

# PRIVACY POLICY

*(Effective May 2015)*

Rolling Greens Nursery, Inc. (collectively, "we", "us" or "our") respects your privacy and is committed to protecting personally identifiable information you may provide us through our Website. We have adopted this Privacy Policy to explain what information may be collected in connection with our Website, how we use this information and under what circumstances we may disclose the information to third parties. This Privacy Policy applies only to information we collect through our Website or through other means and devices described below and does not apply to our collection of information from other sources.

This Privacy Policy, together with the Terms of Use posted on our Website, sets forth the general rules and policies governing your use of our Website. Depending on your activities when visiting our Website, you may be required to agree to additional terms and conditions.

## INFORMATION WE COLLECT

Our Website typically collects two kinds of information about you: (a) information that you provide that personally identifies you; and (b) information that does not personally identify you that we automatically collect when you visit our Website or that you provide us.

**(1) Personally Identifiable Information:** Our definition of "personally identifiable information" includes any information that may be used to specifically identify or contact you, such as your name, mail address, e-mail address, phone number, payment information, etc. As a general policy, we do not automatically collect your personally identifiable information when you visit our Website.

In certain circumstances, we may request, allow or otherwise provide you an opportunity to submit your personally identifiable information in connection with a feature, program, promotion or some other aspect of our Website. For instance, you may: (a) provide your name, address, email address, telephone number, credit card number and expiration date when registering with our Website, opening an account, placing an order or in connection with a contest entry; (b) provide certain demographic information about yourself (e.g., age, gender, purchase preference, usage frequency, etc.) when participating in a survey, poll or joining a club; or (c) post a general comment and/or recommendation on our Website. Certain information may not be personally identifiable when standing alone (e.g., your age), but may become so when combined with other information (e.g., your age and name). Whether or not you provide this information is your choice; however, in many instances this type of information is required to participate in the particular activity, realize a benefit we may offer, or gain access to certain content on our Website.

**(2) Non-Personal Information:** Our definition of "non-personal information" is any information that does not personally identify you. Non-personal information can include certain personally identifiable information that has been de-identified; that is, information that has been rendered anonymous. We obtain non-personal information about you from information that you provide us, either separately or together with your personally identifiable information. We also automatically collect certain non-personal information from you when you access our Website. This information can include, among other things, IP addresses, the type of browser you are using, the third party website from which your visit originated, the operating system you are using, the name of your Internet service provider, the search terms you use on our Website, the specific web pages you visit, and the duration of your visits.

## B. HOW WE USE & SHARE THE INFORMATION COLLECTED

**(1) Personally Identifiable Information:** The personally identifiable information you submit to us is

generally used to carry out your orders, to respond to your inquiries, to better serve you, or in other ways naturally associated with the circumstances in which you provided the information. We may also use this information to later contact you for a variety of reasons, such as customer service, providing you promotional information for our products, to communicate with you about sales, special offers, new Website features or other information you have posted or shared with us via our Website, to manage transactions such as credit card payments for any products that you ordered from us or any of our agents or for the fulfillment of such transactions (e.g., delivery). The personal information you provide in connection with placing an order may be used by an authorized vendor to fulfill that order. We may share your personally identifiable information with third parties such as our co-promotional partners and others with whom we have marketing or other relationships. We may also share your information with our business partners who assist us by performing core services (such as hosting, billing, fulfillment, data storage, security, processing credit card payments, and delivering packages) related to the operation of our Website, processing and fulfillment of product orders, and/or by making certain Website functionality available to our users. Those business partners will only use your information to carry out their specific business obligations to us. Except as provided in this Privacy Policy, our Terms of Use, or as set forth when you submit the information, your personally identifiable information will not be shared or sold to any third parties without your prior approval. You may opt-out from receiving future promotional information from us as set forth below. Whether or not you opt-out is your choice; however, in many instances this type of information is required to participate in the particular activity, realize a benefit we may offer, or gain access to certain content on our Website.

**(2) Non-Personal Information:** We use non-personal information in a variety of ways, including to help analyze site traffic, understand customer needs and trends, carry out targeted promotional activities, and improve our services. We may use your non-personal information by itself or aggregate it with information we have obtained from others. We may share your non-personal information with our business affiliates and third parties to achieve these objectives and others, but remember that such information is anonymous and does not personally identify you.

## **PROTECTING CHILDREN**

We take special care to protect the safety of children in accordance to the Children's Online Privacy Protection Act of 1998. While our Web site is a general audience site, it is not intended or directed to anyone under the age of 13. We do not sell or ship any items ordered through this Web site directly to anyone who we know to be under the age of 13, nor do we collect any personal information from anyone who we know to be under the age of 13. If you are under the age of 13, you should use this Web site only with the involvement of a parent or guardian and should not submit any personal information to us.

## **SECURING YOUR INFORMATION**

We have implemented security measures to protect against the loss, misuse and alteration of the information under our control, including Secure Sockets Layer (SSL) technology to encrypt the transmission of nonpublic personally identifiable financial and transaction information over the Internet. We also utilize additional security devices such as firewalls, security patches, and anti-virus programs, to protect nonpublic personally identifiable information. Please be advised, however, that while we strive to protect your personally identifiable information and privacy, we cannot guarantee or warrant the security of any information you disclose or transmit to us online and are not responsible for the theft, destruction, or inadvertent disclosure of your personally identifiable information. In the unfortunate event that your "personally identifiable information" (as the term or similar terms are defined by any applicable law requiring notice upon a security breach) is compromised, we may notify you by e-mail (at our sole and absolute discretion) to the last e-mail address you have provided us in the most expedient time reasonable under the circumstances; provided, however, delays in notification may occur while we take necessary measures to determine the scope of the breach and restore reasonable integrity to the system as well as for

the legitimate needs of law enforcement if notification would impede a criminal investigation. From time to time we evaluate new technology for protecting information, and when appropriate, we upgrade our information security systems.

At the same time, no data transmission over the Internet can be guaranteed to be 100% secure. As a result, while we strive to protect your personal information to the best of our ability, we cannot guarantee or warrant the security of information you transmit to our websites.

## **OTHER USES & INFORMATION**

**(1) IP Addresses:** An IP address is a number that is automatically assigned to your computer whenever you are surfing the Internet. Web servers (computers that "serve up" web pages) automatically identify your computer by its IP address. When visitors request pages from our Website, our servers typically log their IP addresses. We collect IP addresses for purposes of system administration, to report non-personal aggregate information to others, and to track the use of our Website. IP addresses are considered non-personal information and may also be shared as provided in this Privacy Policy. It is not our practice to link IP addresses to anything personally identifiable; that is, the visitor's session will be logged, but the visitor remains anonymous to us.

**(2) Cookies, etc.:** "Cookies" are small text files from a website that are stored on your hard drive. These text files make using our Website more convenient by, among other things, saving your passwords and preferences for you. Cookies themselves do not typically contain any personally identifiable information. We may analyze the information derived from these cookies and other technological tools we employ (such as clear gifs/web beacons) and match this information with data provided by you or another party. We may provide our analysis and certain non-personal information to third parties (who may in turn use this information to provide advertisements tailored to your interests), but this will not involve disclosing any of your personally identifiable information. Please note that advertisers that serve advertisements on our Website and third-party content providers that serve content on our Website may also use their own Cookies and other technological tools which are subject to the advertisers' or third-party content providers' privacy policies, not this Privacy Policy.

If you are concerned about the storage and use of Cookies, you may be able to direct your internet browser to notify you and seek approval whenever a Cookie is being sent to your hard drive. You may also delete a Cookie manually from your hard drive through your internet browser or other programs. Please note, however, that some parts of our Website will not function properly or be available to you if you refuse to accept a Cookie or choose to disable the acceptance of Cookies.

**(3) Email Communications:** If you send us an email with questions or comments, we may use your personally identifiable information to respond to your questions or comments, and we may save your questions or comments for future reference. For security reasons we do not recommend that you send non-public personal information such as passwords, social security numbers, or bank account information to us by email. However, aside from our reply to such an email, it is not our standard practice to send you emails unless you request a particular service or sign up for a feature that involves email communications, it relates to purchases you have made with us (e.g., product updates, customer support, etc.), we are sending you information about our other products and services, or you consented to being contacted by email for a particular purpose. In certain instances, we may provide you with the option to set your preferences for receiving email communications from us; that is, you can agree to receive some communications but not others. You may "opt out" of receiving future commercial email communications from us by following the instructions at the bottom of most emails we send, or as provided below; provided, however, we reserve the right to send you transactional emails such as customer service communications.

**(4) Transfer of Assets:** We may share your information with our Affiliated Companies, in which case we will require them to honor this policy. As we continue to develop our business, we may sell or purchase assets. In the event of a sale, merger, consolidation, change in control, transfer of substantial assets, reorganization, or liquidation, we may transfer, sell, or assign to third parties information concerning your relationship with us, including, without limitation, personally identifiable information that you provide and other information concerning your relationship with us.

**(5) Other:** Notwithstanding anything herein to the contrary, we reserve the right to use IP addresses to identify a visitor or disclose any personally identifiable or non-personal information about you if we believe that such action is necessary to: (a) fulfill a government request; (b) conform with the requirements of the law or legal process; (c) protect or defend our legal rights or property, our Website, or other users; (d) respond to claims that any posting or other content violates the rights of third parties; (e) in an emergency, protect the health and safety of our Website's users or the general public; or (f) enforce compliance with our Website rules.

**(6) Your California Privacy Rights:** Residents of the State of California have the right to request from certain business with whom the California resident has an established business relationship a list of all third parties to which the business, during the immediately preceding calendar year, has disclosed certain personally identifiable information for direct marketing purposes. We are only required to respond to a customer request once during any calendar year. To obtain this information you should send a request to our contact e-mail below with the subject heading "California Privacy Rights." In your request, please attest to the fact that you are a California resident and provide a current California address for our response. Please be aware that not all information sharing is covered by the California Privacy Rights Requirements and only information on covered sharing will be included in our response.

## **OTHER SITES/LINKS**

Our Website may link to or contain links to other third party websites that we do not control or maintain, such as in connection with purchasing products referenced on our Website and banner advertisements. We are not responsible for the privacy practices employed by any third party website. We encourage you to note when you leave our Website and to read the privacy statements of all third party websites before submitting any personally identifiable information.

## **PRIVACY POLICY UPDATES**

We generally keep this Privacy Policy posted on our Website and you should review it frequently, as it may change from time to time without notice. Any changes will be effective immediately upon the posting of the revised Privacy Policy. It is your responsibility to monitor and review any updates to this Privacy Policy. Your continued use of this Website, or online services provided by us, after such posting, will be deemed your acceptance of these changes to our Privacy Policy. **WHEN YOU ACCESS OUR WEBSITE, YOU AGREE TO THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, OR TO ANY CHANGES WE MAY SUBSEQUENTLY MAKE, IMMEDIATELY STOP ACCESSING OUR WEBSITE.**

## **CONTACT AND OPT-OUT INFORMATION**

You may contact us as at [contact@rg-ca.com](mailto:contact@rg-ca.com) if you: (a) have questions or comments about our Privacy Policy; (b) wish to make corrections to any personally identifiable information you have provided; (c) want to opt-out from receiving future commercial correspondence, including emails from us; or (d) wish to withdraw your consent to sharing your personally identifiable information with others.

We will respond to your request and, if applicable and appropriate, make the requested change in our active databases as soon as reasonably practicable. Please note that we may not be able to fulfill certain requests while allowing you access to certain benefits and features of our Website.

#### **SOLE STATEMENT**

This Privacy Policy as posted on this Website is the sole statement of our privacy policy with respect to this Website, and no summary, modification, restatement or other version thereof, or other privacy statement or policy, in any form, is valid unless we post a new or revised policy to the Website