subject and which lays down suitable measures to safeguard your rights and freedoms and legitimate interests (if applicable); or

**(3)** Is based on your explicit Consent.

Where the basis of the exception is (1) or (3) above, UA must “implement suitable measure to safeguard” your rights and freedoms and legitimate interests, “at least the right to obtain human intervention on the part of UA”, to express his or her point of view and to contest the decision.

**(vi) Right to Withdraw Consent.** You have the right to withdraw Consent at any time, for any reason, by notifying UA’s Customer Service Department of such request by completing this [form](#). Once you have withdrawn Consent as provided in the preceding sentence, UA must cease Processing your Personal Data and delete such Data, unless one or more of the other legal bases for collecting or processing your information, as described in Section 7 above, applies.

**(vii) Data Portability.** You have the right to receive your Personal Data in a structured, commonly-used and machine-readable format and have the right to transmit that data to third party without hindrance from UA, where:

**(A)** The Processing is based on Consent as set forth under Section 7(a) above or the Processing was necessary for the performance of your contract with UA, as set forth under Section 7(b) above; and

**(B)** The Processing is carried out by automated means.

**(b) Other Steps You Can Take to Control Your Personal Data.**

**(i) Disabling Cookies.** 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. Additionally, you can disable or delete similar data used by browser add-ons, such as Flash cookies, by changing the add-on's settings or visiting the website of its manufacturer.

**(ii) Changing Customer Preferences.** If you want to adjust your communication and/or advertising preferences, you can do that by adjusting the appropriate settings [here](#).

**(iii) Disabling Location-Based Services on Your Mobile Device.** Most mobile devices allow you to turn off location services. Most likely, these controls are located in the device's settings menu. If you have questions about how to disable your device's location services, we recommend you contact your mobile service provider or your device manufacturer.

## **10. Can I Trust Third-Party Advertisers and Links to Third Party Websites That Appear on a UA Domain?**



The UA Domains include third-party advertising and links to other websites. Except for the express obligations set forth above and in the GDPR and ePrivacy Regulation, UA assumes no responsibility for the actions of third-party advertising or the content access via such links.

## **11. Are Children Allowed to Use the UA Domains?**

If you are under 18, you may use the UA Domains only with the involvement of a parent or guardian.

## **12. If I Have An Inquiry or Complaint About UA's Data Collection, Processing And/Or Sharing Practices Who Can I Contact?**

**(a) Access, Correction or Deletion Requests; General Inquiries.** To access, correct or delete your Personal Data as contemplated by this User Privacy Statement or to inquire generally about UA's data collection and Processing practices, please use [this form](#). If you don't receive a request within one (1) week, you can also try reaching our Customer Service Department by phone through our main number at (831) 440-1176. If, after trying those two options, your access, correction or deletion requests or general inquiry remains unaddressed, please contact our Data Protection Officer as provided in Section 12(b).

**(b) Escalation Requests.** As described in Section 1 above, UA's privacy policies are established, implemented and overseen by a Privacy Team consisting of employees of UA, Inc. The Privacy Team is led by our Data Protection Officer (currently Dharmang Purohit) who reports to our Executive Staff on privacy matters. The Data Protection Officer is based at UA, Inc.'s headquarters in Scotts Valley, California and can be reached as follows:

Dharmang Purohit  
Data Protection Officer  
Universal Audio, Inc.  
4585 Scotts Valley Drive  
Scotts Valley, CA 95066

(main number) (831) 440-1176

Inquiries from governmental authorities, as well as access, correction or deletion requests or general inquiries that are not resolved through the process described in Section 12(a) above should be addressed to our Data Protection Officer.

### **(c) Disputes.**

**(i)** Because UA is covered by California Privacy Laws, we are subject to a range of potential enforcement mechanisms including, without limitation, actions by the California Attorney General and/or the California Privacy Protection Agency and, in some cases, private causes of action. We are also subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission and other U.S. governmental agencies. If you have a question or complaint about UA's privacy practices that isn't resolved through the processes described in Section 12(a) or 12(b) above, you should consider contacting the applicable governmental agency to determine what options may be available to you.

(ii) Additionally, we hereby inform EU residents that (A) in the event of a dispute between you and UA, UA is committed to cooperating with DPAs in the European Union or their authorized representatives to resolve the dispute, (B) under certain circumstances, you may have a right to invoke binding arbitration, (C) under the EU Privacy Laws, UA can be liable for onward transfers of your Personal Data to third parties who act as an agent for UA, if its agents processes such personal information in a manner inconsistent with the Principles, unless UA proves that it is not responsible for the event giving rise to the damage and (D) UA does have the obligation to disclose Personal Data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

### **13. Conditions of Use, Notices, and Revisions.**

If you choose to visit a UA Domain, your visit and any dispute over privacy is subject to this User Privacy Statement and our website Terms of Use found [here](#), including limitations on damages, resolution of disputes, and application of the law of the State of California (except where they expressly conflict with the New EU Privacy Laws, in which case the New EU Privacy Laws shall apply, unless the you are a California consumer and the conflicting California law is a California Privacy Law). Our business changes constantly, and our User Privacy Statement will change also. We may e-mail periodic reminders of our notices and conditions, but you should check our website frequently to see recent changes. Unless stated otherwise, our current User Privacy Statement applies to all information that we have about you and your account. We stand behind the promises we make, however, and will never materially change our policies and practices to make them less protective of your information collected in the past without the consent of affected customers.

**Last Updated Effective November 10, 2023**

#### **Personal Data that You Intentionally Give Us**

When you use a UA Domain and/or UA's products or you work for us, as an employee or contractor, you may provide us with certain information about yourself, intentionally. For example, when you create a my.uaudio account, search for a product, place an order through a UA Domain or one of our third-party sellers, register a UA product, contact us or a third party for customer support, complete a questionnaire or a contest entry form, participate in a forum, discussion board, or social media comment section on our website, provide a product review or sign-up for payroll or benefits, you will provide us with information about yourself. Such information could include your name, address, zip code, country of residence, the type of DAW and computer you use, information about your credit card, and other potentially sensitive information.



## **Personal Data that We Collect On our Own**

As indicated earlier in this Privacy Statement, we Process certain Personal Data about you that we collect on our own.

One category of Personal Data that we Process on our own is derived from your use of one or more UA Domains. For example, we Process information about the IP address you use to connect your computer to the Internet, your login, your e-mail address, your password, your computer and your connection information (such as browser type, version, time zone setting, language preferences, browser plug-in types, operating system, and platform), the products you search for, your web history, your click through history, your purchase history and the phone number you used to call our 800 number.

Another category of Personal Data that we Process on our own is derived from your use of UA's products. For example, software you license from UA may cause your computer, without notice to connect to a UA Domain:

- (i) on install, on launch, and on a regular or intermittent basis thereafter to detect or prevent fraudulent or unauthorized use of the software and to report on software demo period activation and the extent of DSP usage, among other things;
- (ii) to report an error in the functioning of the software;
- (iii) to: (a) check for updates that are available for download to and installation on the computer and (b) notify UA of the results of installation attempts;
- (iv) so that UA can deliver content about the software and/or other UA products and services;
- (v) to facilitate your access to content and services that are provided by UA or such third party;
- (vi) upon deactivation of the software; and
- (vii) usage information that our Product Development Departments use to improve the software.

A third category of Personal Data that we Process on our own is derived from information that you provide via technical and repair requests. This includes the email address or phone number that you use to contact us and, upon request, account information, information about your computer, the software you use in conjunction with UA software and products, information about the configuration of your computer to aid in troubleshooting, your mailing address and additional telephone numbers

A fourth category of Personal Data that we Process on our own is derived from your use of your mobile device. For example, when you download or use software provided by UA, we may receive information about your location and your mobile device, including a unique identifier for your device. We may Process this information to provide you with location-based services, such as advertising, search results, and other personalized content.

A fifth category of Personal Data that we process on our own is derived from email communications to and from you. For example, to help us make e-mails more useful and interesting, we receive a confirmation when you open e-mail from UA, information on what items within the email you click, and

information on any resulting web store purchase activities, if your computer and email software supports such capabilities. We also periodically compare our customer list to lists received from other companies, in an effort to avoid sending unnecessary messages to our customers. When using Personal Data from third parties, it is our policy to use such data only when you had previously consented to the third party's transfer of the Personal Data to us.

In collecting the Personal Data described above, we may use browser data such as cookies or flash cookies (also known as Flash Local Shared Objects). We may also use software tools to measure and collect session information, including page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page.

## **Information From Other Sources**

Examples of Personal Data that we receive from other sources include updated delivery and address information from our carriers or other third parties, which we use to correct our records and deliver your next purchase or communication more easily, account information, purchase or redemption information, and page-view information from some merchants with which we operate co-branded businesses or from which we receive fulfillment, advertising, or other services, search term and search result information from some searches, search results and links, including paid listings (such as Sponsored Links), credit history information from credit bureaus, which we use to help prevent and detect fraud and to offer certain credit or financial services to some customers and background and other employment-related information.

## **UA Business Partners**

Examples of UA business partners with whom we may share your Personal Data include technology partners from whom we license software that we integrate into our Systems, partners from whom we license trademarks that we use to brand individual software titles (or “Plug-Ins”) that we develop for our Systems and partners who, themselves, develop Plug-Ins for our Systems.

## UA Third Party Service Providers

Examples of UA Third Party Service Providers include businesses which help us: manage payroll and benefits, fulfill orders, deliver packages, send postal mail and e-mail, remove repetitive information from customer lists, analyze data, provide marketing assistance, serve online advertising, provide search results and links (including paid listings and links), process credit card payments, and provide customer service. Some of these UA Third Party Service Providers use Profiling or other kinds of automated decision making techniques.

One example of a UA Third Party Service Provider is the online video sharing service, YouTube. We use an application programming interface (“**API**”) provided by YouTube to enable us to embed videos on UA Domains, curate playlists and offer other YouTube functionalities on UA Domains. By using the services enabled by the YouTube APIs, you are agreeing to be bound by the YouTube Terms of Service found at <https://www.youtube.com/t/terms>. You are also agreeing to be bound by the Google Privacy Statement found at <http://www.google.com/policies/privacy>.

One of the more common purposes for which Profiling and other kinds of automated decision making techniques are used is to generate interest-based advertisements for us. Interest-based ads, also sometimes referred to as personalized or targeted ads, are displayed to you based on information from activities such as purchasing on our sites, visiting sites that contain UA content or ads, or interacting with UA tools.

While we do not provide any Personal Data to advertisers or to third party sites that display our interest-based ads, advertisers and other third-parties (including the ad networks, ad-serving companies, and other service providers they may use) use technology to serve the ads that appear on our sites directly to your browser. In so doing, they generally receive your IP address automatically and may assume that users who interact with or click on a personalized ad or content are part of the group that the ad or content is directed towards (for example, users in the Pacific Northwest who bought or browsed for classical music). Advertisers may also use cookies to measure the effectiveness of their ads and to personalize ad content. While UA has the obligation to enter into agreements with advertisers (and other third parties who process your Personal Data) that provide the “guarantee” described in Section 6.b of this Policy, we do not have physical access to, or control over, cookies or other features that advertisers and third party sites may use.



## **Customer Preferences**

### **(a) Advertising Preferences**

UA offers you choices about receiving interest-based ads from us. You can choose not to receive interest-based ads from UA. Please visit the appropriate third party advertising provider to learn how to set this preference.

You can also generally opt-out of receiving personalized ads from third party advertisers and ad networks who are members of the [Network Advertising Initiative](#) or who follow the [Digital Advertising Alliance's Self-Regulatory Principles for Online Behavioral Advertising](#) by visiting the opt-out pages on the NAI website and DAA website.

**(b) Communication Preferences.** You can adjust your communication preferences by clicking the unsubscribe link at the bottom of emails you receive.