



PRIVACY POLICY: HEATHER MARIE DESIGNS (“WEARHEATHERMARIE”)

Last Modified: May 1, 2021

I. Introduction

HEATHER MARIE DESIGNS, respects your privacy and are committed to protecting your data through our compliance with this policy (the “Privacy Policy”).

This Privacy Policy applies to Personal Information processed by Heather Marie Designs (“WearHeatherMarie,” “Heather Marie,” “We,” “Us,” and “Our”) in the course of our business, as collected from our Website (wearheathermarie.com; “**Website**”) and from other websites and third parties.

This Privacy Policy applies to information we collect:

- On (and from) this Website.
- In email, text, and other electronic messages between you and this Website.
- Through mobile and desktop applications you download from this Website, which provide dedicated non-browser-based interaction between you and this Website.
- When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this Privacy Policy.

This Privacy Policy does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by Company or any third party (including, but is not limited to, third parties such as Mail Chimp, Google Analytics, PayPal, and Wix (“Affiliates and Subsidiaries”)); or
- Any third party (including Affiliates and Subsidiaries), including through any application or content (including advertising) that may link to or be accessible from or on the Website.

Please read this Privacy Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, do not use Our Website. By accessing or using this Website, you agree to this Privacy Policy. This Privacy Policy may change from time to time (see Changes to Our Privacy Policy). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

II. Underage Users

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any information to or on the Website. We do not knowingly collect Personal Information from children under age 13. If you are under age 13, do not use or provide any information on this Website or through any of its features, register on the Website, make any purchases through the Website, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or username you may use. If we learn we have collected or received Personal Information from a child under age 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under age 13, please contact us at info@wearheathermarie.com.

California residents under 16 years of age may have additional rights regarding the collection and sale of their Personal Information. Please see Section IV.e below for more information.

III. Data Collection

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

- By which you may be personally identified, such as name, postal address, business address, e-mail address, telephone number, billing address, delivery address, any other personal identifier that permits the physical or online contacting of a specific individual, and any information concerning an individual that is combined with such a personal identifier. ("**Personal Information**");
- That is about you but individually does not identify you, such as title, preferred pronoun, personal product preferences; and/or
- About your internet connection, the equipment you use to access our Website, and usage details.

We collect this information:

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

• Information Provided to Us by You

The information we collect on or through our Website may include:

- i. **Forms.** Information that you provide by filling in forms on our Website. This includes information provided at the time of subscribing to our service or requesting further services. We may also ask you for information [when you enter a contest or promotion sponsored by us, and] when you report a problem with our Website.
 1. We request information from you on our order form. To buy from us, you must provide contact information (such as name and shipping address) and financial information (like credit card number and expiration date). This information is used for billing purposes and to fill your orders. If we have trouble processing an order, we will use this information to contact you.
- ii. **Correspondence.** Records and copies of your correspondence (including email addresses) if you contact us.
- iii. **Surveys and Contests.** Occasionally, our Website requests information via surveys or contests. Participation in these surveys or contests is completely voluntary and you may choose whether or not to participate and therefore disclose this information.
 1. Information requested may include contact information (such as name and shipping address), and demographic information (such as zip code and age).
 2. Contact information will be used to notify the winners and award prizes. Survey information will be used for the purposes of monitoring or improving the use and satisfaction of this Website.
- iv. **Search Queries.** If you search for a product or service on our Website, that information will be stored and shared with us.

You also may provide information to be published or displayed (hereinafter, "**posted**") on public areas of the Website or transmitted to other users of the Website or third parties (collectively, "**User Contributions**"). Your User Contributions are posted on and transmitted to others at your own risk. However, please be aware that no security measures are perfect or impenetrable.

Additionally, we cannot control the actions of other users of the Website with whom you may choose to share your User Contributions. Therefore, we cannot and do not

guarantee that your User Contributions will not be viewed by unauthorized persons.

• Information Collected Through Automatic Data Collection Technologies

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

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

The information we collect automatically is only statistical data and does not include Personal Information, but we may maintain it or associate it with Personal Information we collect in other ways or receive from third parties. It helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

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

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

i. Cookies (or browser cookies).

What are cookies? Cookies are text files placed on your computer or device to collect general Internet log and visitor behavior information. When you visit our Website, we may collect information from you automatically through cookies or similar technology. (For more information about cookies, visit allaboutcookies.org)[®]

You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting, you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.

ii. Flash Cookies.

Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies. For information about managing your privacy and security settings for Flash cookies, see *Choices Regarding the Use and Disclosure of Your Information* (IV.c).

iii. **Web Beacons.**

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

We do not collect Personal Information automatically, but we may tie this information to Personal Information about you that we collect from other sources or you provide to us.

c. Third-Party Use of Cookies and other Tracking Technologies

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

We do not control third parties' tracking technologies or how they may be used. Should you have any questions about an advertisement or other targeted content, you may contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see *Choices Regarding the Use and Disclosure of Your Information* (IV.c). For information regarding social media analytics, please see the privacy policies of the social media platforms (see VII.a).

IV. **Your Information**

a. How We Use Your Information

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

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us.
- To fulfill any other purpose for which you provide it.
- To provide you with notices about your account, including expiration and renewal notices.
- 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 Website or any products or services we offer or provide through it.
- To allow you to participate in interactive features on our Website.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may also use your information to contact you about our goods and services that may be of interest to you. If you do not want us to use your information in this way, please check the relevant box located on the form on which we collect your data or adjust your user preferences in your account profile.

b. Disclosure of Your Information

We may disclose aggregated information about our users and information that does not identify any individual, without restriction.

i. Do We Share Your Information?

We may disclose Personal Information that we collect, or you provide as described in this privacy policy:

- To our Affiliates and Subsidiaries.
- To contractors, vendors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them. See <https://www.wix.com/about/privacy> for how our Website host will use your information.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Heather Marie's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by Heather Marie about our Website users is among the assets transferred.

- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

ii. Do We Sell Your Information?

Absolutely not. We do not sell users' Personal Information; your information is safe with us.

iii. Why Might We Share Your Personal Information?

We may disclose your information:

- 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 wearheathermarie.com and other agreements, including for billing and collection purposes.

- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Heather Marie, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

iv. How Long Do We Keep Your Information?

We only hold onto your information for as long as it is necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer period is required or permitted by law.

c. Choices Regarding the Use and Disclosure of Your Information

We strive to provide you with choices regarding the Personal Information you provide to us. We have created mechanisms to provide you with the following control over your information:

- Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- Disclosure of Your Information for Third-Party Advertising.** If you do not want us to share your Personal Information with unaffiliated or non-agent third parties for promotional purposes, you can opt-out by

logging into the Website and adjusting your user preferences in your account profile, checking or unchecking the relevant boxes, or by sending us an email with your request to info@wearheathermarie.com.

- iii. **Promotional Offers from the Company.** If you do not wish to have your contact information used by the Company to promote our own or third parties' products or services, you can opt-out by logging into the Website and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email stating your request to info@wearheathermarie.com. This opt-out does not apply to information provided to the Company as a result of a product purchase, warranty registration, product service experience or other transactions.
- iv. **Targeted Advertising.** If you do not want us to use Personal Information that we collect or that you provide to us to deliver advertisements according to our advertisers' target-audience preferences, you can opt-out by logging into the Website and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email stating your request to info@wearheathermarie.com.

We do not control third parties' collection or use of your Personal Information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your Personal Information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's [website](#).

California residents may have additional Personal Information rights and choices. Please see Section IV.e below for more information.

d. Accessing and Editing Your Information

You can review and change your Personal Information by logging into the Website and visiting your account profile page.

You may also send us an email at info@wearheathermarie.com to request to access, update, amend, or delete any Personal Information that you have provided to us.

You can also delete your Personal Information by deleting your entire account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

If you delete your User Contributions from the Website, copies of your User Contributions may remain viewable in cached and archived pages or might have

been copied or stored by other Website users. Proper access and use of information provided on the Website, including User Contributions, is governed by our terms of use wearheathermarie.com

California residents may have additional Personal Information rights and choices. Please see Section IV.e below for more information.

e. California Residents Only: Privacy Rights

If you are a California resident, California law may provide you with additional rights regarding our use of your Personal Information. To learn more about your California privacy rights, visit <https://oag.ca.gov/privacy/ccpa>.

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an email to info@wearheathermarie.com.

V. Data Security

We have implemented measures designed to secure your Personal Information from accidental loss and from unauthorized access, use, alteration, and disclosure. All

Personal Information you provide to us is stored on our secure servers behind firewalls. Any financial information regarding transactions, and other provided Personal Information will be encrypted using SSL technology.

The safety and security of your Personal Information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Website like message boards. The Personal Information you share in public areas may be viewed by any user of the Website.

Unfortunately, the transmission of Personal Information via the internet is not completely secure. Although we do our best to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to our Website. Any transmission of Personal Information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

VI. Changes to Our Privacy Policy

It is our policy to post any changes we make to our privacy policy on this page with a notice that the privacy policy has been updated on the Website home page. If we make material changes to how we treat our users' Personal Information, we will notify you via the email address specified in your account and through a notice on the Website home page. The date the privacy policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this privacy policy to check for any changes.

VII. Contact Information and Social Media

To ask questions or comment about this privacy policy and our privacy practices, contact us at:

Email: info@wearheathermarie.com

Address: 539 W. Commerce St.
Suite 1477
Dallas, TX, 75208

Toll-free number: 877-677-8776

a. Social Media

To otherwise interact with and stay up to date with the site owner, you may follow on the following platforms:

Instagram: [@wearheathermarie](https://www.instagram.com/wearheathermarie)

Facebook: [@wearheathermarie](https://www.facebook.com/wearheathermarie)

LinkedIn: [Heather Marie...](https://www.linkedin.com/in/HeatherMarie...)

In regard to data collected from social media platforms, please see the privacy policies of the social media platforms individually. The analytics provided to us by social media platforms may be used by the site owner as provided by and in accordance with the individual platforms' policies.

b. Appropriate Authority for Complaints

Should you wish to report a complaint or if you feel that Our Company has not addressed your concern in a satisfactory manner, you may contact the Federal Trade Commission [here](#).