



**Spark::red**  
Oracle Commerce Hosting

## Privacy Policy

This Privacy Policy applies to the information that Spark::red Inc., (“Spark::red”) collects through sparkred.com and other websites, online features, applications and widgets owned or controlled by Spark::red and that post a link to this Privacy Policy (collectively, the “Site”). This Privacy Policy only covers information collected at the Site and does not cover any information collected offline by Spark::red (unless specifically stated otherwise) and does not apply to the services we provide to clients. Please review this Privacy Policy carefully.

### 1. Terms

Spark::red created this Privacy Policy to communicate our commitment to your privacy. This Privacy Policy details our current information gathering and sharing practices for the Spark::red Website (“Website”). By using this Website, you agree to comply with and be bound by this Privacy Policy and the Terms and Conditions of Use published at <https://www.sparkred.com/wp-content/uploads/2018/05/Terms-of-Use.pdf> (“Terms”). This Privacy Policy is incorporated into those Terms, and capitalized terms used, but not defined herein, have the meanings ascribed to them in the Terms. PLEASE READ THIS PRIVACY POLICY CAREFULLY, AND PLEASE CHECK THIS PRIVACY POLICY PERIODICALLY, AS SPARK::RED RESERVES THE RIGHT TO CHANGE THIS POLICY WITHOUT NOTICE.

### 2. Information Collected

Spark::red may collect personally identifiable information (information that identifies you as a specific individual, such as, but not limited to, your name or e-mail address and other contact information) from you in a variety of ways, including, but not limited to, when you visit the site, register for a user account, subscribe to the newsletter, comment on our Blog, fill out a contact form, or in connection with other activities, services, features or resources we make available on the site. We will collect personally identifiable information from you only if you voluntarily submit such information to us. If you do not want this information to be collected by us, please do not submit it.

### 3. Use of Information

Spark::red collects and uses your information for our internal record keeping purposes; to improve our products and services; to periodically send promotional emails about new products, relevant news, support notifications, or other information which we think you may find interesting using the email address which you have provided; or to improve the overall experience of using the site by checking details of visits to our website including, but not limited to, traffic data, location data, weblogs and other communication data. Your e-mail address may also be used to respond to your inquiries, questions, and/or other requests. If at any time you would like to unsubscribe from receiving future newsletters or emails, we include unsubscribe instructions at the bottom of each e-mail. Spark::red does not sell, trade, or rent your personally identifiable information to others, however, we may disclose your personally identifiable information to appropriate third parties if we are required to do so by law or we believe that such action is necessary. We may also share generic aggregated demographic information not linked to any personally identifiable information with our business partners, trusted affiliates and advertisers for the purposes outlined above. We may use third party service providers to help us operate our business and the Website or administer activities on our behalf, such as sending out newsletters or e-mail notifications.

#### **4. Cookies**

Spark::red uses "cookies" to enhance your experience and to collect information about how our Website is used. A cookie is a piece of data stored on your device when it is used to visit or otherwise access the site. Cookies may be used for many purposes, including, without limitation, remembering you and your preferences and tracking visits to the site. You may choose to set your web browser to refuse cookies or to alert you when cookies are being sent. If you do so, note that some parts of the Website may not function properly. By using the site you are agreeing to our use of cookies.

#### **5. Embedded Scripts**

An embedded script is software code that is designed to execute during your navigation of the site, temporarily downloaded to your device while you are connected to the site, from our server or a third-party service provider. Spark::red uses such embedded scripts to track site performance and troubleshoot potential problems affecting the use of the site. In addition we may chose to use technologies for security purposes.

#### **6. Users Outside the United States**

The site is operated in the United States. If you are located outside of the United States, please be aware that any information you provide to us may is being transferred to and processed in

the United States. If you are a resident of the European Union you can review our GDPR information at <https://www.sparkred.com/wp-content/uploads/2018/05/eu-data-privacy.pdf>

## 7. Security

Spark::red utilizes appropriate security measures to protect against unauthorized access, use or disclosure of your personally identifiable information. Spark::red employees are required to keep information covered by this Privacy Policy confidential – unless disclosure is authorized in this Privacy Policy, or by you. However, no data transmission over the Internet, wireless transmission, or electronic storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure or warrant the security of any information we collect. You use the site and provide us with your information at your own risk.

## 8. Changing your Information

You can correct or update some of the personal information you have provided to us. If you are a customer, you can update your personal information by logging into the Spark::red Portal and changing your profile. If you are not a customer, then you may contact us by telephone (+1 888-666-5582) to request modifications. Spark::red will make good-faith efforts to make requested changes as soon as reasonably practical.

Users who have subscribed to newsletters or similar e-mails can unsubscribe by following the link provided in the footer of the e-mail received.

## 9. Privacy Shield

Spark::red voluntarily complies with the Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union (EU) member countries to the United States. Spark::red has certified to the Department of Commerce that it adheres to the Privacy Shield Principles of Notice, Choice, Accountability of Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement and Liability. If there is any conflict between the terms in this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern.

Spark::red respects an EU individual's rights to access personal information about them, and to limit use and disclosure of their personal information. Spark::red has limited ability to access information our customers submit to our services, however, if you wish to request access, to

limit use, or to limit disclosure, please provide the name of the Spark::red customer who submitted your personal information to our services. We will refer your request to that customer and will support them as needed in responding to your request.

As described in the Privacy Shield Principles, Spark::red is accountable for personal information that it receives and subsequently transfers to third parties. If third parties that process personal information on our behalf do so in a manner that does not comply with the Privacy Shield Principles, we are accountable, unless we prove that we are not responsible for the event giving rise to the damage.

Individuals in the EU may submit inquiries or complaints related to our processing of personal information under the Privacy Shield Framework directly to us at the e-mail address listed below. In compliance with the Privacy Shield Principles, Spark::red maintains an independent mechanism to investigate unresolved Privacy Shield complaints regarding our compliance to the Privacy Shield Principles. If we have not been able to successfully resolve your inquiry or complaint and you are based in the EU, you may raise your inquiry or complaint to JAMS at <https://www.jamsadr.com/eu-us-privacy-shield>. The services of JAMS are provided at no cost to you. In addition, as further explained in the Privacy Shield Principles, a binding arbitration option will also be made available to you in order to address residual complaints not resolved by any other means.

Spark::red privacy practices are subject to the jurisdiction of the United States Federal Trade Commission (FTC) and as such Spark::red is subject to the investigatory and enforcement powers of the FTC.

To learn more about the Privacy Shield Framework and to view Spark::red's certification, please visit <https://www.privacyshield.gov>.

## 10. Changes to the Privacy Policy

Spark::red reserves the right to change this Privacy Policy and will provide notification of material changes by posting a notice and the new Privacy Policy on the Site. We may also provide notice to you in other ways in our discretion, such as through contact information you have provided. Any changes will be effective immediately upon the posting of the revised Privacy Policy. However, we will not make material changes to how we use your Personal Information, unless you consent to the new or revised policy or generally to such uses.

## 11. Contacting Us

If you have any questions about this Privacy Policy, the practices of this Website, or your dealings with this Website, please contact us by telephone (+1 888-666-5582) or e-mail at [privacy@sparkred.com](mailto:privacy@sparkred.com)

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