

Fisnar Privacy Policy

Updated July 3, 2019

INTRODUCTION

Fisnar ("**Company**" or "**We**") respects your privacy and is committed to protecting it through our compliance with this Policy. This Policy describes the types of information we may collect or that you may provide, and our practices for collecting, using, maintaining, protecting, and disclosing that information when you visit the websites owned and controlled by Fisnar and corresponding social media websites and mobile applications (referred to each as a "Website" or collectively as the "Websites"). Individual Fisnar Websites may adopt different privacy statements to better fit transactions taking place on those Fisnar Websites. If a Fisnar Website has its own privacy policy, the provisions of that policy will take priority if conflicting with this Policy.

This Privacy Policy does not apply to any other website owned or operated by a third-party retailer, supplier, service provider or affiliate, even if such third-party links to a Website owned by Fisnar or Fisnar links to that third-party website. Accordingly, this Privacy Policy does not apply to the practices of any third-party, affiliate, or business partner that Fisnar does not own or control. Fisnar does not investigate or monitor such third-party websites; therefore, we are not responsible or liable for any of the privacy practices employed by those third-party websites, nor are we responsible for the information or content they contain. Fisnar encourages you to read and consider the privacy policies of these other websites before using them.

Please read this 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 website. By accessing or using this Website, you agree to this Policy. This Policy may change from time to time (see Changes to Our Privacy Policy). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the Policy periodically for updates.

INFORMATION WE COLLECT ABOUT YOU AND HOW WE COLLECT IT

We collect several types of information from and about users of our Website, including information:

- by which you may be personally identified, such as name, postal address, e-mail address, telephone number, or any other identifier by which you may be contacted online or offline ("**personal information**");
- that is about you but individually does not identify you, such as IP Address, data regarding pages visited, specific actions taken on pages visited, browser and device information; and/or
- about your internet connection, the equipment you use to access our Website and usage details.

We collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies.
- From third parties, for example, our business partners.

Information You Provide to Us

The information we collect on or through our Website may include information that you provide by filling in forms on our Website. This includes information provided at the time of (a) making purchases, (b) consenting to receive email or text messages about upcoming promotions or events, (c) consenting to receive email, (d) participating in our forum, (e) commenting on articles.

We may also ask you for personal or business information required to complete a transaction such as your email address, phone number, billing and shipping addresses and credit card information. Occasionally, we may also request information such as your shopping preferences and demographics which will help us better serve you and other users in the future.

Certain Websites may allow you to register or create a user account, or subscribe to newsletters, forums or promotions. Doing so is voluntary. To register or create an account, you must first complete the registration process, during which Fisnar will collect personal information about you. The information will include information such as your name, address, and email address.

Information We Collect Through Automatic Data Collection Technologies

As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our Website, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

Third parties that have content embedded on Fisnar websites may set cookies on a user's browser and/or obtain information about the fact that a web browser visited a specific Fisnar website from a certain IP address.

The information we collect automatically is statistical data. It helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our Website according to your individual interests.
- Recognize you when you return to our Website.

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

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.

- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- **Web Beacons.** Pages of our the Website may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or [opened an email] and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

Third-Party Services

Some content or applications, including advertisements, on the Website are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our website. The information they collect may be associated with your personal information, or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

The third-parties Fisnar uses include [Google Analytics](#), [LivePerson](#), [Google Ads](#), and [Constant Contact](#) which provides Fisnar with website traffic analysis, tailors the customer's ad experience and provides ads to the customer as they travel to different websites. Fisnar does not collect any personally identifiable information through use of third party remarketing systems.

Fisnar does not control these third parties' tracking technologies or how they may be used. However, many third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website: www.networkadvertising.org.

You can opt-out of Fisnar remarketing by visiting optout.networkadvertising.org

HOW WE USE YOUR INFORMATION

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

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To improve guest online and mobile shopping experiences and assist our guest relation representatives in any issues guests may experience
- In any other way we may describe when you provide the information.
- To detect and prevent fraud and unauthorized system access and ensure the security of our Website features
- For any other purpose with your consent.

DISCLOSURE OF YOUR INFORMATION

We treat the duty to keep your personal information confidential with the highest regard. We will not sell, share, or market your personal information with third parties except as specifically approved by you at the time of the disclosing or under the circumstances described in this Privacy Policy.

We may share your information as described below:

- **Service Providers.** Fisnar may share personal information with third parties that provide Fisnar with products or services, but only if we have in place an agreement requiring the service provider to protect your personal information. When users have chosen to enable service providers to associate their web and app browsing history with their service provider account, those service providers may use that data to build audience lists that may be provided to Fisnar.
- **Credit Card Processing Service Providers.** If you make a purchase through a Website, Fisnar will share your personal information with our credit card processing service provider in order to facilitate the transaction. However, if you place an order online, our third-party service providers that collect or process credit card information for online orders do use secure servers.
- **Fisnar Parent, Subsidiaries, Divisions, and Affiliates.** Fisnar may share your personally identifiable or other personal information with our parent, subsidiaries, divisions, and affiliates, but only if an adequate level of protection is in place to protect your information.
- **Business Transactions.** Fisnar may transfer personally identifiable information as an asset in connection with a proposed or actual merger or sale (including any transfers made as part of an insolvency or bankruptcy proceeding) involving all or part of our business or as part of a corporate reorganization, stock sale or other change in control. Fisnar shall ensure reasonable safeguards are in place to protect the security and confidentiality of any of your Personal Information in such occasion.
- **Compliance with Laws, Regulations, and other Obligations of Enforcement.** Fisnar may disclose your personal information if required to do so by law or in the good-faith belief that such action is necessary to: (a) satisfy a legal order or comply with legal process; (b) defend the rights of Fisnar or its affiliates or business partners; or (c) protect the personal safety of Fisnar employees, agents, affiliates, business partners, customers or Websites users.

YOUR RIGHTS IN RELATION TO PERSONAL DATA

You have the following rights regarding your personal data:

- **Right of Access.** You can request details of your personal data we hold. We will confirm whether we are processing your personal data and for what purpose.
- **Right of Correction.** We will comply with your request to correct incomplete or inaccurate parts of your personal data, although we may need to verify the accuracy of the new information you provide us.
- **Right to be Forgotten.** At your request, we will delete your personal data promptly if:
 - It is no longer necessary to retain your personal data;
 - You withdraw your consent which formed the basis of your personal data processing;
 - You object to the processing of your personal data and there are no overriding legitimate grounds for such processing;

- The personal data was processed illegally;
- The personal data must be deleted for us to comply with our legal obligations.
- **Right to Withdraw Consent.** You have the right to withdraw any consent you may have previously given us at any time.
- **Right to Restrict Processing of Personal Data.** At your request, we will limit the processing of your personal data if:
 - You dispute the accuracy of your personal data;
 - Your personal data was processed unlawfully and you request a limitation on processing, rather than the deletion of your personal data;
 - We no longer need to process your personal data, but you require your personal data regarding a legal claim; or
 - You object to the processing pending verification as to whether an overriding legitimate ground for such processing exists.
- **Right of Data Portability.** At your request, we will provide you with your personal data in a structured, commonly-used, and machine-readable format, if:
 - You provided us with your personal data;
 - The processing of your personal data is based on your consent or required for the performance of a contract; or
 - The processing is carried out by automated means

If you believe your personal information is not accurate, or if you would like us to delete personal information collected by Fisnar through this Website, please contact Fisnar directly at privacy@ellsworth.com.

YOUR CALIFORNIA PRIVACY RIGHTS

California Civil Code Section § 1798.83 permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to privacy@ellsworth.com.

DO NOT TRACK DISCLOSURES

At this time, there are no worldwide uniform or consistent industry standards or definitions for responding to, processing, or communicating "Do Not Track" signals. As a result, the Website is not guaranteed to respond to "Do Not Track" signals. You can refer to the instructions in your browser to make sure the appropriate settings are selected, and to set your preferences in "Do Not Track" signals.

CHILDREN UNDER THE AGE OF 13

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any information to or on the Website. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this Website or on or through any of its features. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at privacy@ellsworth.com

GOVERNING LAW AND JURISDICTION

This Policy, and the Fisnar collection and use of customer information, shall be governed and interpreted in accordance with the laws of the United States and the State of Wisconsin. Any disputes arising out of this Policy shall be adjudicated in Milwaukee County, Wisconsin or a federal court of competent jurisdiction in the Eastern District of the State of Wisconsin.

PRIVACY POLICY CHANGES

Fisnar reserves the right to change its Policy at any time without prior notice. Any changes to the Policy will be posted on this page and will be effective immediately upon posting.