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# Privacy Policy

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## Last revised July 31st, 2019

Molton Brown USA Limited, One Penn Plaza, Suite 4118, New York, New York 10119 ("Kao Company" or "we" or "our") and each of its affiliates and subsidiaries in the EMEA region collectively, the "Kao Group") takes data privacy seriously. This Privacy Policy informs the users of [www.moltonbrown.com](http://www.moltonbrown.com) and any other Kao Company-owned websites or mobile applications on which this Privacy Policy is displayed ("Website") how we, as controller within the meaning of the General Data Protection Regulation ("GDPR") collect and process the personal data and other information of such users in connection with their usage of the Website. Note that other Kao Group websites or mobile apps may be governed by other privacy policies.

## 1. Categories of Personal Data and Processing Purposes - What personal data do we process about you and why?

### 1.1. Metadata

You may use the Website without providing any personal data about you. In this case, we will collect only the following metadata that result from your usage of the Website: browser type and version, operating system and interface, website from which you are visiting us (referrer URL), webpage(s) you are visiting on our Website, date and time of accessing our Website, and internet protocol (IP) address.

Your IP address will be used to enable your access to our Website. The metadata, including the shortened IP address, will be used to improve the quality and services of our Website and services by analysing the usage behaviour of our users.

### 1.2. Account

If you create an account on our Website you will be asked to provide the following personal data about you: name, gender (salutation), date of birth, postal address, email address, telephone number, selected password for your account, payment details, invoicing and delivery address and your preferences in receiving marketing from us (voluntary). We process such personal data for purposes of account administration, answering your queries or information requests, providing desired products or services, providing you with marketing materials where you have provided consent for us to do so, to the extent permitted by applicable law, analysing your interests for marketing purposes, improving our Website according to usage patterns, and for technical administration or other purposes to which you have agreed.

### 1.3. Product Orders

If you order a product via our Website we collect and process the following personal data about you: name, gender (salutation), postal address, email address, telephone number, payment details, invoicing and delivery address, type and amount of product, purchase price, order date, order status, product returns, customer care requests, and your preferences in receiving marketing from us (voluntary). We process such personal data for purposes of carrying out the contractual relationship and the product order, providing customer care services, compliance with legal obligations, defending, establishing and exercising legal claims, providing you with marketing materials where you have provided consent for us to do so, to the extent permitted by applicable law, and analysing your interests for marketing purposes.

### 1.4. Competitions

If you participate in a competition, we collect and process the following personal data about you: name, gender (salutation), postal address, email address, telephone number and selection as winner. We process such personal data for purposes of carrying out the competition, informing the winner, delivering the prize to the winner, carrying out the event, and providing you with marketing materials where you have provided us consent to do so, to the extent permitted by applicable law, and analysing your interests for marketing purposes.

### 1.5. Newsletter

If you request to receive our newsletter, we collect and process the following personal data about you: name, email address, date of birth (optional), gender (optional) and, your preferences in receiving marketing communications (voluntary). We process such personal data for purposes of providing the newsletter and other marketing materials to the extent permitted by applicable law and where you have provided us consent to do so, and analysing your interests for marketing purposes.

### 1.6. Contact Us

On our website, we offer you the opportunity to contact us via a contact form. For this we need the following personal data from you: email name, telephone number (optional), address (optional), date of birth (optional) and gender (optional). The personal data that you provide us in the context of this contact request will only be used to answer your inquiry and for the technical administration thereof. The transfer to third parties does not take place. Your personal data will be deleted as soon as we have processed your request or you revoke the consent you have given.

### 1.7. Third Party Services

On our website we use the rating tool of the third party service provider Bazaarvoice. This tool is used to allow our customers to provide feedback on our goods and services. For this tool, the privacy policy of this services provider applies, and is available at <https://www.bazaarvoice.com/legal/privacy-policy/>.

Price Spider is used to gather information when you shop with one of our retailers by tracking information after you leave the website. We use this information to understand your interests and purchase behavior. For more information about how to opt-out of Price Spider cookies, you can find out more here <https://www.pricespider.com/privacy-policy/>.

We also use Rakuten Marketing to help get the most of our digital marketing by delivering data-driven personalised ad experiences. For more information about how to opt-out of Rakuten Marketing cookie, click here: [Rakuten Website Privacy Policy](#).

## 2. 2. Processing Basis and Consequences - What is the legal justification for processing your personal data and what happens if you choose not to provide it?

We rely on the following legal grounds for the collection, processing, and use of your personal data:

- your consent to the processing of your data for one or more specific purposes (as detailed in Section 1) ; or if
- we have a legitimate interest in doing so (including but not limited to) a legitimate interest in performing marketing activities, research activities, data analytics, internal administration functions, processing and enforcing legal claims and conducting our business in compliance with all applicable laws, relevant industry standards and our policies).

The provision of your personal data is not required by a statutory or contractual obligation. The provision of your personal data is not necessary to enter into a contract with us or to receive our services/products as requested by you. The provision of your personal data is voluntary for you.

Not providing your personal data may result in disadvantages for you, for example, you may not be able to receive certain products and services. However, unless otherwise specified, not providing your personal data will not result in legal consequences for you.

## 3. Categories of Recipients and International Transfers - Who do we transfer your personal data to and where are they located?

We may transfer your personal data to third parties for the processing purposes described above as follows:

- **Within the Kao Company:** Our parent entity, the Kao Corporation, in Japan and each of its affiliates and subsidiaries (each affiliate or subsidiary including us referred to as "**Kao Company**"; collectively, the "**Kao Group**") within the global [Kao Group](#) may receive your personal data as necessary for the processing purposes described above. Depending on the categories of personal data and the purposes for which the personal data has been collected, different internal departments within the Kao Company may receive your personal data. For example, our IT department may have access to your account data, and our eCommerce and sales departments may have access to your account data or data relating to product orders. Moreover, other departments within the Kao Company may have access to certain personal data about you on a need to know basis, such as the legal department, the finance department or internal auditing.
- **With data processors:** Certain third parties, whether affiliated or unaffiliated, may receive your personal data to process such data under appropriate instructions ("**Processors**") as necessary for the processing purposes described above, such as website service providers, order fulfilment providers, customer care providers, marketing service providers, IT support service providers, and other service providers who support us in maintaining our commercial relationship with you. The Processors will be subject to contractual obligations to implement appropriate technical and organisational security measures to safeguard the personal data, and to process the personal data only as instructed.
- **Other recipients:** We may transfer - in compliance with applicable data protection law - personal data to law enforcement agencies, governmental authorities, judicial authorities, legal counsel, external consultants, or business partners. In case of a corporate merger or acquisition, personal data may be transferred to the third parties involved in the merger or acquisition. We will not disclose your personal data to third parties for advertising or marketing purposes or for any other purposes without your permission.

Any access to your personal data is restricted to those individuals that have a need-to-know in order to fulfill their job responsibilities.

**International transfers.** The personal data that we collect or receive about you may be transferred to and processed by recipients that are located inside or outside the European Economic Area ("**EEA**").

- For recipients located outside of the EEA, some are certified under the EU-U.S. Privacy Shield and others are located in countries with adequacy decisions and, in each case, the transfer is thereby recognised as providing an adequate level of data protection from a European data protection law perspective.
- Other recipients might be located in countries which do not adduce an adequate level of protection from a European data protection law perspective. We will take all necessary measures to ensure that transfers out of the EEA are adequately protected as required by applicable data protection law.
- With respect to transfers to countries not providing an adequate level of data protection, we will base the transfer on appropriate safeguards, such as standard data protection clauses adopted by the European Commission or by a supervisory authority, approved codes of conduct together with binding and enforceable commitments of the recipient, or approved certification mechanisms together with binding and enforceable commitments of the recipient.

You can ask for a copy of such appropriate safeguards by contacting us as set out in Section 7 below.

## 4. Retention Period - How long do we keep your personal data?

Your personal data will be retained as long as necessary to provide you with the services and products requested. Once you have terminated the contractual relationship with us or the competition has been completed or otherwise ended your relationship with us, we will remove your personal data from our systems and records and/or take steps to properly anonymize it so that you can no longer be identified from it (unless we need to keep your information to comply with legal or regulatory obligations to which the Kao Company is subject--e.g., taxation purposes).

We may retain your contact details and interests in our products or services for a longer period of time if the Kao Company is allowed to send you marketing materials. Also, we may be required by applicable law to retain certain of your personal data for a period of 10 years after the relevant taxation year. We may also retain your personal data after the termination of the contractual relationship if your personal data are necessary to comply with other applicable laws or if we need your personal data to establish, exercise or defend a legal claim, on a need to know basis only. To the extent possible, we will restrict the processing of your personal data for such limited purposes after the termination of the contractual relationship

## 5. Your Rights - What rights do you have and how can you assert your rights?

**Right to withdraw your consent:** If you have declared your consent regarding certain collecting, processing and use of your personal data (in particular, regarding the receipt of direct marketing communication via email, telephone/SMS and postal), you can withdraw this consent at any time with immediate effect. Such a withdrawal will not affect the lawfulness of the processing prior to the consent withdrawal. Please contact us as stated in Section 7 below to withdraw your consent. Further, you can object to the use of your personal data for the purposes of marketing without incurring any costs other than the transmission costs in accordance with the basic tariffs.

**Additional data privacy rights:** Pursuant to applicable data protection law, you may have the right to: (i) request access to your personal data; (ii) request rectification of your personal data; (iii) request erasure of your personal data; (iv) request restriction of processing of your personal data; (v) request data portability; and/or (vi) object to the processing of your personal data (including objection to profiling).

Please note that these aforementioned rights might be limited under the applicable local data protection law. Below please find further information on your rights to the extent that the GDPR applies:

**Right to request access to your personal data:** You now have the right to obtain from us confirmation as to whether or not personal data concerning you is being

- **Right to request access to your personal data:** You may have the right to obtain from us confirmation as to whether or not personal data concerning you is being processed, and, where that is the case, to request access to the personal data. This access information includes – inter alia – the purposes of the processing, the categories of personal data concerned, and the recipients or categories of recipient to whom the personal data have been or will be disclosed. However, this is not an absolute right and the interests of other individuals may restrict your right of access. You may have the right to obtain a copy of the personal data undergoing processing free of charge. For further copies requested by you, we may charge a reasonable fee based on administrative costs.
- **Right to request rectification:** You may have the right to obtain from us the rectification of inaccurate personal data concerning you. Depending on the purposes of the processing, you may have the right to have incomplete personal data completed, including by means of providing a supplementary statement.
- **Right to request erasure (right to be forgotten):** Under certain circumstances, you may have the right to obtain from us the erasure of personal data concerning you and we may be obliged to erase such personal data.
- **Right to request restriction of processing:** Under certain circumstances, you may have the right to obtain from us restriction of processing your personal data. In such case, the respective data will be marked and may only be processed by us for certain purposes.
- **Right to request data portability:** Under certain circumstances, you may have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and you may have the right to transmit those data to another entity without hindrance from us.
- **Right to object:**  
Under certain circumstances, you may have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data by us and we can be required to no longer process your personal data. Such right to object may especially apply if we collect and process your personal data for profiling purposes in order to better understand your interests in our products and services or for direct marketing. If you have a right to object and you exercise this right, your personal data will no longer be processed for such purposes by us. You may exercise this right by contacting us as stated in Section 7 below. Such a right to object may, in particular, not exist if the processing of your personal data is necessary to take steps prior to entering into a contract or to perform a contract already concluded. If you no longer want to receive direct marketing via email, telephone/SMS, and postal, you need to withdraw your consent as explained at the start of Section 5.

To exercise your rights, please contact us as stated under Section 7 below. You also have the right to lodge a complaint with the competent data protection supervisory authority.

## 6. Cookies and other tracking technologies

This Website uses cookies and other tracking technologies.

### What is a cookie?

A cookie is a small text file a web portal installs on your computer, tablet or smartphone when you visit the portal. Cookies can help us in many ways, they make it for example possible for the portal to remember certain entries and settings (e.g. login info, language, font size and other display preferences) for a specific period of time so you do not have to re-enter this information every time you visit and navigate the portal., for example, by allowing us to tailor a Web site to better match your interests or to store your password to save you having to re-enter it each time. Furthermore, when you visit our website you may notice some cookies that aren't related to us. If you go on to a web page that contains embedded content, you may be sent cookies from these websites.

If cookies aren't enabled on your computer you will still be able to browse [www.moltonbrown.com](http://www.moltonbrown.com), but your experience will be limited and you may not be able to add items to your bag and buy them.

Using your web browser's settings you can view the cookies on your computer, remove all or some cookies and set rules on when to allow and not allow cookies to be set

We don't control the setting of these cookies, so we suggest you check the third-party websites for more information about their cookies and how to manage them. If you do not wish to receive cookies, please configure your Internet browser to erase all cookies from your computer's hard drive, block all cookies or to receive a warning before a cookie is stored.

For more information on how to manage cookies in your particular web browser we recommend you visit [www.aboutcookies.org](http://www.aboutcookies.org)

### How we use cookies and for which purpose:

The Cookies used on the Molton Brown Website are categorized using the categories in the ICC UK Cookie Guide. Here is a list of the main cookies we use and what we use them for.

#### Category 1: Strictly necessary cookies.

For those type of cookies that are strictly necessary, no consent is required.

Name of cookie	Domain	Purpose of cookie	Expiration Date
JSESSIONID (Sitzung), cmTPSet, criteo_write_test (1 Tag), cto_tld_test (1 Tag), tms_VisitorID (559 Tage) tms_wsip (1 Tag) userPrefLanguage (18145 Tage) cookies.js (Sitzung), notFirstTime (Sitzung), sessionConf (session)	<a href="http://www.moltonbrown.com">www.moltonbrown.com</a>	These cookies are required to make the core functionality of the website to work. It ensure that your shopping selections are carried through your journey by preserving your states across page requests.	see name of cookie box

#### Category 2: Google Analytics, Google Signals, performance and statistics cookies.

This website uses Google Analytics, a web analytics service provided by Google, Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyze how users use the site. The information generated by the cookie about your use of the website will be transmitted to and stored by Google on servers in the United States.

In case IP-anonymization is activated on this website, your IP address will be truncated within the area of Member States of the European Union or other parties to the Agreement on the European Economic Area. Only in exceptional cases the whole IP address will be first transferred to a Google server in the USA and truncated there. The IP-anonymization is active on this website.

Google will use this information on behalf of the operator of this website for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing them other services relating to website activity and internet usage.

The IP-address, that your Browser conveys within the scope of Google Analytics, will not be associated with any other data held by Google. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website.

You can also opt-out from being tracked by Google Analytics with effect for the future by downloading and installing Google Analytics Opt-out Browser Add on for your current web browser: <http://tools.google.com/dlpage/gaoptout>.

As an alternative to the browser plug-in and especially for mobile browsers, please click on the following link to set an opt-out cookie. This opt-out cookie prevents detection by Google Analytics within this website. <http://www.moltonbrown.com/data-protection-policy/?google-analytics-opt-out=true>

We also use the web analysis service, Google Signals. Via Google Signals, Google provides us with reports on cross-device user numbers, as well as different groups of users, based on different device combinations. In order to do so Google uses the data of users who have activated the option "personalized advertising" in their Google account settings. Google Signals can only be used with activated IP anonymization. As a result, your IP address will be abbreviated by Google within the member states of the European Union or in other states that have ratified the Convention on the European Economic Area prior to its transmission to the United States. Thus, no conclusions can be drawn as to the identity of a single user.

You can object to the collection of your data via Google Signals, at any time via disabling "personalised advertising" in your Google Account: <https://support.google.com/ads/answer/2662922?hl=en>

Additional information on how Google handles personal data in its advertising network can be found here: [Advertising and Privacy](#).

Name of cookie	Domain	Purpose of cookie	Expiration Date
APISID, HSID, NID, SAPISID, SID, SSID, SIDCC	google.co.uk / google.com	Various unique identifiers. Google set a number of cookies on any page that includes a Google Map or YouTube Video. While we have no control over the cookies set by Google, they appear to include a mixture of pieces of information to measure the number and behaviour of Google Maps users.	Most of the cookies expire 10 years after your last visit to a page containing a Google Map.

### Category 3: Advertising, marketing & 3rd party cookies.

These cookies are used to deliver adverts that are relevant to you and your interests They are also used to limit the number of times you see an advertisement as well as help measure the effectiveness of the advertising campaigns. They are usually placed by advertising networks with the website operator's permission. They remember that you have visited a website and this information is shared with other organisations such as advertisers. Quite often targeting or advertising cookies will be linked to site functionality provided by the other organisation.

Name of cookie	Domain	Purpose of cookie	Expiration Date
Tuuid, tuuid_lu, um, umeh	360yield.com	This Third Party tracking allows our media owners to better understand user profiles and enables them and us to tailor our adverts to make them more relevant to our customers' needs.	up to 3 months
tluid	3lift.com	Used to present the visitor with relevant content and advertisement - The service is provided by third party advertisement hubs, which facilitate real-time bidding for advertisers. This domain is owned by TripleLift, a USA based business providing programmatic native advertising services.	3 months
na_id, oid, uid	Addthis	addthis creates a unique, machine-generated user ID. AddThis, which is owned by Clearspring Technologies, uses the user ID to make it possible for the user to share content across social networks and provide detailed statistics to various providers. The AddThis cookie is "dropped" when an end user visits a publisher site that uses the AddThis Website Tools. Certain consent tools allow for cookies to be suspended (or "not dropped") if the user has not consented to cookies on the site. Geolocation, is used to help providers determine how users who share information with each other are geographically located (state level). If your intent is to disable thi services you need to read and follow instructions <a href="https://datacloudoptout.oracle.com/">https://datacloudoptout.oracle.com/</a>	1 year
anj, uuid2	adnxs.com	Registers a unique ID that identifies a returning user's device.	3 months
TDCPM, TDID	adsvr.org	Purpose of these cookies is to allow for optimisation of performance of advertising on other websites as well as to understand what advertising converts on the website and track web browsing behaviour.	1 year
APID, IDSYNC	advertising.com	Collects information on visitor behaviour on multiple websites. This information is used on the website, in order to optimize the relevance of advertisement. Identifies if the cookie-data needs to be updated in the visitor's browser - This is determined through thir	1 year

Name of cookie	Domain	d-party ad-serving-companie Purpose of cookie	Expiration Date
c, fuuid, fuuid, fuuid_lu	bidswitch.net	Regulates synchronisation of user identification and exchange of user data between various ad services.	1 year
MUID, MUIDB	bing.com	Used widely by Microsoft as a unique user ID. The cookie enables user tracking by synchronising the ID across many Microsoft domains.	1 year

anj, uuid2	bluekai.com	Registers anonymised user data, such as IP address, geographical location, visited websites, and what ads the user has clicked, with the purpose of optimising ad display based on the user's movement on websites that use the same ad network.	179 days
CMDD, CMID, CMPRO, CMPS, CMRUM3, CMST	casalemedia.com	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded, with the purpose of displaying targeted ads	CMPRO, CMPS 3 months CMID, CMRUM3 1 year CMST, CMDD 1 day
uid	criteo.com	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded, with the purpose of displaying targeted ads.	1 year
IDE, test_cookie	doubleclick.net	Used by Google DoubleClick to register and report the website user's actions after viewing or clicking one of the advertiser's ads with the purpose of measuring the efficacy of an ad and to present targeted ads to the user	test_cookie 1 day IDE 1 year
tms_VisitorID, tms_wsip, newsPopup	Fresh Relevance	tms_VisitorID - This cookie is used to identify each shopper and attributes site interactions to them. The cookie is set to expire after 80 weeks, which is extended each time the shopper visits the site. If they don't return to the site within that period, the cookie will be automatically deleted.  tms_wsid - This is a housekeeping cookie set to expire after 30 minutes and works in conjunction with the tms_VisitorID cookie to capture shopper activity.  newsPopUp - This is the default cookie used by PopOver SmartBlocks to suppress a PopOver x days after it is last seen, where x is configurable for each PopOver. The duration is also the same value as x.	tms_VisitorID 559 days tms_wsip 1 day newsPopUp 1 month
ayl_visitor	omnitagjs.com	This cookie registers data on the visitor. The information is used to optimize advertisement relevance.	29 days
i	openx.net	This domain is owned by OpenX. The main business activity is: Advertising. This cookie registers anonymised user data, such as IP address, geographical location, visited websites, and what ads the user has clicked, with the purpose of optimising ad display based on the user's movement on websites that use the same ad network.	1 year
criteo	outbrain.com	This cookie is currently under review and its purpose is being assigned. Once complete, this description will be updated accordingly.	29 days
opt_out	postrelease.com	This cookie is currently under review and its purpose is being assigned. Once complete, this description will be updated accordingly.	1 year
KRTBCOOKIE_#, PUBMDCID, PugT	pubmatic.com	This domain is owned by Pubmatic. It operates an advertising	29 days

Name of cookie	Domain	Purpose of cookie	Expiration Date
		exchange platform where online publishers can sell targeted ads to media buyers using real time bidding. This cookie registers a unique ID that identifies the user's device during return visits across websites that use the same ad network. The ID is used to allow targeted ads. If your intent is to disable pubmatic services you need to read and follow instructions	13 months

rlas3, pxrc	rlcdn.com	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded, with the purpose of displaying targeted ads	2 months
stx_user_id	sharethrough.com	Sets a unique ID for a specific visitor. This ID can be used to recognize the visitor upon re-entry and implement any preference choices made. The cookie also allows the website to track the visitor on multiple websites for marketing purposes.	1 year
UID 1 year uid-bp 29 days	ads.stickyadstv.com	Unique user ID that recognizes the user on returning visit	UID 1 Jahr lang uid-bp 29 Tage
t_gid, taboola_usg, taboola_vmp	taboola.com	This cookie gives a user a User ID that is used for attribution and reporting and keeps track of user segmentation.	1 year
TapAd_DID, TapAd_TS, TapAs_TTD_SYNC	tapad.com	Used to determine what type of devices (smartphones, tablets, computers, TVs etc.). This domain is owned by Tapad Inc. a US based company that provides technology to track users across devices to enhance targeting capabilities.	2 months
tt_viewer	teads.tv	This domain is owned by Teads, a video advertising marketplace company, specialising in native advertising on video.	1 year
AWSELB	crieo-partners.tremorhub.com	Load Balancing Cookie: Used to map the session to the instance.	1 day
B	Yahoo.com	Collects anonymous data related to the user's website visits, such as the number of visits, average time spent on the website and what pages have been loaded. The registered data is used to categorise the users' interest and demographical profiles with the purpose of customising the website content depending on the visitor.	1 year
_cs_id,_cs_s,_cs_vars, _cs_ex,_cs_c, _cs_optout,_cs_mk	ContentSquare	<p>_cs_id - This cookie contains ContentSquare's user identifier.</p> <p>_cs_s - This cookie contains the number of pageviews within the running session for ContentSquare Solution.</p> <p>_cs_vars - This cookie is used by ContentSquare to record custom variables.</p> <p>_cs_ex - This cookies is used by ContentSquare to exclude some visitors from the collection.</p> <p>_cs_c - This cookies is used by ContentSquare to save the user consent to be tracked.</p> <p>_cs_optout - This cookies is used by ContentSquare to exclude some visitors from the collection.</p> <p>_cs_mk - This cookie is used for the Google Analytics integration.</p>	<p>_cs_id - 13 months.</p> <p>_cs_s 30 minutes</p> <p>_cs_vars session</p> <p>_cs_ex 30 days</p> <p>_cs_c 13 months</p> <p>_cs_optout 13 months</p> <p>_cs_mk 30 minutes</p>

## Controlling cookies

You can randomly manage and/or delete these cookies. You can delete all of the cookies stored on your computer and you can set up most browsers in such a manner that the archiving of cookies is prevented in the first place.

However, if you do this, you may have to manually adjust some settings every time you visit and live with the impairment of some of the functions

## 7. Questions and Contact Information

For further information and to exercise your statutory rights according to section 5, please go to [www.kao.com/global/en/EU-Data-Subject-Request](http://www.kao.com/global/en/EU-Data-Subject-Request).

## 8. Changes to this Privacy Policy

We may update this Privacy Policy from time to time in response to changing legal, regulatory or operational requirements. We will notify you of any such changes, including when they will take effect, by updating the "Last revised" date above or as otherwise required by applicable law.

Your continued use of our Website after any such updates take effect will constitute acceptance of those changes. If you do not accept updates to this Privacy Policy, you should stop using our Website.

# I. Privacy Notice for California Residents

**Effective Date:** January 1, 2020

**Last Reviewed:** January 1, 2020

## I. Overview

You should read Molton Brown USA LLC's entire Privacy Notice for California Residents, but here is a partial list of some of the key topics.

- [Click here](#) to learn who we are and who is covered by this Privacy Notice.
- [Click here](#) to learn what categories of information we collect from California consumers and why we collect it.
- [Click here](#) to learn about our data collection, use, and disclosure practices during the 12-month period preceding the Effective Date.
- We do not, and will not, sell personal information of consumers. We have not sold any such information in the last 12 months.
- [Click here](#) to learn about your rights and choices with respect to your personal information and how to exercise those rights.
- We will not discriminate against you for exercising any rights you may have been granted under the California Consumer Privacy Act.
- [Click here](#) to learn how to contact us for more information about our privacy practices.

## I. Introduction

This **Privacy Notice for California Residents** supplements the information contained in Molton Brown USA Limited's ("**Molton Brown**," "**we**," "**us**," or "**our**") website privacy policies and describes our privacy practices with respect to individuals who reside in the State of California ("**consumers**" or "**you**").

This Privacy Notice does not apply to information we collect when:

- You are acting as a job applicant to us;
- You are acting in your capacity as a current or former employee, owner, director, officer, medical staff member, or contractor for us;
- You have been designated as an emergency contact for one of the persons listed above and your information has been collected for use solely within that context;
- We need your personal information to administer benefits obtained through one of the persons listed above.

For information on our privacy practices as they relate to any of the above persons contact us by using the contact information in [Section IX \(Who to contact for more information\)](#), below.

We adopt this notice to comply with the California Consumer Privacy Act of 2018, as may be amended, replaced, or superseded as well as any implementing regulations (CCPA). Any terms defined in the CCPA have the same meaning when used in this notice.

The CCPA temporarily exempts personal information reflecting written or verbal business-to-business communications ("**B2B personal information**") from many of its requirements. This Privacy Notice does not disclose our practices with respect to B2B personal information.

## I. Information we collect about California consumers

We collect 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 or device ("**personal information**"). However, personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data; and
  - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

Specifically, we collect the following categories of personal information:

Category	Examples	Do we collect this information?
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	A name, signature, Social Security number, physical characteristics or description, address,	YES

listed in the California Customer Information Privacy Act (Cal. Civ. Code § 1798.80(e)).	<p>Examples: telephone number, passport number, driver's license or state identification card number, insurance policy number, credit or debit card number, bank account number, or any other financial information, medical information, or health insurance information.</p> <p>Some personal information included in this category may overlap with other categories.</p>	Do we collect this information?
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	NO

D. Commercial information.	Records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	In some cases, we may collect your location to provide you location-related services	YES
H. Sensory data.	If you call our offices and leave a voicemail, audio information	YES
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 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	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
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, including brand or product preferences and purchasing preferences.	YES

We collect and share personal information in the above categories for the following business purposes:

- To register you as a new customer.
- To verify your identity so that we can respond to a request you make under the applicable law.
- To send you products that you have ordered, including to process payment, provide you updates about the status of your order, and process product returns.
- To manage our relationship with you which may include notifying you about changes to our terms or privacy policy, providing you notices about your account, asking you to leave a review or take a survey, addressing any concerns you may have about our products or services.
- To send samples that you have requested or to contact you for market research purposes.
- To provide you with the information, products, services or support that you request from us or to fulfill any other purpose for which you provide it.
- To deliver relevant content, advertisements, and messaging to you and to measure or understand the effectiveness of such content, advertisements, and messaging.
- To allow you to enter a sweepstake, contest or promotion that we may offer. If we plan to make additional uses of data collected in connection with any sweepstake, contest, or promotion, we will inform you at the time of entry. If we offer a co-branded promotion, then our co-sponsor may have different privacy practices, which we will inform you about before you provide your information.
- To use data analytics to improve our website, products or services, marketing, customer relationships, and experiences.
- To make suggestions and recommendations to you about our own and third-parties' products or services that may be of interest to you. If you do not want us to use your information in this way or for more information on how to adjust your preferences, see [Your Rights and Choices](#).
- To help maintain the safety, security, and integrity of our services, databases and other technology assets, and business.
- To report to regulatory authorities as required by law.
- To respond to law enforcement requests and other requests as required by applicable law, court order, or governmental regulations.
- To protect and enforce our and others' intellectual property rights; to protect or defend our legal rights or property, our services, or other users; and to protect the health and safety of our services' users or the general public.
- 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 about consumers is among the assets transferred.
- As described to you when collecting your personal information.
- For any purpose with your consent.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### I. We do not sell your personal information

We do not, and will not, sell personal information of consumers and have not sold any such personal information within the last twelve (12) months.

#### I. Notice of personal information that we have collected or disclosed in the last 12 months



In the last twelve (12) months, we have collected or disclosed the following categories of personal information for a business purpose:

#### 1. *Categories of information collected in the last 12 months*

- Category A: Identifiers.
- Category B: California Customer Records personal information categories.
- Category C: Protected classification characteristics under California or federal law.
- Category D: Commercial information.
- Category F: Internet or other similar network activity.
- Category G: Geolocation data.
- Category H: Sensory data.
- Category K: Inferences drawn from other personal information.

#### 2. *How we collected this information*

We collected the above categories of your personal information from the following sources:

- **Directly from you.** For example, from forms you complete to enter promotions, to make comments or inquiries concerning products you purchase and services you may obtain when you reach out to us online or offline.
- **Indirectly from you.** For example, from observing your actions as you use our Services.
- **From our service providers.** This includes businesses that collect your personal information on our behalf in order to help us respond to consumer inquiries, conduct market research, and comply with legally mandated disclosure requirements.
- **From other third parties.** For example, when you make a comment on a third-party website such as social media, we may collect your name and contact information to respond to your concern.

#### 3. *Why we collected personal information*

We have collected and disclosed personal information in the above categories for the following business purposes:

- To register you as a new customer.
- To verify your identity so that we can respond to a request you make under the applicable law.
- To send you products that you have ordered, including to process payment, provide you updates about the status of your order, and process product returns.
- To manage our relationship with you which may include notifying you about changes to our terms or privacy policy, providing you notices about your account, asking you to leave a review or take a survey, addressing any concerns you may have about our products or services.
- To send samples that you have requested or to contact you for market research purposes.
- To provide you with the information, products, services or support that you request from us or to fulfill any other purpose for which you provide it.
- To deliver relevant content, advertisements, and messaging to you and to measure or understand the effectiveness of such content, advertisements, and messaging.
- To allow you to enter a sweepstake, contest or promotion that we may offer. If we plan to make additional uses of data collected in connection with any sweepstake, contest, or promotion, we will inform you at the time of entry. If we offer a co-branded promotion, then our co-sponsor may have different privacy practices, which we will inform you about before you provide your information.
- To use data analytics to improve our website, products or services, marketing, customer relationships, and experiences.
- To make suggestions and recommendations to you about our own and third-parties' products or services that may be of interest to you. If you do not want us to use your information in this way or for more information on how to adjust your preferences, see [Your Rights and Choices](#).
- To help maintain the safety, security, and integrity of our services, databases and other technology assets, and business.
- To report to regulatory authorities as required by law.
- To respond to law enforcement requests and other requests as required by applicable law, court order, or governmental regulations.
- To protect and enforce our and others' intellectual property rights; to protect or defend our legal rights or property, our services, or other users; and to protect the health and safety of our services' users or the general public.
- 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 about consumers is among the assets transferred.
- As described to you when collecting your personal information.
- For any purpose with your consent.

#### 4. *Who we have shared this information with for a business purpose*

For each of the above categories, we shared your personal information with the following categories of third parties:

- Service providers and vendors
- Taxing entities
- Insurance companies
- Legal counsel
- Our parent and affiliated companies who directly support our activities

## I. Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

### Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection, use, disclosure, and sale of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights below), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information. The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
  - sales, identifying the personal information categories that each category of recipient purchased; and
  - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

### Deletion Request Rights

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. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights below), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

### Exercising Access, Data Portability, and Deletion Rights

#### • How to submit requests

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 1-866-933-2344. Please let the person answering the telephone know that you are calling about your California consumer privacy rights.
- Emailing us at [uscustomerservice@moltonbrown.com](mailto:uscustomerservice@moltonbrown.com). If you email us, please insert "CALIFORNIA CONSUMER REQUEST" into the subject line of your email.

#### • Who may submit requests

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. You may designate an authorized agent to make a request on your behalf by registering such person or entity with the California Secretary of State.

#### • How often you can submit requests

You may only make a verifiable consumer request for access or data portability twice within a 12-month period.

#### • How we verify and respond to requests

Your request must be verifiable. The request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative, which may include requiring you to provide us at least two data points, depending on the type of personal information you are requesting to know or are requesting to be deleted.
- Describe your request with enough detail that allows us to properly understand, evaluate and respond to it.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

#### • Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time, we will inform you of the reason and extension period in writing within forty-five (45) days of receiving your verifiable consumer request.

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

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

## I. Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. You have a right not to receive discriminatory treatment by us for exercising your privacy rights.

## I. Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Websites that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. At this time, we do not engage in this type of disclosure.

## I. Who to contact for more information?

For questions or concerns about our privacy policy and practices, you can contact us at the method set forth below.

**Phone:** 1-866-933-2344

**Email:** [uscustomerservice@moltonbrown.com](mailto:uscustomerservice@moltonbrown.com)

**Postal Address:**

Molton Brown USA LLC  
c/o Kao USA Inc.  
Attention Customer Care  
2535 Spring Grove Avenue  
Cincinnati, OH 45214

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