

# **RetailNext California Consumer Privacy Act Disclosures**

Effective date: 1 January 2020

In these California Consumer Privacy Act Disclosures (“CCPA Disclosures”), we, RetailNext Inc. (“RetailNext”), disclose information about our data processing practices in the format and with the terminology contemplated by the California Consumer Privacy Act of 2018 (“CCPA”). Given the fact that these disclosures are crafted to address specific disclosure requirements in CCPA with specific terminology prescribed by the statute, these disclosures must not be read out of context of CCPA and its scope limitations.

You can download a PDF version here: <https://go.retailnext.net/ccpa-disclosure>

## **I. Who and what information is subject to these CCPA Disclosures?**

California residents are protected as “consumers” by the California Consumer Privacy Act of 2018 (“CCPA”) with respect to personal information.

A number of statutory exceptions apply under the CCPA and to these CCPA Disclosures, including the following:

1. personal information reflecting a written or verbal communication or a transaction between the business and the consumer, where the consumer is a natural person who is acting as an employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, non-profit, or government agency and whose communications or transaction with the business occur solely within the context of the business conducting due diligence regarding, or providing or receiving a product or service to or from such company, partnership, sole proprietorship, non-profit, or government agency
2. personal information that is collected by a business about a natural person in the course of the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the natural person’s personal information is collected and used by the business solely within the context of the natural person’s role or former role as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or a contractor of that business
3. personal information that is collected by a business that is emergency contact information

of the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the personal information is collected and used solely within the context of having an emergency contact on file

4. personal information that is necessary for the business to retain to administer benefits for another natural person relating to the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the personal information is collected and used solely within the context of administering those benefits.

## **II. How can a consumer with a disability access these CCPA Disclosures?**

Consumers who have a visual disability may be able to use a screen reader or other text-to-speech or text-to-Braille tool to review the contents of this notice.

## **III. CCPA Notice at Collection Online**

In this CCPA Notice at Collection Online, we are addressing disclosure requirements under California Civil Code §1798.100(b) and California Attorney General Regulations § 999.305 at or before the point of online collection:

We collect the following categories of personal information about consumers for the following purposes:

When you visit our websites, we collect information about your usage of our websites and any contact information you provide to us for marketing purposes and to improve the effectiveness of our marketing programs.

We also allow you to submit information in order to apply for jobs at our company and we process this information to consider you for a position.

We collect your email address and other contact and personal information you provide to us when communicating with us via email or when you enter it on our website. We use information about which web pages you access along with information you provide to improve the content of our web pages and the quality of our service. We use your contact information for marketing and sales purposes.

When you purchase or evaluate our products and services we may ask for information such as your name, company name, email address, billing address, and credit card information. We use information that you provide to deliver and bill for those products and services, identify and

authenticate you, contact you, and other purposes like research for product improvement.

## IV. CCPA Privacy Policy

Beyond the disclosures in the preceding “Notice At Collection Online” segment, we are providing additional disclosures about consumer rights and our personal information handling practices in the preceding twelve months, as required by the CCPA and regulations of the California Attorney General, including §999.308 (Privacy Policy).

### 1. Right to Know About Personal Information Collected, Disclosed, or Sold

This Supplemental CCPA Privacy Policy describes the personal information we generally collect, use, disclose and sell about California residents. You have the right to request that we disclose what personal information we collect, use, disclose and sell about you specifically (“right to know”). To submit a request to exercise the right to know, please populate the webform accessible here: <https://go.retailnext.net/california-request-submission-form>, or submit an email request to [privacy-inquiries@retailnext.net](mailto:privacy-inquiries@retailnext.net) and include “California Request to Know” in the subject line. Please specify in your request the details you would like to know, including any specific pieces of personal information you would like to access.

We will ask that you provide certain information to verify your identity. If you have a password-protected account with us, we may verify your identity through our existing authentication practices for your account. The information that we ask you to provide to verify your identity will depend on your prior interactions with us and the sensitivity of the personal information at issue. We will respond to your request in accordance with the CCPA. If we deny requests, we will explain why.

### 2. Our Personal Information Handling Practices in 2019

We have set out below the categories of personal information we have collected about California residents in the preceding 12 months and, for each category of personal information collected, the categories of sources from which that information was collected, the business or commercial purposes for which the information was collected, and the categories of third parties with whom we shared the personal information.

Category of personal information	We collected such personal information to use for the following	We have collected such personal information	We shared such personal information with the
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	<b>business or commercial purposes:</b>	<b>from the following categories of sources:</b>	<b>following categories of third parties:</b>
Identifiers such as a real name, alias, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.	To provide a more customized web experience and to understand site usage and improve the content and offerings of the site.	Directly from the California resident.	Cloud hosting and internet service providers; operating systems and platforms; advertising networks and data analytics providers.
Any categories of personal information described in subdivision (e) of Section 1798.80: "Personal information" means any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her 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	For the purposes of recruitment and evaluations of qualifications for possible employment or internship possibilities; For employee onboarding; To make contacts with you by telephone, email, or ground mail, to provide you with information and advertisements	Directly from the California resident; From government entities from which public records are	Cloud hosting and internet service providers; government entities; operating systems and platforms; advertising networks and data analytics

<p>history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. "Personal information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.</p>	<p>advertisements about RetailNext and our services, establish and maintain a well-managed customer or prospective customer relationship, and to evaluate, develop, and improve our services.</p>	<p>records are obtained.</p>	<p>analytics providers; social networks; business management service providers.</p>
<p>Characteristics of protected classifications under California or federal law, including age (40 years or older), race, color, national origin, citizenship, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), veteran or military status.</p>	<p>For employee onboarding.</p>	<p>Directly from the California resident.</p>	<p>Cloud hosting and internet service providers; government entities; operating systems and platforms; employment related service providers.</p>
	<p>To establish and maintain a well-managed customer or prospective customer relationship, and to evaluate, develop, and improve our</p>		<p>Cloud hosting and internet service</p>

Commercial information, including records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	improve our services; to make contacts with you by telephone, email, or ground mail, to provide you with information and advertisements about RetailNext and our services.	Directly from the California resident.	service providers; government entities; operating systems and platforms; sales and related service providers.
Biometric information.	N/A	N/A	
Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement.	To provide a more customized web experience and to understand site usage and improve the content and offerings of the site; To make contacts with you by telephone, email, or ground mail, to provide you with information and advertisements about	Directly from the California resident.	Cloud hosting and internet service providers; operating systems and platforms; advertising networks and data analytics

	about RetailNext and our services, establish and maintain a well-managed customer or prospective customer relationship, and to evaluate, develop, and improve our services.		analytics providers; social networks.
Geolocation data.	Network security; To provide a more customized web experience and to understand site usage and improve the content and offerings of the site.	Directly from the California resident.	Cloud hosting and internet service providers; operating systems and platforms; security service providers.
Audio, electronic, visual, thermal, or similar information.	To establish and maintain a well-managed customer or prospective customer relationship, and to evaluate, develop, and improve our services.	Directly from the California resident.	Cloud hosting and internet service providers; operating systems and platforms;
			Cloud

Professional or employment-related information.	For the purposes of recruitment and evaluations of qualifications for possible employment or internship possibilities; For employee onboarding.	Directly from the California resident.	Cloud hosting and internet service providers; operating systems and platforms; employment related service providers.
Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. section 1232g, 34 C.F.R. Part 99).	For the purposes of recruitment and evaluations of qualifications for possible employment or internship possibilities.	Directly from the California resident.	Cloud hosting and internet service providers; operating systems and platforms; recruitment service providers.
Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer reflecting the consumer's, characteristics, behavior, attitudes, abilities, and aptitudes.	For the purposes of recruitment and evaluations of qualifications for possible employment or internship possibilities; For employee onboarding.	Directly from the California resident	Cloud hosting and internet service providers; operating systems and platforms; employment related service providers.

### 3. Disclosures of Personal Information, No Sale



Over the preceding 12 months, we disclosed certain categories of California residents' personal information to the categories of third parties as shown in the table above. We did not sell personal information.

We do not and will not sell California residents' personal information.

#### **4. Right to Request Deletion of Personal Information**

You have a right to request the deletion of personal information that we collect or maintain about you. To submit a request to delete personal information, please populate the webform accessible here <https://go.retailnext.net/california-request-submission-form> or submit an email request to [privacy-inquiries@retailnext.net](mailto:privacy-inquiries@retailnext.net) and include "California Request to Delete" in the subject line. Please specify in your request the personal information about you that you would like to have deleted, which can be all of your personal information as required by the CCPA.

We will ask that you provide certain information to verify your identity, such as a code sent to an email address we may have on file for you. If you have a password-protected account with us, we may verify your identity through our existing authentication practices for your account. The information that we ask you to provide to verify your identity will depend on your prior interactions with us and the sensitivity of the personal information at issue. Once we have verified your identity, we will ask you to confirm that you wish to have your personal information deleted. Once confirmed, we will respond to your request in accordance with the CCPA. If we deny your request, we will explain why.

#### **5. Right to Opt-Out of the Sale of Personal Information**

You have the right to opt-out of the sale of your personal information by a business. We do not, and will not, sell your personal information.

#### **6. Right to Non-Discrimination for the Exercise of a Consumer's Privacy Rights**

You may not be discriminated against because you exercise any of your rights under the CCPA in violation of Cal. Civ. Code §1798.125.

#### **7. Authorized Agent**

You can designate an authorized agent to make a request under the CCPA on your behalf if:

- The authorized agent is a natural person or a business entity registered with the Secretary of State of California; and

- You sign a written declaration that you authorize the authorized agent to act on your behalf.

If you use an authorized agent to submit a request to exercise your right to know or your right to request deletion, please have the authorized agent take the following steps in addition to the steps described in Sections 2 and 3 above:

- Mail your written declaration authorizing the authorized agent to act on your behalf, certified by a California notary public, to RetailNext Legal Department, 60 S. Market St., Suite 310, San Jose, CA 95113; and
- Provide any information we request in our response to your email to verify your identity. The information that we ask you to provide to verify your identity will depend on your prior interactions with us and the sensitivity of the personal information at issue.

If you provide an authorized agent with power of attorney pursuant to Probate Code sections 4000 to 4465, it may not be necessary to perform these steps and we will respond to any request from such authorized agent in accordance with the CCPA.

## **8. Contact for More Information**

If you have questions or concerns regarding our privacy policy or practices, you may contact us using the following details:

Email address: [privacy-inquiries@retailnext.net](mailto:privacy-inquiries@retailnext.net)

Postal address:

RetailNext Legal Department  
60 S. Market St., Suite 310  
San Jose, CA 95113

## **Prior Versions**

Initial version effective 1 January 2020 - [Link](#) - [PDF](#)

The latest version is always linked from <http://retailnext.net/policies/privacy-policy/>, with a printable version [here](#).

You can also track and compare changes to our policies on GitHub at <https://github.com/retailnext/privacy-policy>.