

Ever New Privacy Policy

This Privacy Policy describes how Ever New Melbourne Limited (Corporation Number 805301-4) (referred to in this Privacy Policy as “Company,” “we,” “us,” or “our”), as the operator of the website www.evernew.com (the “Site”), our social media accounts, and the services provided through our Site, and social media accounts (collectively constituting the “Service”), collects information when you visit the Service. It also explains how we use and disclose the information we collect from you, and your rights in relation to that information. By accessing, visiting or using the Service, you expressly consent to our collection, storage, use and disclosure of your information as described in this Privacy Policy. Please note that if you disagree with anything in this Privacy Policy, you must not use the Service. This Privacy Policy is part of, and is governed by, the terms and conditions set forth in our Terms of Service located at www.evernew.com.

1. Information Collected through the Service.

A. Information You Directly and Voluntarily Provide to Us. If you are a visitor to the Service, we may collect information that you provide to us when you communicate with any of our departments such as customer service or technical services. You may also choose to provide your email address to us if you would like to receive additional information about the Service and the products and services that the Company offers. Similarly, if you choose to participate in a sweepstakes or other promotion offered by the Company, you may be required to provide certain information such as your first and last name, email address, birth date and your state of residence. You will be required to provide similar information if you sign up to become a registered user of the Service. In addition, if you purchase any products through the Service, you will be asked to provide your mailing address, phone and other contact details, and payment account information. Please note that if you post information on public areas of the Service, that information may be collected and used not only by the Company, but also by other users of the Service and the public generally. We strongly recommend that you do not post any information through public areas of the Service that allows strangers to identify or locate you or that you otherwise do not want to share with the public.

B. Information Automatically Collected Through the Service. We may automatically collect information about you when you use the Service through a computer or other electronic device. For example, we will automatically collect information such as your browser type and version, computer and connection information, IP address and standard web log information. If you access the Service through a mobile device, we may also be able to identify the location of your mobile device. You may choose not to share your location details with us by adjusting your mobile device’s location services settings. For instructions on changing the relevant settings, please contact your service provider or device manufacturer.

We may automatically collect information from you when you use the Service because “cookies” and other similar technologies, such as web beacons, automatically collect information about you when you

use the Service. Cookies are small amounts of data that are stored within your computer's Internet browser and that are accessed and recorded by the websites that you visit so that they can recognize the same browser navigating online at a later time.

Information that may be collected by cookies when you use the Service may include, without limitation:

- the pages you visit within the Service;
- the date and time of your visit to the Service;
- the amount of time you spend using the Service;
- the Internet Protocol (IP) address used to connect your computer to the Internet; and/or
- your computer and connection information such as your browser type and version, operating system and platform.

You can set your browser to reject cookies or to notify you when you are sent a cookie. However, if you disable cookies you may not be able to log in to the Service or to use certain features of the Service. To find out more about cookies, including how to see what cookies have been set on your device and how to manage and delete them, please visit www.allaboutcookies.org.

C. Information Collected by Third Party Vendors. We may work with third party Service providers (e.g. IT services, mailing services, remarketing platforms or data analytics companies) to help us operated the Service and understand how the Service is being used. We use commercially reasonable efforts to ensure that our third party service providers handle all personal information in accordance with this privacy policy.

D. Information Collected by Third Parties through Third Party Links and Content. The Service may include links to other websites and other content from third party businesses. These third party businesses may use cookies, web beacons or other similar technology to collect information about you. The Company does not have access to or control over these third parties or the cookies, web beacons or other technology that these third parties may use. We are not responsible for the privacy practices of these third parties or the content on any third party website. You are encouraged to review the privacy policies of the different websites you visit and of the advertisers whose ads you may choose to click while on our Service (see Section 3 below for additional information about Online Advertising).

E. Information You Share on Third Party Websites or through Social Media Services. The Service may include links to third party websites and social media services where you will be able to post comments, stories, reviews or other information. Your use of these third party websites and social media services may result in the collection or sharing of information about you by these third party websites and social media services. We encourage you to review the privacy policies and settings on the third party websites and social media services with which you interact to make sure you understand the information that may be collected, used, and shared by those third party websites and social media services.

F. Information You Provide for Payment of Online Orders. All payments made through the Service are processed by us. Therefore, all information collected for purposes of processing your payments is available to us and will be secured using industry standard security measures.

G. Information You Provide as Part of the “Refer a Friend” Program. You may provide us with the names and email addresses of your friends and contacts if you use a “Refer a Friend” program on the Service. We will only use the email address you provide for your friend or contact for the limited purpose of sending the applicable invitation, link or other communication to your friend or contact.

2. How We Use the Information We Collect. We use the information we gather through the Service to help us better understand how the Service and our products and services are being used. By identifying patterns and trends in usage, we are able to better design the Service and our products and services to improve your experience. We may also use this information to contact and communicate with you and to respond to your communications and requests. If you are a registered user, we may email you about products and services that we believe may be of interest to you, including any special promotions or offers. If you wish to opt-out of receiving these emails from us, please follow the instructions contained in each email you receive from us which will allow you to opt-out of receiving further email marketing communications from us. We may also use the information we gather for recruitment and employment purposes, for trade references, or for other contractual arrangements.

3. Online Advertising; Tracking. The Company and third party businesses may use the information collected through the Service using cookies, web beacons, and other similar technologies to help manage online advertising programs. This information may enable us, as well as third-party advertising services and other third-party businesses to track the actions of users online over time and across different web sites or platforms to measure statistics relating to marketing efforts, and to deliver electronic advertisements that may be more relevant to individual consumers and that will improve the consumer experience. For information about how tracking works for online advertising purposes, and what happens when you elect a do-not-track option, visit <http://www.aboutads.info/choices>. In addition, some third party businesses may provide a mechanism to opt-out of their technology. For more information about the opt-out process, you may visit the Network Advertising Initiative website, available at: http://www.networkadvertising.org/managing/opt_out.asp.

Do Not Track: Your browser may allow you to adjust your browser settings so that “do not track” requests are sent to the websites that you visit. However, the Company will not disable tracking technology that may be active on the Service in response to any “do not track” requests that we receive from your browser.

4. How We Share Your Information with Third Parties. We do not sell or rent user information we collect through the Service to any third parties for their own marketing purposes without your consent. In the event the Company wants to sell or rent your information to third parties for their own marketing purposes in the future, we will notify you and you will have an opportunity to affirmatively opt-in to receiving these third party marketing communications. The Company does share your information with third parties in some circumstances as follows:

A. *Employees, Third-Party Processors and Third-Party Service Providers.* We will disclose your information to our employees, contractors, affiliates, distributors, dealers, vendors, suppliers, and professional advisors (“Service Providers”) who provide certain services to us or on our behalf, such as operating and supporting the Service, analyzing data, performing marketing or consulting services, or companies assisting us with our competitions or promotions. We will use reasonable commercial efforts to assure that these Service Providers will only have access to the information needed to perform these limited functions on our behalf.

B. *Response to Subpoenas or Court Orders or to Protect Rights and to Comply with Our Policies.* To the extent permitted by law, we will disclose your information to government or regulatory authorities or third parties if: (i) required to do so by law, or in response to a subpoena or court order; (ii) we believe in our sole discretion that disclosure is reasonably necessary to protect against fraud, to protect the property or other rights of us or other users, third parties or the public at large; or (iii) we believe that you have abused the Service by using it to attack other systems or to gain unauthorized access to any other system, to engage in spamming or otherwise to violate applicable laws. You should be aware that, following disclosure to any third party, your information may be accessible by others to the extent permitted or required by applicable law.

C. *Business Transfers; Bankruptcy.* In the event of a merger, acquisition, bankruptcy or other sale of all or a portion of our assets, any user information owned or controlled by us may be one of the assets transferred to third parties. We reserve the right, as part of this type of transaction, to transfer or assign your information and other information we have collected from users of the Service to third parties. Other than to the extent ordered by a bankruptcy or other court, the use and disclosure of all transferred user information will be subject to this Privacy Policy. However, any information you submit or that is collected after this type of transfer may be subject to a new privacy policy adopted by the successor entity.

D. *Aggregate Information.* We may share information relating to users of the Service with affiliated or unaffiliated third parties on an anonymous, aggregate basis. While this information will not identify you personally, in some instances these third parties may be able to combine this aggregate information with other data they have about you, or that they receive from third parties, in a manner that allows them to identify you personally.

E. *Our Affiliates.* We may share some or all of your information with our parent company, subsidiaries and corporate affiliates, joint venturers, or other companies under common control with us. If you opt-in to receive marketing communications from third parties, we may permit these entities to use your information for their own marketing purposes. If you would like us to stop providing your information to our affiliates for their own marketing purposes, you may opt-out by emailing us at customerservice@evernew.ca.

F. *Third Party Marketing Partners.* If you opt-in to receive marketing communications from third parties, we may, from time to time pursuant to that consent, share the information you provide to us with selected third party marketing partners that we believe offer products or services that may be of

interest to you. If you would like us to stop providing your information to our third party marketing partners on a going-forward basis, you may opt-out by emailing us at customerservice@evernew.ca.

G. DMCA Notices. We will share your information with third parties if you submit a Digital Millennium Copyright Act (“DMCA”) Notification (or Counter Notification), or if you are the person responsible for uploading the material addressed in a notification that is submitted to us.

H. Competitions or Promotions. We may share some of your information on our websites or social media pages where you have entered one of our competitions or promotions.

5. Children Under Age 13. The Service is not intended for children under age 13, or for anyone under age 18 or the applicable age of majority without involvement of a parent or guardian. We do not knowingly collect or distribute personal information from or about children under the age of 13.

6. Security. We implement industry standard security measures intended to protect against the access, loss, misuse and alteration of the information under our control. Please be aware that no data transmission over the Internet can be guaranteed to be 100% secure. As a result, the Company cannot guarantee or warrant the security of any information you transmit on or through the Service and you do so at your own risk.

7. Amendments to this Privacy Policy. We will notify you of changes to this Privacy Policy by posting the amended terms on the Service at least thirty (30) days before the effective date of the changes. If you have provided us with your email address we will also notify you of material changes to this Privacy Policy by sending an email at least thirty (30) days before the effective date of the changes to the email address you most recently provided to us. We encourage you to keep the email address you provide to us current, and to promptly notify us of any changes to your email address, so that you may receive any notices we send to you regarding material changes to this Privacy Policy. If you do not agree to the changes, you should discontinue your use of the Service prior to the time the modified privacy policy takes effect. If you continue using the Service after the modified privacy policy takes effect, you will be bound by the modified privacy policy.

8. Use of Information Outside Your Country of Residence. If you choose to use the Service or provide your information to us, your information may be transferred to, processed and maintained on servers or databases located outside of the country or jurisdiction where you are located. Your agreement to this Privacy Policy followed by your submission of information through the Service represents your consent and agreement to these practices. If you do not want your information transferred to or processed or maintained outside of the country or jurisdiction where you are located, you should not use the Service.

9. Accessing, Changing and Managing Your Information. If you are a registered user of the Service, you may make changes to the user information you have provided in connection with your account [by logging in to your account and unticking the “Manage Your Subscriptions” box or by clicking the “Unsubscribe” button at the bottom of any or our email marketing communications]. You may also

request changes by contacting us at customerservice@evernew.ca. Following receipt of a request from you, we will take reasonable steps to update, correct or delete your information as requested.

10. Special Information for California Residents.

A. Under California Civil Code sections 1798.83-1798.84, also known as the “Shine the Light Law,” any users of the Service who are California residents are entitled to request and receive once a year, free of charge, a notice from us describing what categories of personal customer information (if any) we shared with third parties, including our corporate affiliates, for their direct marketing purposes during the preceding calendar year. If applicable, the notice will identify the categories of information that we shared, and the names and addresses of the third parties and affiliates with which we shared your information. If you are a California resident and would like to request a copy of this notice, please submit a written request to the following address:

Ever New Melbourne Limited
5300 Commerce Court West
199 Bay Street
Toronto, ON, Canada M5L 1R9

or by email at customerservice@evernew.ca. In your request, please specify that you want a “California Privacy Rights Notice.” Please allow at least thirty (30) days for a response.

B. In addition, if you are a California resident under the age of 18 and are a registered user, you may request that we remove content or information that you posted on Service or stored on our servers by (i) submitting a request in writing to:

Ever New Melbourne Limited
5300 Commerce Court West
199 Bay Street
Toronto, ON, Canada M5L 1R9

and (ii) clearly identifying the content or information you wish to have removed and providing sufficient information to allow us to locate the content or information to be removed. However, please note that we are not required to erase or otherwise eliminate content or information if (a) other state or federal laws require us or a third party to maintain the content or information; (b) the content or information was posed, stored, or republished by another user; (v) the content or information is anonymized so that the minor cannot be individually identified; (d) the minor does not follow the instructions posted in this Privacy Policy on how to request removal of such content or information; and (e) the minor has received compensation or other consideration for providing the content. Further, nothing in this provision shall be construed to limit the authority of a law enforcement agency to obtain such content or information.

11. How to Contact Us. Please feel free to contact us at customerservice@evernew.ca. if you have any questions about this Privacy Policy.