

# Privacy Notice for 386 Hospitality

Last Modified: September 14, 2022

## **Overview**

386 Hospitality (“386,” “we,” “us,” and “our”) respects your privacy and is committed to protecting it through compliance with this Privacy Notice (“Privacy Notice”). This Privacy Notice describes the types of Information we may collect from you when you visit the website at <https://eva.aztecshops.com/386Hospitality/index.html> and any pages and subdomains connected to it (the “Site”), when you make an in-person purchase through any of our electronic point of sale systems, and/or that you may provide in electronic messages to 386. It also describes our practices for collecting, using, maintaining, protecting, and disclosing that Information. This Privacy Notice does not apply to information collected by any third-party website, application, or content (including advertising) that may link to or be accessible from, or on, the Site. Please be aware that we have no control over the content and policies of those third-party websites, applications, or content and cannot accept responsibility or liability for their respective privacy practices.

Please read this Privacy Notice to understand our policies and practices regarding your Information and how we will handle it. If you do not agree with our policies and practices, do not use the Site. By accessing or using the Site, you agree to this Privacy Notice.

386 may change this Privacy Notice at any time, at its discretion. Your continued use of the Site after we make changes is deemed to be acceptance of those changes, so please check the Privacy Notice periodically for updates.

This Privacy Notice may change from time to time. Your continued use of the Site after we make changes is deemed to be your acceptance of those changes, so please check the Privacy Notice periodically for updates.

## **Geographic Scope**

This Site is intended for use by consumers located in the United States and its territories or possessions. If you are not located in the United States, its territories or possessions, you should not use this Site.

## **The Types of Information That 386 Collects About You**

386 may collect two types of information from you when you visit the Site: Personal Information and Non-Personal Information (collectively “Information”).

“Personal Information” refers to data by which you may be personally identified, such as name, mailing address, email address, telephone number, date of birth, and credit card or payment information.

“Non-Personal Information” means data that is about you, but does not identify you specifically, such as your age. If you do nothing during your visit to our Site but browse, read pages, or view content, we will gather and store Non-Personal Information about your visit that is anonymized and does not identify you personally. Non-Personal Information may include both “Log Data” and “Device Data.” Log Data is standard data provided by your web browser that our servers may automatically log. This may include your computer’s Internet Protocol (“IP”) address, your browser type and version, the pages you visit, the time and date of your visit, the time spent on each page, and other details. Device Data is data about the device you’re using to access our Site. This data may include the device type, operating system, unique device identifiers, device settings, and location data. What we collect depends on the individual settings of your device and software.

### **How 386 Collects Information About You**

We collect Information:

- Directly from you when you provide it to us, for example, through our communications with you.
- Automatically as you navigate through the Site.
- From third parties, including but not limited to Google Analytics.

### **Information You Provide Directly to 386.**

The Information that you provide us directly through our Site may include:

- Information that you provide when you create an account on our Site or subscribe to our mailing list.
- Information that you provide by filling in forms on our Site. We may also ask you for Information when you report a problem with our Site. And it may be necessary for you to provide us with Information so we can communicate with you about an inquiry you have.
- Records and copies of your correspondence (including email addresses), if you contact us.
- Your search queries through the Site.
- Your responses to surveys.
- Details of transactions you carry out through the Site.

### **Information Automatically Collected from You.**

As you navigate through and interact with our Site, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions and patterns, as described herein. The technologies we use for this automatic data collection may include cookies or web beacons.

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

Pages of the Site, and our emails, may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags and single-pixel gifs) that permit us, for example, to count users who have visited those pages, or opened an email, and for other related Site statistics (for example, recording the popularity of certain Site content and verifying system and server integrity).

The information we collect automatically is statistical data and does not include Personal Information, but we may maintain it for any of the reasons listed in HOW 386 USES INFORMATION IT COLLECTS ABOUT YOU AND THE PURPOSE FOR THE COLLECTION AND USE.

The Information that 386 may automatically collect and store about you when you visit the Site may include:

- The Internet Protocol Address and domain name used. The Internet Protocol address is a numerical identifier assigned either to your internet service provider or directly to your computer. We use the Internet Protocol address to direct internet traffic to you;
- The type of browser and operating system you used;
- The date and time you visited the Site;
- The web pages or services you accessed at the Site;
- The website you visited prior to coming to the Site; and
- Cookies, which are small text files that a web server (such as 386 or its chosen web hosting company server) places on a user's computer. When accessing a cookie, the 386 server reads a number associated with a browser, but is unable to determine any data about a user. With that number, our web server can tailor its content to the needs of the specific browser, and we can optimize the Site for your use.

### **Google Analytics Advertising Features.**

We also may have the following Google Analytics Advertising Features Implemented: Demographics and Interest reporting, Remarketing, GDN Impression Reporting and Double Click Campaign Manager. These features collect data using Google advertising cookies and anonymous identifiers. 386 and third-party vendors use these first-party cookies to access the success of online marketing campaigns, inform future campaigns and improve usability on the Site. To learn how to opt-out of the Google Analytics Advertising Features we use, please see Google Analytics' currently available opt-outs for the web at <https://tools.google.com/dlpage/gaoptout>.

### **Other Information from Third Parties.**

Any other information collected by third parties and shared with us may be subject to confidentiality agreements with such third parties. We will not disclose that information in any way that would violate those confidentiality agreements. However, we may use any of the information collected by those third parties as described herein.

### **How 386 Uses Information It Collects About You and the Purpose for the Collection and Use**

We use Information that we collect about you or that you provide to us, including any Information, for the following purposes:

- To present our Site and the Site contents to you.
- To provide you with the products or services that you request from us. For example, if you make a purchase through the Site or electronic point of sale systems, register for an event, or participate in a promotion, we will use the contact information you give us to communicate with you about the purchase, event, or promotion.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To notify you about changes to our Site or any products or services we offer or provide through it.
- To communicate with you regarding our products and services, including for marketing purposes, or otherwise contact you.
- To improve our Site, products, and services and to develop new products and services.
- To personalize our services and advertising to you.
- To prevent fraud.
- For internal recordkeeping and administrative purposes.
- For analytics, market research, and business development carried out by us or affiliated third parties, including but not limited to San Diego State University and any of its affiliates or service providers pursuant to signed confidentiality agreements.
- To contractors, service providers, and other third parties we use to support our organization and who are bound by contractual obligations to keep Information confidential and use it only for the purposes for which we disclose it to them.
- To a successor in the event of a merger, restructuring, reorganization, dissolution or other transfer of some or all of our assets, whether as a going concern or as part of insolvency, liquidation, or similar proceeding, in which Information held by us about our Site users is among the assets transferred. You acknowledge that such transfers may occur, and that any successor parties may continue to use your Information according to this Privacy Statement;
- In any other way we may describe when you provide the Information.
- To fulfill any other purpose for which you provide it.
- For any other purpose with your consent.
- To comply with our legal obligations and resolve any disputes that we may have.

We may disclose your Information to third party service providers for the purpose of enabling them to provide their services, including but not limited to:

- Information Technology (“IT”) service providers.
- Data storage, hosting, and server providers.
- Ad networks.
- Analytics companies.
- Error loggers.
- Maintenance or problem-solving providers.

- Marketing or advertising providers.
- Professional advisors.
- Payment systems operators.
- Sponsors or promoters of any competition or promotion we run.

We may also disclose your Information to third parties for the purpose of establishing, exercising, or defending our legal rights, including but not limited to:

- Debt collectors/collections agencies;
- Our legal counsel and/or prospective legal counsel; and/or
- Courts, tribunals, regulatory authorities, and law enforcement officers, as required by law.

We may disclose Non-Personal Information about you without restriction.

### **How 386 Protects Your Information**

386 will retain your Information for as long as necessary to provide the services you have requested, comply with our legal obligations, resolve disputes, enforce our agreements, and achieve other business purposes.

We have implemented measures designed to protect your Information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us through the Site is secured by TLS technology, and is stored on our secure, password protected servers behind firewalls. We have implemented a restricted employee access for all of our servers containing personally identifiable information. Additionally, all electronic point of sales systems are pass code protected. Any payment transactions will be encrypted using SSL technology.

Unfortunately, the internet is not completely secure. Although we take steps to protect your Information, we cannot guarantee the security of your Information either in transmission or when stored. We are not responsible for circumvention of any privacy settings or security measures contained on the Site. ANY TRANSMISSION OF INFORMATION IS AT YOUR OWN RISK.

### **When 386 Shares Your Information**

- We may use and disclose Non-Personal Information about our users without restriction. We may disclose Personal Information that we collect or you provide as described in this Privacy Notice:
- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business, as described further below, including third party payment facilitators.
- To a buyer or other successor (potential or actual) in connection with a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of 386 assets, including any related due diligence.
- To fulfill the purpose for which you provide it.

- For any other purpose disclosed by us when you provide the Information.
- With your consent.
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce or apply our Terms of Use.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of 386 or others.

386 does not sell any of your Personal Information.

### **Third Parties Providing Services On Our Behalf**

We use third parties to host the Site, design and operate the Site features, and to perform administrative, analytics, and payment processing. Services these third parties provide include providing information to 386 about the use of the Site and viewing of our content. We may disclose your Information to these companies so they can carry out these services. These companies are bound by contractual obligations to keep Information confidential.

### **Information From Children Under 13**

The Site is not directed at children, and 386 does not knowingly collect any Information from children under 13 years of age. If 386 learns that a child under 13 years of age has provided Information, 386 will delete this Information from its databases. If you are under 13, do not use this Site or provide any Information about yourself to 386, including your name, address, telephone number or email address. If you become aware that Information of a child under 13 years of age has been provided without verification of parental consent, please contact us at (619) 594-6954 or Aztec Shops, Ltd., San Diego State University, San Diego, CA 92182-1701.

### **Links to Other Websites and Services**

We are not responsible for the practices employed by websites or services linked to or from the Site, including the information or content contained therein. Our Privacy Notice does not apply to third-party websites or services.

### **Do Not Track**

Some browsers incorporate a “Do Not Track” (“DNT”) feature that, when turned on, signals to websites and online services that you do not want to be tracked. At this time, the Site does not respond to DNT signals.

### **Your Choices About Information**

If you choose not to provide Information, you may be unable to access all or portions of the Site.

You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of this Site may be inaccessible or not function properly.

You have a right to be free from unwanted email communications. If you no longer wish to receive marketing or promotional communications from us, or you did not subscribe to emails from us, click on the “unsubscribe link” provided in such communications, or notify us by mail at San Diego State University, San Diego, CA 92182-1701.

Please note: If you opt out of receiving marketing/promotional emails, we may still send you non-promotional emails, such as emails about your purchases or our ongoing business relations.

You may report any concerns about collection or use of Personal Information through the Site by mail at San Diego State University, San Diego, CA 92182-1701.

### **Accessing and Correcting Your Information**

If you believe that any Personal Information we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, you can contact us by mail at the address below to request access to, correct, or delete any Personal Information that you have provided to us. We may not accommodate a request to change information if we believe the change would violate any law or regulatory requirement, result in fraud, or cause the information to be incorrect.

### **Your California Privacy Rights**

California’s “Shine the Light” law (Civil Code Section § 1798.83) permits users of our Site that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. The law provides that you have the right to submit a request to us at our email address in order to receive information on the categories of information that we shared and the names and addresses of those businesses with which we shared information for the immediately prior calendar year. To make such a request, please contact us at the physical address or email address included below, and be sure to note that this is a "Request for California Privacy Information" so that your request is forwarded to the correct party/parties in charge of responding to such requests

Please be aware that not all information sharing is covered by the Shine the Light requirements, and only information on covered sharing will be included in our response.

### **Changes to Our Privacy Notice**

It is our policy to post any changes we make to our Privacy Notice on this page, with a notice that the Privacy Notice has been updated on the Site home page. If we make material changes to how we treat Personal Information that we collect, we will notify you by email to either the most recent email address provided to 386 or through a notice on the Site home page. The date this Privacy Notice was last revised

is identified at the top of the page. You are responsible for periodically visiting our Site and this Privacy Notice to check for changes to how we handle the Personal Information that we collect.

**How To Contact Us About This Privacy Notice**

To ask questions about this Privacy Notice and our privacy practices, please contact us at (619) 594-6954 or Aztec Shops, Ltd., San Diego State University, San Diego, CA 92182-1701.