

Restaurant365

PRIVACY POLICY

Last updated: April 16, 2020

DYN365 Inc. d/b/a Restaurant365 (“**Restaurant365**,” “**we**,” “**us**” or words of similar import) respects your privacy and is committed to protecting it. This Privacy Policy describes how we may collect, use and share your personal information in connection with your use of (a) the www.restaurant365.com website and any other Restaurant365 related websites (collectively, the “**Website**”), (b) the Restaurant365 platform, applications, mobile applications, integrated application sites, application programming interfaces (APIs) and any related services (collectively the “**Apps**”), and (c) any other tools, modules, remote services, mobile platforms, servers or other offerings or services of any kind owned, provided or otherwise operated by Restaurant365, including our proprietary software services (together with the Website and Apps, the “**Services**”). This Policy also explains certain choices you have about how your personal information is used. By using the Services, you consent to the practices described in this Policy, unless further consent is required by applicable law.

You may see other privacy notices when we collect your personal information for certain purposes. Those notices supplement this Policy.

1. What Is Personal Information? When we say “personal information,” we mean “personal information” or “personal data” as defined under applicable law. Generally speaking, this includes your unique identifiers (full name, phone number, email address, user name, etc.), plus information about your characteristics, conditions or behavior that is associated with one of your identifiers or could otherwise reasonably be linked to you. “Non-personal information,” on the other hand, is information that has been anonymized, aggregated or de-identified such that it cannot reasonably be linked to an individual.

2. Personal Information We Collect.

Information You Provide to Us. We may collect from you directly some or all of the categories listed below when you open an account with us; subscribe to one or more of our Services; fill out a form on a Website or App; subscribe to one of our newsletters; search, shop for or purchase products or services through our Services; or directly contact us with questions or feedback:

- “*Identifiers*” such as name, address, email address, phone number, user name and similar information;
- “*Demographic Information*” such as preferred language, age, birth date and similar information;
- “*Professional or Employment-Related Information*” such as the name of your employer or organizations you are a member of, your status within an organization and similar information;
- “*Financial Information*” such as payment card information and accounting information;
- “*Account Information*” such as account profile, purchase history and billing information;
- “*User Content*” such as content in your comments, posts, communications or responses; and
- Any other information you voluntarily provide to us.

If you decline to provide requested information, we may not be able to provide one or more Services to you, or you may not receive access to certain features of a Service.

Information Automatically Collected From Your Device. When you access and use our Services, computer servers may automatically collect information from your device or browser. In some cases, we limit this collection to non-personal information, but we may collect the following personal information:

- “*Online Identifiers*” such as IP address, device ID, cookies and similar information;

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- “*Device/Browser Information*” such as internet service provider (ISP), operating system, device type, browser type and settings;
- “*Usage Information and Browsing History*” such as:
 - usage metrics (including usage rates, occurrences of technical errors, diagnostic reports, settings preferences, backup information, and other logs);
 - user keystrokes in a webform (whether or not the user completes or submits the webform);
 - content interactions (including searches, views, downloads, prints, shares, streams, and displays);
 - user journey history (including clickstreams and page navigation, URLs, timestamps, page response times, page interaction information (such as scrolling, clicks and mouse-overs) and download errors), advertising interactions and preferences (including when and how you interact with marketing materials, purchases or steps you make after seeing an ad) and similar data; and
- “*Geolocation Data*” such as your approximate physical location when you access our Service.

Some of this information is collected through the use of “Cookies,” which include a piece of data stored on a site visitor’s hard drive to help us improve your access to the Services and identify repeat visitors. Cookies can enable us to track and target the interests of our users to enhance the experience on the Website and compile aggregate data about site traffic and site interaction. We may contract with third-party service providers to assist us in better understanding Website visitors. These service providers are not permitted to use the information collected on our behalf except to help us conduct and improve our business. Usage of a Cookie is not linked to any personal information on the Website. Most cookies expire after a defined period of time.

Information From Other Sources. We may work with third parties from time to time who assist us in managing or providing Services (e.g., payment processors, web hosting services) and who collect some of the information described above. We may combine such information with information we collect from you. To the extent the information, alone or in combination, constitutes personal information, we will treat it as personal information as described in this Policy. We are not responsible for the accuracy of any information provided by third parties. Unless you have been notified otherwise, all information collected through our authorized third parties remains governed by security and confidentiality obligations consistent with this Policy and applicable law.

3. How We Use Personal Information. We may use your personal information for the following purposes, subject to restrictions under applicable law:

- To process your orders;
- To service your Restaurant365 account;
- To provide any other Services you have requested and/or subscribed to;
- To customize your experience with our Services;
- To respond to your inquiries;
- To contact you about products or services we think may be of interest to you;
- To contact you with legal notices or other information that may be relevant to the Services;
- To detect, investigate, mitigate or prevent activities that may violate our policies, threaten the security of our Services or may be fraudulent or illegal;
- To comply with our legal obligations; or
- As otherwise described to you at the point of collection or pursuant to your consent.

We may use non-personal information for any purpose.

4. Sharing Personal Information. We do not disclose your personal information except as follows:

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- *Vendors and Analytics, Advertising and Social Media Partners.* We may share your information, and in some cases your personal information, with vendors and partners that perform certain functions or services, such as to host our Services, manage databases, process payments, send communications for us or measure performance of our Services and marketing efforts. Where necessary and appropriate, our agreements with those parties prohibit them from using personal information we share for any purpose other than providing services to us. This sharing may involve the use of Cookies;
- *Mandatory Disclosures and Legal Proceedings.* We may have a legal obligation to disclose personal information about you to government authorities or other third parties when required by law or pursuant to a valid subpoena, litigation demand or court order. We may also need to disclose and otherwise process your personal information in accordance with applicable law to defend our legitimate interests, for example, in civil or criminal legal proceedings;
- *Mergers and Acquisitions; Investors.* If we decide to sell, buy, merge or otherwise reorganize our business, this can involve us disclosing personal information to prospective or actual purchasers and their advisers, or receiving personal information from sellers and their advisers. This can include sharing of certain financial accounting information; and
- *Your Consent.* We may share your personal information with others if we have your consent to do so.

5. Quality And Retention of Personal Information. We take reasonable steps to keep your personal information accurate and to delete incorrect or unnecessary personal information. We retain personal information only as long as necessary to fulfill the purposes outlined in this Privacy Policy or otherwise communicated to you, unless a longer period is required by applicable law. We encourage you to access your personal information through your account from time to time to help us ensure that it is up to date.

6. Data Security. In order to safeguard personal information against unauthorized access, removal, theft or disclosure, we implement and maintain security procedures and practices appropriate to the nature of the information and reasonable in light of industry standards and our particular operations, risks and resources. We regularly assess the performance and adequacy of these procedures and practices and will adjust them when new standards, operations or risks require it. Unfortunately, in our increasingly connected digital world, no one can guarantee perfect data security, and we cannot promise that our procedures and practices will always prevent a breach of personal information. Should we detect such a breach, we will promptly notify affected individuals, third parties and law enforcement agencies as required by applicable law.

We encourage you to help maximize security by applying your own personal security measures. For more information about what you can do to protect your data, please see the tips and resources offered by the U.S. Federal Trade Commission at <https://www.consumer.ftc.gov/topics/privacy-identity-online-security> and the California Attorney General at <https://www.oag.ca.gov/privacy/consumer-privacy-resources>.

7. “Do Not Track” Signals. The web browsers and applications that you use to visit our Website and Services may provide certain “Do Not Track” capabilities. Generally, browsers that have these features enabled send a signal to websites that inform the site operator that you do not wish for the site to track you. We do not respond to these signals because there is not yet a common understanding of how to process these signals or a consensus on what “tracking” means.

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8. Links to Third Party Services. Our Services may contain links to third-party websites, products or services. For example, our Website may contain links provided by social media platforms that you can use to post directly from our Website. Information collected by those third parties is governed by their privacy policies, not ours, and we are not responsible for the content or privacy practices of such other websites. We encourage you to learn about the privacy practices of those third parties.
9. Protecting Children's Privacy Online. Our Services are not intended for individuals under the age of eighteen (18). We do not knowingly collect, maintain or process personal information from individuals under the age of eighteen (18).
10. Your Rights and Choices. You may opt-out of our email communications by using the unsubscribe link provided in emails from us or by otherwise contacting us. At any time, you may adjust settings on your browser to refuse cookies and other tracking pixels according to the instructions related to your browser. However, if you choose to disable these technologies, some features of our Services may not operate properly.
11. California Residents (CCPA Statement). Under California Civil Code Section 1798.83, California customers are entitled to request information relating to whether a business has disclosed personal information to any third parties for the third parties' direct marketing purposes. We do not sell or share your personal information with third-party companies for their direct marketing purposes without your consent. You can learn more about the CCPA here: <https://oag.ca.gov/privacy/ccpa>.
12. Changes To This Policy. We will review this Privacy Policy periodically and update it as necessary to reflect material changes in applicable law, our privacy practices or our Services. We will notify you of material changes to how we treat your personal information directly if we have your contact information, and you should periodically review this Privacy Policy to remain aware of our current practices.
13. Contact Us. If you have any questions or concerns about this Privacy Policy or our practices, or wish to exercise your rights regarding your personal information under applicable law, please contact us directly at:

Restaurant365
Attn: Legal Department
Email: legal@restaurant365.com