

## **A2R, Inc. d/b/a Art to Remember Website Privacy Policy**

Last modified: February 2023

### **Introduction**

A2R, Inc. d/b/a Art to Remember, an Indiana corporation (“**Company**,” “**we**,” “**our**,” or “**us**”), respects your privacy and is committed to protecting it through our compliance with this policy. This policy describes the types of information we may collect from you or that you may provide when you visit the website [www.arttoremember.com](http://www.arttoremember.com) (“**Website**”) and our practices for collecting, using, maintaining, protecting, and disclosing that information. Terms not defined herein have the same meaning as in the Website Terms of Use (“**Terms of Use**”), and this policy is subject to the Terms of Use.

The Company’s mission is to preserve memories and support art education and our art-based school fundraising programs are the primary manner in which we pursue our mission. In order to efficiently and effectively run our programs and raise funding for art education, we collect certain information from participating schools, Parents, Artists, and other users of the Website.

This policy applies to information we collect:

- On 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.

It 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; or
- Any third party, including through any application or content that may link to or be accessible from or on the Website.

Please read this 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, your choice is not to use our Website. By accessing or using this Website, you agree to this privacy policy. This policy may change from time to time. Your continued use of this Website after we make changes is deemed to be acceptance of those changes.

The Website may contain links to other websites. This privacy policy only applies to the Website. We cannot and do not control and are not responsible for the practices of other parties or the content of other websites which are linked to or integrated with the Website. You should check the privacy policies of any third-party website before providing your personal information to them.

### **Children Under the Age of 18**

Our Website is not intended for children under 18 years of age. No one under age 18 may provide any information to or on the Website. We do not knowingly collect personal information from children under 18. If you are under 18, 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, use any of the interactive or public comment features of this Website, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we

learn we have collected or received personal information from a child under 18 without verification of parental consent, we will delete that information.

California residents under 16 years of age may have additional rights regarding the collection and sale of their personal information. Please see Your State Privacy Rights for more information.

### **Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Website, which may include:

- **Personal Information.** Information by which you may be personally identified, such as name, postal address, email address, telephone number, and/or any other identifier by which you may be contacted online or offline (“**personal information**”);
- **Non-Identifying Information.** Information that is about you but individually does not identify you;
- **Class Lists.** We collect a “**Class List**” from each school participating in a Company fundraiser. Class Lists are submitted by School Coordinators and may include the name and homeroom teacher of each participating Artist. For schools that have policies prohibiting providing full names, School Coordinators may submit a modified Class List which only provides an Artist’s first name and last initial, last name and first initial, or unique codes for each Artist. School Coordinators are encouraged to provide at least first names because it enhances the experience for the Artists and their families and drives better fundraising results for the school;
- **Artwork.** The Company also uses the Class Lists to generate labels for each participating Artist. These labels are sent to the applicable school for their use in submitting Artists’ artwork. These labels are placed on the back of each Artist’s artwork delivered to the Company to identify the Artist for each artwork;
- **Orders and Online Ordering.** The Company also uses the Class Lists and artwork to create personalized order forms and online order codes for each Artist. Personalized order forms (which include unique online order codes for each Artist) are delivered to schools and distributed by the schools to the Artists for ordering purposes. Parents or other authorized users complete an order by providing the information requested which includes personal information such as name, email address, phone number, ship to address, billing name and address, and credit card number and expiration date;
- **Artist’s Information.** The Company cannot control what information is submitted by School Coordinators or Parents. Except as set forth above, we will not knowingly collect personal information about children without obtaining parental consent;
- **Information Under School’s Control.** Once these labels, order forms, or online order codes are in a school’s or Parent’s possession, the Company cannot control further distribution or disclosure of such information and it is the school’s and/or Parent’s sole responsibility to maintain the privacy of any such information; and/or
- **Internet, Equipment and Usage.** Information 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 Website. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies.

#### *Information You Provide to Us*

We only work with schools and organizations which have agreed to work with us to promote and support their art education programs and Parents that create their own account and upload artwork and other materials to their account. School Coordinators and Parents voluntarily submit the artwork of their Artists to us. The Company claims no copyright in any artwork submitted to us and will not use artwork for any purpose other than running its school fundraising programs or fulfilling an order or otherwise complying with a Parent request without the written permission of an Artist's Parent.

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

- Information that you provide to the Website. This includes information provided at the time of registering to use our Website, purchasing products and/or services, subscribing to our services, posting or uploading artwork or other material, 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.
- Records and copies of your correspondence (including email addresses), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Details of transactions you carry out through our Website and of the fulfillment of your orders. You may be required to provide financial information before placing an order through our Website.

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**"), such as through bulletin boards, blogs, or other public discussion forums on the Website. Your User Contributions are posted on and transmitted to others at your own risk; 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. A user of the Website may voluntarily choose to submit personally identifiable data to such forums. Any personal information you choose to submit in such a forum may be read, collected, or used by others who visit these forums, and may be used to send you unsolicited messages or for other purposes outside of the Company's control. We are not responsible for the personal information you choose to submit in these forums.

#### *Information We Collect 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.

We also may use these technologies to collect information about your online activities over time and across different websites or other online services (behavioral tracking).

The information we collect automatically is only statistical data and does not include personal information. 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:

- Cookies (or browser cookies). 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 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.
- 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 used for browser cookies.
- Web Beacons. Pages of our the Website may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

### **Third-Party Use of Cookies and Other Tracking Technologies**

We may work with third parties to monitor certain pages of the Website for the purpose of reporting website traffic, navigational, and other lawful data and statistics. Where authorized by us, these third parties may use cookies and/or other tracking technologies to compile anonymous statistics about our Website visitors. We do not control these third parties' tracking technologies.

### **How We Use Your Information**

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

- To create personalized order forms, online order codes, and pages on our online ordering website.
- To enhance the content with which you interact, fulfill orders, contact you, and improve the Company's fundraising programs and customer service.
- For internal business purposes in accordance with the Company's mission.
- 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.
- 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.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

### **Disclosure of Your Information**

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

We may disclose personal information that we collect or you provide as described in this privacy policy:

- To our subsidiaries and affiliates.
- To contractors, 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.
- 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 the Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by the Company 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.

We may also disclose your personal 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 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 the Company, our customers, or others.

### **Choices About How We Use and Disclose 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. 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 Website may then be inaccessible or not function properly.

- **Promotional Offers from the Company.** If you do not wish to have your email address used by the Company to promote our own 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@arttoremember.com](mailto:info@arttoremember.com). If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions. 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.

### **Accessing and Correcting 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@arttoremember.com](mailto:info@arttoremember.com) to request access to, correct or delete any personal information that you have provided to us. We may not be able to delete your personal information except by also deleting your user 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.

We reserve the right to send you communications relating to the services we provide, such as service announcements and administrative messages, which are considered part of your account membership. You cannot opt-out from receiving those messages, but you may terminate your account at any time.

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.

### **Your State Privacy Rights**

State consumer privacy laws may provide their residents with additional rights regarding our use of their personal information. To learn more about California residents' privacy rights, visit our CCPA Policy. 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@arttoremember.com](mailto:info@arttoremember.com).

Colorado, Connecticut, Virginia, and Utah each provide their state residents with rights to:

- Confirm whether we process their personal information.
- Access and delete certain personal information.
- Data portability.
- Opt-out of personal data processing for targeted advertising and sales.

Colorado, Connecticut, and Virginia also provide their state residents with rights to:

- Correct inaccuracies in their personal information, taking into account the information's nature processing purpose.
- Opt-out of profiling in furtherance of decisions that produce legal or similarly significant effects.

To exercise any of these rights, please send an email to [info@arttoremember.com](mailto:info@arttoremember.com). To appeal a decision regarding a consumer rights request, please send an email to [info@arttoremember.com](mailto:info@arttoremember.com). When

contacting us regarding an exercise of rights or an appeal, please include your name, mailing address, email address, and phone number.

Nevada provides its residents with a limited right to opt-out of certain personal information sales. Residents who wish to exercise this sale opt-out rights may submit a request to this designated address: info@arttoremember.com. However, please know we do not currently sell data triggering that statute's opt-out requirements.

### **Data Security**

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. The safety and security of your 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.

Unfortunately, the transmission of 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.

### **Changes to Our Privacy Policy**

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users' personal information, we will notify you by email to the email address specified in your account and/or 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.

### **Contact Information**

To ask questions or comment about this privacy policy and our privacy practices or to register a complaint or concern, contact us at: info@arttoremember.com. When contacting us pursuant to this privacy policy, please include your name, mailing address, email address, and phone number.