

Bemus Landscape Inc. Privacy Policy

Last Updated: February 5, 2020

In this Privacy Policy (this “Policy”), Bemus Landscape Inc. and our affiliates (“Bemus, “we”, “us”), explain how we collect, use, and share personal information in the general course of our business.

More specifically, this Policy applies to personal information we collect through bemus.com and our other corporate websites that link to this Policy (collectively, our “Website”), information we collect while attending or exhibiting at trade shows, as well as personal information we otherwise collect in operating our business, such as when we engage with a potential customer, vendor, consultant or other third party in the operation of our business generally.

FOR SUPPLEMENTAL INFORMATION FOR CALIFORNIA RESIDENTS, PLEASE SEE THE SECTION BELOW TITLED “SUPPLEMENTAL PRIVACY NOTICE FOR CALIFORNIA RESIDENTS.”

If you have any questions regarding this Policy, you may contact us at the information in the “How to Contact Us” section below.

HOW WE COLLECT PERSONAL INFORMATION

We collect information that you give us. Typically this is contact information for you and your company or employer that we collect directly from you, such as when you request information about our services via our Website, or provide us your contact information as a billing or vendor contact. In such instances, you generally decide how much information to share with us, but not providing this information may prevent us from fulfilling your request or otherwise performing the activity for which the information is collected.

Payment Card Information

You may choose to pay for our services using a payment card. In such case, payment card information is submitted by the purchaser to the third party PCI/DSS-compliant payment processing service we use for this purpose and we do not, ourselves, process or store the card information. The processing of that payment information is governed by the policies of the payment processing service. If you have questions about the processing service we use, see the “How to Contact Us” section below.

We collect information automatically. By visiting and interacting with our Website, we collect certain technical data by automated means such as your IP address, browser type and version, and operating system, as further described below.

In most cases, this technical information is collected automatically through our web server logs or is collected through various tracking technologies, which may include “cookies,” and “web beacons.” You can read about how we use cookies and other tracking technologies in the section below titled “Cookies.”

Information from other sources: We may obtain information about you from other sources. For example, your employer may provide us with your contact information as your employer’s billing contact.

PERSONAL INFORMATION WE COLLECT

We generally collect contact information (such as a person’s name, company or employer name, email address, mailing address, and phone number). This contact information is typically business contact information as we generally offer and provide our services to businesses, not to individuals. We may also request and collect other information such as general information about your employer’s potential needs as they relate to the services we provide.

As described above, we also collect technical data automatically when you visit our Website such as your IP address, browser type and version, the operating system of your device, information about your activity on the Website including the date and time you access the Website and similar web server log information. Some of this information could be used to identify you or be associated with you.

THE PURPOSE OF OUR COLLECTION AND PROCESSING OF PERSONAL INFORMATION

We use your personal information to operate our business including to market our services to you and businesses associated with you and to otherwise support our interactions with you and others with whom we interact. Here are more specific examples of how we use your personal information:

- To fulfill the purpose for which you provided the information. For example, if you provide your name and contact information to procure our services, we will use that information in the performance of the services or otherwise in our transaction with you or your employer;
- To receive, process, and respond to your specific inquiries and requests as well as monitor and improve our handling of inquiries and requests;

- To deliver information about our company and services to you and others with whom we interact;
- For analysis to develop and improve our business, services, Website, and marketing and advertising efforts;
- To process payments and transactions;
- To perform accounting, auditing, billing, reconciliation, collection, and similar administrative activities;
- To help maintain the safety, security, and integrity of our Website and our networks, databases, other technology assets, and business;
- To prevent, detect, identify, investigate, respond to, and protect against potential or actual claims, liabilities, prohibited behavior, fraud, and criminal activity;
- To respond to law enforcement requests, to comply with and enforce applicable legal requirements, agreements, and policies, and to enforce our rights;
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred;
- For purposes described to you in other privacy notices we present to you when collecting your personal information; and
- To perform other activities consistent with this Policy.

SHARING YOUR PERSONAL INFORMATION

We do not sell or rent your personal information, nor do we share it with unaffiliated third parties for their own marketing use. Generally, we share personal information to facilitate the operation of our business including the advertising or promotion of our services, to facilitate changes to or transfers of our business, as required by law, or with your consent.

Here are some examples of where we share personal information:

- Within Bemus's group of affiliated companies (e.g. parent, subsidiaries) consistent with this Policy.
- With our contracted service providers who perform services for us such as cloud infrastructure, data storage, communications, and technical services, marketing and relations management services, investigations and accounting services, customer support, and bill collection services.
- With legal, governmental, or judicial authorities, as instructed or required by those authorities or applicable laws, or in relation to a legal activity, such as in response to a subpoena or investigating suspected illicit activity. We reserve

the right to report to law enforcement agencies activities that we in good faith believe to be illegal.

- In connection with, or during negotiations of, an acquisition, merger, asset sale, or other similar business transfer that involves substantially all of our assets or functions where personal information is transferred or shared as part of the business assets.

SECURITY

No information can be completely protected from unauthorized access, use or loss, particularly information that is emailed or otherwise transmitted over the Internet. However, we endeavor to maintain reasonable and appropriate security measures to protect your personal information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction.

CHOICES REGARDING YOUR PERSONAL INFORMATION

You can avoid our collection and use of your manually submitted personal information by not providing it to us. You may opt out of marketing communications at any time by contacting us at the information in the “How to Contact Us” section below.

You can also unsubscribe from our newsletter and other email marketing communications by following the instructions or unsubscribe mechanism in the e-mail message. Note, if you choose to opt out of marketing communications, we may still communicate with you regarding non-marketing transactional or administrative related purposes.

CHILDREN’S INFORMATION

Our services and Website are not intended for or directed to children under the age of 18 and we do not knowingly collect information from children. If you believe we have collected information of a child, you can notify us at the information below.

THIRD-PARTY SITES

This Policy does not apply to, nor are we responsible for, the privacy, information or other practices of any third parties, including any third party operating any site or service to which the Website links. The inclusion of a link on the Website does not imply our endorsement of the linked site or service.

HOW TO CONTACT US

You may contact us about matters pertaining to this Policy at the following:

By Email: privacy@bemus.com

By Mail: Privacy at Bemus Landscape Inc.
 PO Box 74268
 San Clemente, CA 92673

By Phone: 888.557.7910

AMENDMENTS

We reserve the right to change, modify, add or remove portions of this Policy from time to time and in our sole discretion, but will alert you that changes have been made by indicating on this Policy the date it was last updated. When you visit this Website or provide us your personal information under circumstances covered by this Policy, your personal information will be processed in accordance with the current version of this Policy as posted on the Website. We recommend that you revisit this Policy on occasion to learn of any changes.

SUPPLEMENTAL PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

This section provides specific information for California consumers as required under California privacy laws, including the California Consumer Privacy Act as amended (the CCPA). This section supplements and should be read in conjunction with our general Privacy Policy above.

For purposes of this CCPA section:

“personal information” means information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device, (subject to limited exceptions), including the categories of such information indicated in the table below in the section titled “Personal Information Collected by Us”; and

“consumer” means a resident of California.

Please note that the CCPA largely delayed application of its requirements as to personal information of job applicants, current and former employees and certain of their related contacts, contractors, and persons interacting with us in their capacity as a representative of a business (so called business-to-business contacts) for one year (until January 1, 2021). If you have questions about how the CCPA applies to

such persons during that year, you may contact us at the information in the “How to Contact Us” section above.

This supplemental notice reflects our good faith understanding of CCPA requirements relative to our privacy practices as of the date this notice was last updated. However as of that date, there remain differing interpretations of the CCPA that we expect will become clearer and more consistent over time. Accordingly, we may from time to time update information in this and other notices regarding our privacy practices and your rights, modify our methods for responding to your requests, and supplement our responses to your requests, as we continue to develop our compliance program to reflect the evolution of the CCPA and our understanding of how it relates to our privacy practices.

Personal Information Collected by Us

During the prior twelve (12) months, we have collected the following categories of personal information:

Category	Examples	Whether Collected
(A) Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, internet protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.	Yes
(B) Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	Yes
(C) Protected classification characteristics	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or	No

under California or federal law	mental disability, sex (including gender, gender identity, gender expression, and pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, or genetic information (including familial genetic information).	
(D) Commercial information	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	Yes
(E) Biometric information	Genetic, physiological, biological, or behavioral characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as fingerprints, faceprints, voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, or sleep, health, or exercise data.	No
(F) Internet or other similar network activity	Browsing history, search history, or information on a consumer's interaction with a website, application, or advertisement.	Yes
(G) Geolocation data	Physical location or movements.	No
(H) Sensory data	Audio, electronic, visual, thermal, olfactory, or similar information.	No
(I) Professional or employment-related information	Current or past job history or performance evaluations.	No
(J) Non-public education information (per the Family Educational Rights and Privacy Act (20	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	No

U.S.C. § 1232g; 34 C.F.R. Part 99))		
(K) Inferences drawn from other personal information	Profile reflecting a person’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, or aptitudes.	No

Sources of Personal Information

We have collected each of the categories of personal information listed above from the following categories of sources:

- Directly from you - for example, from forms you completed and submitted to us, information you provided to our customer service department, or documents you provided to us;
- Indirectly from you or from a third party - for example, through information we collect in the course of providing services to you or companies you work for or with, or information we obtain from government agencies, public repositories, reporting agencies, or other third parties; and
- Directly and indirectly from activity on our Website - for example, details collected automatically when you visit or interact with our Website.

Purposes of Collection

We have collected each of the categories of personal information listed above for one or more of the business purposes provided in the section of our general Privacy Policy above titled “The Purpose of our Collection and Processing of Personal Information.”

Categories of Third Parties with Whom We Share Your Personal Information

We share your personal information described above with the following categories of third parties:

- Our affiliates (for example, companies that we own or that own us);
- Our business partners, subcontractors, and advisors;
- Our vendors and service providers to whom we provide your personal information for the purposes of providing their services to us;

- Data analytics providers like Google that receive cookie information from our Website visitors;
- Government agencies for legal and regulatory compliance and law enforcement;
- Third party acquirers in the event that we sell or transfer our business or assets (including in the event of a reorganization, dissolution or liquidation); and
- Third parties to whom you've directed us to disclose your personal information.

Personal Information Disclosed for a Business Purpose

During the last 12 months, we have disclosed for a business purpose the following categories of personal information, by reference to the table of categories of personal information collected above:

(A) Identifiers.

(B) California customer records.

(D) Commercial Information.

(F) Internet activity.

We do not sell personal information (of minors under 16 or otherwise) and we have not sold personal information during the preceding 12 months.

Your Rights under the CCPA

The CCPA provides California residents with certain rights regarding their personal information. This section describes your CCPA rights with respect to your personal information and explains how to exercise those rights.

Right to Know

You have the right to request that we disclose to you the personal information about you that we have collected, used, disclosed, or sold during the past 12 months including:

- The categories of personal information we collected about you;
- The categories of sources from which the personal information was collected;
- Our business purpose for collecting that personal information;

- The categories of personal information that we sold or disclosed for a business purpose about you;
- The categories of third parties to whom we disclosed the personal information; and
- The specific pieces of personal information we collected about you.

Right to Delete

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions.

Exercising Your Right to Know and to Delete

To exercise your right to know or your right to delete described above, you may submit a request to us by either:

- Calling us at 888.557.7910;
- Completing and submitting the online form found here: <https://docs.google.com/forms/d/e/1FAIpQLSfCnubgktO8tszLuLscRjUw1yTftbqBcyVBaSlzRWyEteLTew/viewform> ; or
- Completing and submitting the downloadable form found here: <https://bemus.com/wp-content/uploads/2020/03/California-Privacy-Request-Form-Download-Version-1.pdf> in person or via mail to the address and contact information on the form.

Alternatively, you may use an authorized agent to submit your request on your behalf in which case we will require written proof of such authorization and that you verify your identity directly with us as described below. Note: these requirements do not apply if you have provided the authorized agent with a power of attorney pursuant to California Probate Code sections 4000 to 4465.

We will confirm receipt of your request, but must verify your identity in order to fulfill your request. Accordingly, you must provide us with requested supporting evidence or confirmation of your identity, the extent and nature of which will depend upon the nature of your request and the sensitivity of the personal information at issue.

Additionally, you must describe your request with sufficient specificity and detail to allow us to understand, evaluate, and properly and timely respond.

You may make a “right to know” request only twice within any 12-month period.

We endeavor to respond to requests within 45 days of our receipt of them. We may require up to an additional 45 days (90 total) if necessary to process your request, in which case we will inform you of the reason and extension period in writing.

We will deliver our written response by mail or electronically, at your option.

Any disclosures we provide in response to a “right to know” request will only cover the 12-month period preceding the receipt of the request.

Right to Non-Discrimination

You have the right to not receive discriminatory treatment by us for exercising your rights under the CCPA.

Third Party Direct Marketing

Bemus does not share your personal information with non-affiliated third parties for their own direct marketing purpose.

California - Do Not Track Disclosure: Your browser may offer a Do Not Track (DNT) setting. If you turn that setting on, your browser sends a signal to websites indicating that you do not want to be tracked over time or across third party sites. We do not currently respond to these signals because there is not yet a common understanding of how to process them or a consensus on what “tracking” means. For more information about Do Not Track signals, please click here:

<https://allaboutdnt.com/> .

Questions or Comments

You may direct your questions or comments about this California section of our Privacy Policy to our contact information in the section above titled “How to Contact Us”.