

Platform Privacy Policy

Last modified: June 14, 2022

Introduction

OTH Enterprises Inc., a corporation company ("**Company**" or "**We**") respect your privacy and are committed to protecting it through our compliance with this policy. This policy describes:

- The types of information we may collect or that you may provide when you download, install, register with, access, or use OTH: On The House (the "**Platform**").
- Our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect on this Platform, in email, text, and other electronic communications sent through or in connection with this Platform.

This policy DOES NOT apply to information that:

- We collect offline or on any other Company apps or websites, including websites you may access through this Platform.
- You provide to or is collected by any third party (see Third-Party Information Collection).

Our websites and apps, and these other third parties may have their own privacy policies, which we encourage you to read before providing information on or through them.

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, do not download, register with, or use this Platform. By downloading, registering with, or using this Platform, you agree to this privacy policy. This policy may change from time to time (see Changes to Our Privacy Policy). Your continued use of this Platform after we revise this policy means you accept those changes, so please check the policy periodically for updates.

Children Under the Age of 18

The Platform is not intended for children under 18 years of age, and we do not knowingly collect personal information from children under 18. 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. If you believe we might have any information from or about a child under 18, please contact us at support@othapp.com.

Information We Collect and How We Collect It

We collect information from and about users of our Platform:

- Directly from you when you provide it to us.
- Automatically when you use the Platform.
- OTHER COLLECTION METHODS.

Information You Provide to Us

When you download, register with, or use this Platform, we may ask you provide information:

- By which you may be personally identified, such as name, mailing address, zip code, email address, your social media handle(s), and telephone number ("**personal information**").

This information includes:

- Information that you provide by filling in forms in the Platform. This includes information provided at the time of registering to use the Platform and posting material. We may also ask you for information when you report a problem with the Platform.
- Records and copies of your correspondence (including email addresses and phone numbers), 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 the Platform and of the fulfillment of your orders.
- Your search queries on the Platform.

You may also provide information for publication or display ("**Posts**") on public areas of the app or websites you access through the Platform (collectively, "**User Contributions**"). Your User Contributions are posted and transmitted to others at your own risk. Although you may set certain privacy settings for such information, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of third parties 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.

Automatic Information Collection and Tracking

When you download, access, and use the Platform, it may use technology to automatically collect:

- **Usage Details.** When you access and use the Platform, we may automatically collect certain details of your access to and use of the Platform, including traffic data, location data, logs, and other communication data and the resources that you access and use on or through the Platform.
- **Device Information.** We may collect information about your mobile device and internet connection, including the device's unique device identifier, IP address, operating system, browser type, mobile network information, and the device's telephone number.
- **Demographic Information.** We may collect information about your demographic information and characteristics, such as age, gender, nationality, and country of origin, that are protected by applicable law.
- **Stored Information and Files.** The Platform also may access metadata and other information associated with other files stored on your device. This may include, for example, photographs, audio and video clips, personal contacts, and address book information.

- **Location Information.** This Platform collects real-time information about the location of your device in order.
- Any other information that may be provided by social media platforms, or which you may provide via your social media handle and account provided to us, whether collected by automated means or otherwise.

If you do not want us to collect this information, do not download the Platform or delete it from your device. We also may use these technologies to collect information about your activities over time and across third-party websites, apps, or other online services (behavioral tracking).

Information Collection and Tracking Technologies

The technologies we use for automatic information collection may include:

- **Cookies (or mobile cookies).** A cookie is a small file placed on your smartphone. It may be possible to refuse to accept mobile cookies by activating the appropriate setting on your smartphone. However, if you select this setting, you may be unable to access certain parts of our Platform.
- **Web Beacons.** Pages of the Platform 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 the Company, for example, to count users who have visited those pages or opened an email and for other related app statistics (for example, recording the popularity of certain app content and verifying system and server integrity).

Third-Party Information Collection

When you use the Platform or its content, certain third parties may use automatic information collection technologies to collect information about you or your device. These third parties may include:

- Advertisers, ad networks, and ad servers.
- Analytics companies.
- Your mobile device manufacturer.
- Your mobile service provider.

These third parties may use tracking technologies to collect information about you when you use this app. 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, apps, and other online services websites. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

How We Use Your Information

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

- **To administer the Program, or the Merchant's services.** We may share the Information with outside vendors and services providers, such as an email hosting provider, in order to implement and administer the Merchant's or our services. In such instances, we will share only so much information as is reasonably required for these vendors and service providers to provide services to us or the Merchant.
- **To provide data and analytics to the Merchant in connection with your use and patronage of the Merchant's Website, its business, and your presence and activities provided to us or made available to us by social media platforms.** In this connection, we may use this Information to provide you with messaging, marketing materials, promotions and other communications and offerings pertaining to the Merchant, your preferences and transactions, and/or the types of products and services you are viewing, purchasing, seeking. We also will provide the Information and our analysis of it to the Merchant for the Merchant's use of it in connection with its internal other use for improving its business, its products and services, and its customer services. The Merchant may use the Information and data we provide to it to communicate with you, per its own privacy policy.
- **To comply with and defend our legal rights and obligations.** In certain cases, we collect and use your personal information in order to cooperate with subpoenas, search warrants, discovery demands or court orders, governmental or administrative agency investigations, as well as those subpoenas and legal proceedings involving private parties. We may also use any Personal Information we may have in order to protect our own legal and commercial rights, including enforcing contracts, defending suits or other proceedings.
- **To communicate with you.** We use your Information to communicate with you in relation to the Merchant's Services or the Membership. This may be done by phone, social media message, SMS, email, chat, etc.)
- **To create aggregated or anonymized information for use in our business and/or the Merchant's or other third parties' businesses.** We may anonymize your Information or aggregate it with other web users' Information so that it is not readily identifiable using currently available technology to/as your Information and in doing so, we will be able to use such information for market analytics for use in our own business and to make available to third parties, such as demographic information and other information. So long as we aggregate or anonymize the Information, we reserve the right to use it in order to improve our products and services, the Merchant's products and/or services or for other bona fide commercial reasons. Nothing in this Privacy Policy addresses, or should be read to limit or restrict, how we collect, use or process anonymous, de-identified, or aggregate information.
- We do not sell, swap or license your information, except (a) as provided to the Merchant, (b) as anonymized or aggregated, (c) as may be provided to a third party that may purchase our business or a portion thereof (as set forth below), or (d) as set forth in this

Privacy Policy– for example sharing the Information with vendors and service providers to administer or carry out functionalities of our business or the Merchant’s business.

The usage information we collect helps us to improve our Platform and to deliver a better and more personalized experience by enabling us to:

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

We use location information we collect to display participating merchants near you within the platform.

We may also use your information to contact you about our own and third parties' goods and services that may be of interest to you.

We may use the information we collect to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

Disclosure of Your Information

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

In addition, we may disclose personal information that we collect or you provide:

- To our subsidiaries and affiliates.
- To our Merchants.
- To contractors, service providers, and other third parties we use to support our business.
- 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 On the House's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by On the House about our Platform users is among the assets transferred.
- To third parties to market their products or services to you.
- 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 our rights arising from any contracts entered into between you and us, and for billing and collection.

- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of On the House, our customers or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.
- OTHER TYPES OF THIRD-PARTY DISCLOSURES.¹

Your Choices About Our Collection, Use, and Disclosure of Your Information²

We strive to provide you with choices regarding the personal information you provide to us. This section describes mechanisms we provide for you to control certain uses and disclosures 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. If you disable or refuse cookies or block the use of other tracking technologies, some parts of the Platform may then be inaccessible or not function properly.
- **Location Information.** You can choose whether or not to allow the Platform to collect and use real-time information about your device's location through the device's privacy settings. If you block the use of location information, some parts of the Platform may become inaccessible or not function properly.
- **Targeted Advertising by the Company.** If you do not want us to use 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 sending us an email stating your request to support@othapp.com. You can also always adjust your user advertising preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email stating your request to support@othapp.com.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your 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.

Accessing and Correcting Your Personal Information

You can review and change your personal information by logging into the Platform and visiting your account profile page.

You may also send us an email at support@othapp.com to request access to, correct, or delete any personal information that you have provided to us. We cannot 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.

If you delete your User Contributions from the Platform, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other

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Platform users. Proper access and use of information provided on the Platform, 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 consumer privacy rights in other states and how to exercise them, visit <https://www.state.gov/privacy-policy/>

Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure.³ All information you provide to us is stored on our secure servers behind firewalls. Any payment transactions will be encrypted.

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 Platform, 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 and mobile platforms is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted through our Platform. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures we provide.

Changes to Our Privacy Policy

We may update our privacy policy from time to time. If we make material changes to how we treat our users' personal information, we will post the new privacy policy on this page with a notice that the privacy policy has been updated.

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 and/or phone number for you and for periodically visiting this privacy policy to check for any changes.

Contact Information

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

support@othapp.com

OTH Enterprises Inc.

14 NE 1st Ave

St 1200

Miami, FL 33132

To register a complaint or concern, please contact us at support@othapp.com