

KLEERWEST, LLC  
PRIVACY POLICY

**Last Updated: March 21, 2023**

**1. INTRODUCTION**

AGREEMENT AND PARTIES. KleerWest, LLC, a California limited liability company (“Company,” “us,” or “we”) respects the privacy of its customers and the visitors to the KleerWest website ([www.kleerwest.com](http://www.kleerwest.com)) (“website” or “site”). This privacy policy (“privacy policy” or “policy”) is an agreement between the Company and you, as a customer of the Company or the user of the website (“you”).

We take consumer privacy seriously, and this Privacy Policy is to let you to know how we collect, use, share and protect consumer information. We value our relationships with our customers and website users and we are committed to responsible information handling practices of information provided to us by our customers. This agreement tells you when this policy is effective, what information we collect from you, how we might use it, how you can review or change the personal information you provided to us, how we may change this policy, and the steps we take to ensure that your personal information is protected.

We do not have direct relationships with consumers, but we do collect personal shipping information (including but not limited to name, mailing address, phone number) for the sole purpose of shipping product as directed to us by our business customers. We only use this information for the specific reason it is provided – to fulfill orders and returns. We do not sell, rent or trade personal information to third parties. We may share shipping information with third party warehouses and with shipping companies (primarily UPS and FedEx) for the sole purpose of fulfilling orders and delivering products as directed to us by our customers.

**2. AGREEMENT TO TERMS OF PRIVACY POLICY AND TERMS OF USE**

AGREEMENT TO TERMS. All business activities with the Company or activities in which you may engage on this website are voluntary. You are not required to provide any personal information to us unless you choose to purchase any products by or through the Company or access features on this site which require the information. If you do not agree with the terms of this policy, then you should immediately cease doing business with the Company and discontinue using the site. If you do not agree with the terms of our privacy policy, please do not provide us with personal information and please leave the website. By doing business with the Company or using the website, you signify that you agree to the terms of this privacy policy.

**3. EFFECTIVE DATE OF AND CHANGES TO PRIVACY POLICY**

EFFECTIVE DATES. This privacy policy is effective as of January 1, 2020, and will remain in effect except with respect to any of its provisions that are changed in the future, in which case the changes will become effective on the date they are posted on the website or we otherwise notify you of the changes. We reserve the right to change this privacy policy at any time. Changes, modifications, additions, or deletions will be effective immediately on their posting to the website. You should check this policy periodically as its terms may change from

time to time. Your continued doing business with the Company or use of the site after we post any such modifications will constitute your acknowledgment of the modified policy and your agreement to abide and be bound by the modified policy. We will also revise the “last updated” date found at the beginning of this privacy policy when we post changes to it.

#### **4. POLICY APPLICABLE TO ONLINE ACTIVITIES ONLY**

DISCLAIMERS. The privacy policy does not extend to anything that is inherent in the operation of the Company or Internet, and therefore beyond KlearWest’s control, and is not to be applied in any manner contrary to applicable law or governmental regulation. This online privacy policy applies to information collected from you directly via purchase order or through this site.

#### **5. PERSONAL INFORMATION WE MAY COLLECT**

TYPES OF INFORMATION COLLECTED. We may ask you for certain information which includes information that pertains to your identity. Such information may include, but is not limited to, items such as your name, address, e-mail address, telephone number, or credit card or debit card number. You may be required to provide personal information when placing a purchase order or to access or use certain parts of our website or features of the site. If you do not provide the requested personal information, you will not be able to place a purchase order and may not be able to access or use the features of the site where such information is requested.

#### **6. GENERAL INFORMATION WE MAY COLLECT**

TYPES OF INFORMATION COLLECTED. There may be other instances in which we collect information from you that is more general in nature (“general information”). Such information may include your Internet Protocol (IP) address, which enables us to identify your computer or device on a Transmission Control Protocol/Internet Protocol (TCP/IP) network, which includes the World Wide Web. Your computer has an IP address, which is required in order for you to communicate with others via the Internet. Such general information, including the click stream data and cookies, as mentioned below, may be collected from you whenever you access the site, whether or not you provide us with any other personal information.

A set of website features may be accessible from web-enabled mobile devices. The intent is to provide screens that are optimized for the size of the screen and operating systems. On some devices, functionality may be limited. If you access this website through a mobile device, then we may collect information about your mobile device whether or not you provide us with any other personal information.

##### **6.1. Your rights under the California Consumer Privacy Act of 2018 (CCPA):**

You have the right to know what categories and specific pieces of personal information are collected about you. As such, you may submit a verifiable consumer request via the following methods:

Via U.S. Mail to KlearWest, LLC, 4695 North Colony Blvd, Ste 102 The Colony TX 75056

Via E-Mail to [info@klearwest.com](mailto:info@klearwest.com)

You have the right to know what personal information is shared or disclosed with third parties. You may submit a verifiable consumer request via the following methods:

Via U.S. Mail to KleerWest, LLC, 4695 North Colony Blvd, Ste 102 The Colony TX 75056

Via E-Mail to [info@kleerwest.com](mailto:info@kleerwest.com)

Subject to statutory exclusions, you have the right to request that we delete the personal information that we have collected about you. You may submit a request for deletion via the following methods:

Via U.S. Mail to KleerWest, LLC, 4695 North Colony Blvd, Ste 102 The Colony TX 75056

Via E-Mail to [info@kleerwest.com](mailto:info@kleerwest.com)

If you exercise your rights under the California Consumer Privacy Act of 2018 (CCPA), you have the right to not be discriminated against.

#### 6.2. Click Stream Data

When you visit our website we may also collect “click stream data” (server address, domain name). This information can be combined with information you have provided to us by registering, for example, which will enable us to analyze and better customize your visits. We may use click stream data for traffic analysis or e-commerce analysis of our website, to determine which features of our site are most or least effective or useful to you.

#### 6.3. Cookies

We may also use cookies to gather information about your visits to our website and enhance your experience. More information on how we use cookies is available in Section 11.

#### 6.4. How We Respond to “Do Not Track” Disclosures

We are strongly committed to not sharing personal information with third parties other than for the purpose of fulfilling purchase orders and returns. Under this Privacy Policy, we may share your information only under particular situations, as described in this Policy. Because we protect all users in this manner, we do not change our behavior in response to a web browser’s “do not track” signal.

## 7. **GENERAL INFORMATION ABOUT YOU**

USE OF GENERAL INFORMATION. We will primarily use the personal information you provide and any general information we receive from you to provide products and services to you, including, but not limited to, the following:

A. To fulfill purchase orders and returns.

B. To send you information or materials via e-mail about products, offers, and news we think might interest you. This information may relate to products, offers, and news of KlearWest or its licensees or selected commercial partners. We generally send you this via MailChimp, which provides the standard optout process.

C. To analyze visits to the website and learn about the interests of our visitors in aggregate and also on a personal level to better understand your business information needs.

## **8. PROTECTION OF YOUR PERSONAL INFORMATION AND GENERAL INFORMATION**

### 8.1. Security Measures

In order to protect both the personal information and the general information that we store once received from you directly or through our website, we have implemented various security measures, including standard password protection with a two-step verification process.

### 8.2. Risk of Interception

Please keep in mind, however, that whenever you give out personal information there is a risk that third parties may intercept and use that information. While KlearWest strives to protect your personal information and privacy, we cannot guarantee the security of any information you disclose. You expressly acknowledge and agree that we do not guarantee the security of any data provided to or received by us and that any personal information, general information, or other data or information received from you is provided to us at your own risk, which you expressly assume.

## **9. NO BUSINESS WITH CUSTOMERS OR USE OF THIS SITE BY PERSONS UNDER 18 PERMITTED**

### 9.1 Registration Declined

KlearWest intends only persons who are 18 years or older to do business with the Company and/or to use this website. Personal registration information submitted by a person under the age of 18 will not be accepted. Any general information provided by a person under the age of 18 and gathered (for example, through the use of cookies) in any communication with the Company and/or during his or her visit may be used as indicated in this policy (see Section 6). KlearWest is committed to protecting the privacy of children and has no intention of collecting personal data from children under the age of 18. We encourage parents and guardians of children under 18 to regularly check and monitor their children's use of e-mail and other activities online.

## 9.2. Notice Concerning Children

PLEASE NOTE: We are a general audience site, and do not direct any of our content specifically at children under 13 years of age. We understand and are committed to respecting the sensitive nature of children's privacy online. If we learn or have reason to suspect that a site user is under age 13, we will promptly delete any personal information in that user's account. **10. THIRD PARTIES**

### 10.1. Disclosing Information to Third Parties

WHO MAY HAVE ACCESS TO YOUR INFORMATION. Other than to the companies belonging to KleerWest for the purposes set out above, and except as described in this policy with respect to fulfilling purchase orders and facilitating product returns, we do not trade or otherwise transfer your personal information or general information to third parties without informing you in advance. We provide some of our services through contractual arrangements with affiliates, services providers, partners and other third parties (collectively, "service partners"). Our service partners may use your personal information to operate our sites and to deliver their services. These parties will only use your data for the purpose of carrying out the work as agreed with us and will be required to keep the information confidential. We will encourage our service partners to adopt and post privacy policies. However, the use of your personal information by our service partners is governed by the privacy policies of those service partners and is not subject to our control. Please also see Paragraph 6.4 on how we will respond to "do not track" signals.

10.1.1. Categories of Data Collected: Personal information for the purpose of fulfilling orders and facilitating returns.

10.1.2. Categories of Data Shared or Disclosed With Third Parties: Personal information for the purpose of fulfilling orders and facilitating returns.

10.1.3. Categories of Third Parties With Whom Data Is Shared or Disclosed and Purpose of the Sharing or Disclosure: Personal information for the purpose of fulfilling orders and facilitating returns.

10.1.4. Categories of Data Sold: NONE.

10.1.5. Categories of Third Parties to Whom Data Is Sold and the Purpose of Such Sale: NOT APPLICABLE.

### 10.2. Security

RELEASE OF INFORMATION. KleerWest will release personal or general information without your consent for security purposes, when required by law, or to prevent imminent harm to any person or entity. We will disclose personal or general information upon receipt of a court order or subpoena, or to cooperate with a law enforcement investigation, which may include responding to requests and court orders from jurisdictions outside the United States.

We fully cooperate with law enforcement agencies in identifying those who use our services for illegal activities. We reserve the right to report to law enforcement agencies any activities that we in good faith believe to be unlawful, as determined in our sole discretion. Release of your personal data for security purposes, as described in this agreement to any person or entity under any circumstances shall be based on a determination made solely by us, exercising our own discretion, permission for which is expressly granted by you to us in accordance with this policy. In addition, the Company may disclose your information in connection with the sale or merger of the Company or any transaction that involves the sale or assignment of some or all of the Company's assets.

### 10.3. Links to Third Parties

**PURPOSE OF LINKS.** For your convenience and to improve usage of the website we may insert links to third parties on this site. This privacy policy does not apply to such third party websites. These links take you outside our service and off the KlearWest site and are beyond our control. This includes links from partners that may use KlearWest's logos as part of a co-branding agreement. The sites those links can take you to have their own separate privacy policy and although we seek to protect the integrity of our site, KlearWest is not liable for the content and activities of those sites. Your visits and access to such websites is at your own risk. Please note that those other sites may send their own cookies to users, collect data, or solicit personal information.

## 11. **AUTOMATIC COLLECTION**

**COOKIES.** A cookie is a small string of information that the website you visit transfers to your computer for identification purposes. Cookies can be used to follow your activity on the website and that information helps us to understand your preferences and improve your website experience. Cookies are also used for such activities as remembering your user name and password, if you use such a feature on this site. You can turn off all cookies, in case you prefer not to receive them. You can also have your computer warn you whenever cookies are being used. For both options you have to adjust your browser settings (such as Chrome, Safari, Firefox, Internet Explorer, or other browser). There are also software products available that can manage cookies for you. Please be aware, however, that when you choose to reject cookies, this choice may limit the functionality of the website you visit and you may lose access to some of its features.

## 12. **DELETING OR MODIFYING PERSONAL INFORMATION**

**CHANGING YOUR INFORMATION.** You may cancel your registration at any time, and you may opt out of receiving any e-mails from KlearWest.

### 12.1. Right to Request Deletion of Personal Information

Subject to statutory exclusions, you have the right to request that we delete the personal information that we have collected about you. You may submit a request for deletion via the following methods:

Via U.S. Mail to KlearWest, LLC, 4695 North Colony Blvd, Ste 102 The Colony TX 75056

Via E-Mail to [info@kleerwest.com](mailto:info@kleerwest.com).

#### 12.2. Update Your Contact Information

We encourage you promptly to update your contact and personal information when it changes.

### 13. **QUESTIONS OR COMMENTS**

CONTACT INFORMATION. If you have any questions or comments relating to our website or the privacy policy, send an e-mail to [info@kleerwest.com](mailto:info@kleerwest.com) or write Attn: \_KleerWest, LLC, Operations Manager, 4695 North Colony Blvd, Ste 102 The Colony TX 75056