

## Privacy Notice

Last Updated: January 29, 2026

365 Retail Markets, LLC (“365”, “we”, “us”, “our”, “AirVend”, “Avanti”, “Company Kitchen”, “FullCount”, “Impulsify”, “Kafoodle”, “Lightspeed”, “Parlevel”, “Spoonfed”, or “Stockwell”) is committed to protecting your privacy. We collect information through our websites, mobile applications, and point-of-purchase kiosks (collectively, the “365 Platforms”). This Privacy Notice explains how 365 and any affiliate and successor entities collect, uses, and shares your personal information collected via the 365 Platforms.

If you do not agree with this Privacy Notice, please discontinue use of 365 Platforms. This Privacy Notice only applies to 365 Platforms. It does not apply to third party websites or services linked to 365 Platforms, or offline activities related to 365.

By using 365 Platforms, you understand that 365 may collect, use, store, and further disclose your information as explained in this Privacy Notice. You also agree to the 365 Platforms’ Terms of Service available at <https://www.365retailmarkets.com/consumer-policy>.

### General

We only process your personal information when we have a lawful basis to do so. For purposes of this Privacy Notice, “personal information” is defined as information that identifies, or can be used to identify, an individual, together with any definition for “personal information” or “personal data” provided by applicable law. We collect personal information from individuals visiting our website, creating 365 accounts through, and making purchases on or through 365 Platforms.

365 is the controller of personal information that you provide through 365 Platforms. Some jurisdictions require that we determine a “lawful basis” for processing personal information. Where such requirements exist, our legal basis for processing your personal information include your consent, fulfilment of a contractual obligation, and where we have a legitimate interest to process your personal information, provided that our interests do not outweigh your individual rights and freedoms. Our legitimate interests include:

- Investigating, preventing, and protecting against fraud, security risks, threats to you and others, and violations of this policy;
- Verifying your identity and account;
- Protecting and defending our rights and properties, including intellectual property;
- Complying with laws and regulations that apply to us, as well as responding to requests from law enforcement or government authorities or as otherwise required by law;
- Improving your experiences with our products and services;
- Undertaking or contemplating any merger, acquisition, reorganization, sale of assets or other business transaction;
- Understanding and improving our 365 Platforms, user experience, and customer relationships; and
- Enabling our business operations.

Where we rely on your permission to process your personal information, you have the right to change, withdraw, or withhold your consent at any time, however, such withdrawal will not impact the lawfulness of our use of your personal information based on your consent up to that point.

## **Personal Information Collection**

We collect personal information that you choose to share with us, as well as information provided directly by your browser or device when you visit the 365 Platforms. The personal information we collect will vary depending on the 365 Platforms you access and how you interact with the 365 Platforms. Note that we may collect personal information pursuant to a legal or contractual requirement, and failure to provide such information may impact our ability to fulfill our obligations.

### ***Corporate Websites***

#### **Contact Us**

When you contact us via the website, we ask for your first and last name, email address, company name, phone number, and state. We will also collect the content of your message, which will include any additional information you choose to share with us, and ask you to specify the type of request you are submitting.

We collect this information when you initiate contact with us for the purpose of responding to your communication.

#### **Request Press Kit**

If you request a press kit, we will ask you to provide your name, email, and company. We collect this information for the purpose of sending you monthly newsletters, which include product updates, industry news, and information about 365 Retail Markets.

#### **Submit a Job Application**

When you apply for a job with 365, we will collect your first and last name, email address, and your preference for notification about future 365 positions. We collect this information for the purpose of creating an account with our employment portal, which enables you to apply for jobs and receive notifications when new jobs become available.

After creating an account, we collect your contact information (including telephone number), email and address, and details about your work experience and education. You may also choose to complete our voluntary self-identification form, which includes information about your ethnicity, sex, and immigration, disability, and veteran status. We will only collect this information if you choose to complete the form. We will also collect any information you disclose in your cover letter and resume, which will include any additional personal information you choose to share. We collect this information for the purpose of evaluating your skills and qualifications against the requirements of the job(s) to which you applied.

### ***Consumer Websites***

#### **Create an Account**

When you create an account via our consumer website we collect your first and last name, email address, site-specific display name, GPS location, and

electronic signature. We may also collect your phone number, market card ID, gender, birthdate, job title and system language. We collect this information for the purpose of establishing your account and enabling your purchases via kiosks, websites, or mobile apps.

We also collect a limited amount of credit card information, but we do not store full credit card information. Instead, we may store an encrypted payment token in place of your credit card number which can be used for future transactions. We collect this information for the purpose of funding your account, enabling a one-time purchase, managing your purchase history, and ensuring account data integrity.

**Interact with 365 Platforms**

If you have created an account, we also collect information about your purchases, account funding, rewards balance, purchase location, favorite products, customer service inquiries, products reviews, and social networking preferences related to 365 services (e.g., pages or entities you like, recommend or follow). We collect this information for the purpose of administering your account, recommending products, and improving your user experience.

**Make a Purchase with Your Account**

If you have created an account and make a purchase via a consumer website, we also collect information about your purchases, account funding, favorite products, customer service inquiries, products reviews, and social networking preferences related to 365 services (e.g., pages or entities you like, recommend, or follow). We collect this information for the purpose of administering your account, recommending products, providing benefits, and improving your user experience.

**Make a Purchase as a Guest**

For some of our computer vision products, if you make a purchase without an account, we may securely save an encrypted payment token of your card for a short time. This helps us finish the transaction if the system needs extra time to recognize the product you are buying without doing a pre-authorization. Once the transaction is completed, this token is deleted

**Other Uses**

When existing users refer you to our consumer website or send you snack credits, we may collect your first and last name, email address, and telephone number from the existing user in order to complete the requested transaction.

In locations where Payroll Deduct is enabled, we may also collect a Payroll Deduct ID that is used by your employer to decrement purchases from future paychecks.

**Mobile Apps**

**Create an Account**

When you create an account via our mobile apps we collect your first and last name, email address, site-specific display name, GPS location, and electronic signature. We may also collect your phone number, market card ID, gender, birthdate, job title and system language. We collect this information for the purpose of establishing your account and enabling your purchases via kiosks, websites, or mobile apps.

We also collect a limited amount of credit card information, but we do not store full credit card information. Instead, we may store an encrypted payment token in place of your credit card number which can be used for future transactions. We collect this information for the purpose of funding your account, enabling one-time purchases, managing your purchase history, and ensuring account data integrity.

**Make a Purchase with Your Account**

If you have created an account and make a purchase via a mobile app, we also collect information about your purchases, account funding, favorite products, customer service inquiries, products reviews, and social networking preferences related to 365 services (e.g., pages or entities you like, recommend, or follow). We collect this information for the purpose of administering your account, recommending products, and improving your user experience.

**Interact with Mobile App**

If you have created an account, we also collect information about your purchases, account funding, rewards balance, purchase location, favorite products, customer service inquiries, products reviews, and social networking preferences related to 365 services (e.g., pages or entities you like, recommend or follow). We collect this information for the purpose of administering your account, recommending products, and improving your user experience.

**Other Uses**

When existing users refer you to our mobile apps or send you snack credits, we may collect your first and last name, email address, and telephone number from the existing user in order to complete the requested transaction.

In locations where Payroll Deduct is enabled, we may also collect a Payroll Deduct ID that is used by your employer to decrement purchases from future paychecks.

**Kiosks****Create an Account**

When you create an account via the kiosk, we collect your first and last name, email address, site-specific display name, IP address, the kiosk GPS location, and electronic signature. We may also collect your phone number and market card ID. We collect this information for the purpose of establishing your account and enabling your purchases via the 365 kiosks, websites, and mobile app.

We also collect a limited amount of credit card information when you fund your account, but we do not store full credit card information. We collect this information for the purpose of funding your account, enabling a one-time purchase, managing your purchase history, and ensuring account data integrity.

If you elect to add a credit card to your account from the kiosk, we will store an encrypted payment token in place of your credit card number which can be used for future transactions. We collect this information for the purpose of funding your account, enabling one-time purchases, managing your purchase history, authorizing transactions processed offline, and ensuring account data integrity.

**Make a Purchase with Your Account**

If you have created an account and make a purchase via a kiosk, we also collect information about your purchases, account funding, rewards balance, purchase location, favorite products, customer service inquiries, products reviews, We collect this information for the purpose of administering your account, recommending products, and improving your user experience.

**Make a Purchase as a Guest**

You do not need to create an account to make a purchase through a kiosk. If you make a purchase as a guest, we collect limited information necessary to process your transactions in the moment. This includes your name and payment card information, which is transmitted to our third-party payment processor for the sole purpose of processing your purchase payment. Depending on the make and model of the kiosk you used to make a purchase, we retain your first and last name, purchase location, and the last four digits of your payment card.

In some locations, kiosks can take credit card payments even when offline. If you make a purchase as a guest while offline, we securely store an encrypted version of your card. Once the kiosk reconnects, this token is sent to our payment processor to finish the transaction and is then deleted.

For some of our computer vision products, if you make a purchase as a guest, we will securely save an encrypted payment token of your card for a short time. This helps us finish the transaction if the system needs extra time to recognize the product you are buying. Once the transaction is completed, this token is deleted.

**Register Your Fingerprint**

At kiosks with enabled 365 kiosk fingerprint readers, you have the option to scan and save your fingerprint. This allows you to make purchases via the kiosk without having to use a payment card. When you choose to save your fingerprint, we will scan your fingerprint to create a fingerprint template (rather than an exact copy of your fingerprint pattern). We collect this information for the purpose of providing you with fingerprint access to the kiosk.

Our collection and use of your fingerprint template is subject to our [Biometric Data Privacy Policy](#), which you should read and review before using this feature. You are required to consent to our Biometric Data Privacy Policy before scanning or using your fingerprint.

**Request a Text Message Receipt**

You have the option to receive the receipt from your purchase via SMS text message. You can select this option either as part of your user preferences when setting up your account or at the time of purchase at the kiosk. If you elect to receive SMS text message receipts as part of your account set-up, we will collect your mobile device number, and you consent to receive SMS text messages as described in the 365 Platforms Terms of Service available at <https://www.365retailmarkets.com/consumer-policy>. Please note that standard rates for sending and receiving SMS text messages may apply.

If you have not established SMS text message preferences as part of a user account, you may still opt to receive SMS text message receipts at the time of purchase. If you elect to receive an SMS text message receipt, we will collect your mobile device telephone number at the time of purchase for the sole purpose of sending you a one-time SMS text message with the requested receipt. In such circumstances, we do not retain your mobile device telephone number or use your mobile device telephone number for any other purpose.

**Request an Email Receipt**

You have the option to receive the receipt from your purchase via email. You can select this option either as part of your user preferences when setting up your account or at the time of purchase at the kiosk. If you elect to receive email receipts as part of your account set-up, we will collect your email address, and you consent to receive an email are described in the 365 Platforms Terms of Service available at <https://www.365retailmarkets.com/consumer-policy>.

If you have not established email preferences as part of a user account, you may still opt to receive email receipts at the time of purchase. If you elect to receive an email receipt, we will collect your email address at the time of purchase for the sole purpose of sending you a one-time email with the requested receipt. In such circumstances, we do not retain your email address for any other purpose.

**Interact with a Kiosk**

If you cancel a purchase, we retain a screenshot of any canceled items along with a photograph of the user. We collect this information for the purpose of monitoring kiosk sites for theft and removal of unpaid products. These photographs are stored temporarily for 90 days by 365, and the administrator of the kiosk location can view these photographs for the purposes described in this section. Our kiosk web camera may also collect aggregate, anonymous demographic information to market and better serve products.

Kiosks with MarketSight cameras take photos during transactions, which may include your face and hands. We collect this information for the purpose of monitoring kiosk sites for theft and removal of unpaid products. If the system detects a missed item, the photo will appear on the screen to alert you. You can choose to scan the item or ignore the alert and complete your purchase. Photos are temporarily stored for 90 days along with transaction information and may be viewed by the kiosk location administrator for the purposes described in this section.

At Stockwell or computer vision kiosks, we may also capture videos of transactions, which may incidentally include your likeness including your face and hands, in order to process receipts of those transactions and to train our software to recognize products or transaction state (pulling something off a shelf or putting it back on). Recording of transactions starts when the consumer voluntarily opens the door using the mobile app or credit card reader and stops when our system has determined the doors are closed and locked and the transaction is complete. Transaction videos are retained for 30 days to address charging disputes and report theft or abuse, after which they are permanently deleted.

In limited locations, we may contract with third party technology providers that place certain technologies on our kiosks, including camera-based, anti-theft, or biometric-enabled technology. Where we contract with third party companies that provide camera-based, anti-theft, or biometric solutions on our kiosks, please note that such third parties and their respective practices are not subject to this Privacy Notice or our Biometric Data Privacy Policy. If you have any questions about the practices or policies of any third-party technology contractors, you should contact them directly or otherwise refer to their policies. In locations outside of Illinois, Washington, Texas, Oregon, New York, or Virginia, our kiosks may contain biometric-enabled anti-theft technology that is powered by third party provider Panoptyc. Panoptyc's privacy policy is available here <https://panoptyc.com/policies/privacy-policy>.

#### **Other Uses**

In locations where Payroll Deduct is enabled, we may also collect a Payroll Deduct ID that is used by your employer to decrement purchases from future paychecks.

In locations where closed loop payments are enabled like student cards or campus cards, we may also collect your payment card identifier.

#### ***Personal Information Collected from Web-Based Technologies***

When you interact with our web-based platforms, we automatically collect information from your browser and device.

#### **Browser or Device Information**

We automatically receive and record information on our server logs from your browser, including your device type, IP address, cookie information, your web traffic (the websites you come from and go to from a 365 website),

and your engagement with certain pages and features of 365 websites. We collect this data for the following general purposes:

- Customizing your user experience
- Fulfilling your requests for products and services
- Promoting and improving services
- Contacting you

We also collect your IP address(es) for the purpose of analyzing website trends, administering the site, and tracking user movement for aggregate usage analysis. This website usage information enables us to provide our users with an ever-improving site, service, and general offering. Except where you have provided consent for us to use your identifiable personal information, we only use anonymous, aggregate data that cannot be used to identify you individually for our analytics research.

### **Cookies and Web Beacons**

365 Platforms use HTTPS cookies to collect information about you and your activity on 365 websites. “Cookies” are small files placed on your computer by your browser and are often used to make websites work, as well as provide information to the website operator. This information will be retained only for the duration and in the manner permitted by law and in accordance with the sections below of this Privacy Notice entitled “Your Privacy Rights” and “Storage and Disposal of Personal Information.”

365 uses this information to remember you on 365 websites and to enhance your experience with 365 websites. For example, if you have an account and return to a 365 website, cookies identify you and provide tailored information specific to your account, such as account information, past purchases, favorite products, and your product reviews. You have the ability to decline cookies by modifying the settings in your browser. If you decline or disable cookies, please note that certain functionalities of our website may no longer work. To learn more about cookies, visit <http://www.allaboutcookies.org>.

### **Third-Party Cookies and Web Beacons**

Some content or applications on our website are served by third parties, including content providers and application providers. Our third-party partners may use cookies alone or in conjunction with web beacons or other tracking technologies already in your browser to collect information about you when you visit our website. 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 and other online services.

Third-party cookies and web technologies are controlled by our advertising partners and not subject to this Privacy Notice. If you have any questions about the practices of such third party, you should contact the responsible third-party directly.

To learn more about opting-out of cookie-targeted advertising on the Sites (sometimes referred to as online behavioral advertising or OBA), visit [www.AboutAds.info](http://www.AboutAds.info).

### **Payment Gateway**

When you interact with a third party application that utilizes 365 Platforms to process transactions, we collect the following information:

**Make a Purchase as a Guest** If you make a purchase as a guest, we collect limited information necessary to process your transactions in the moment. This includes your name and payment card information, which is transmitted to our third-party payment processor for the sole purpose of processing your purchase payment. We may also retain your first and last name, purchase location, purchase amount, and the last four digits of your payment card.

**Create an Account** When you create an account via a third party application, we collect your first and last name, email address, IP address, purchase location, encrypted payment token, and electronic signature. We collect this information for the purpose of establishing your account, enabling your purchases via the third party application, funding your account, managing your purchase history, and maintaining account functionality and data integrity.

## **Personal Information Use**

How we use your personal information will depend on how you interact with 365 Platforms and the personal information you have shared with us.

**Respond to Your Requests** We use your personal information to respond to your requests, including your communications, questions, and requests for receipts, as well as requests concerning other individuals, like referrals or gifting snack credits.

**Enhance Website and User Experience** We use the information regarding the use of our website to analyze and administer the site and track user movement for web analytics purposes. This website usage information enables 365 to provide you with an ever-improving 365 Platforms, services, and general offerings. Except where you have provided consent for us to use your identifiable personal information for our analytics research, we only use anonymous, aggregate data that cannot be used to identify you individually.

**Manage Account** If you have created an account, we will use your personal information to administer your account. If necessary, we will also use your personal

information to verify your identity and provide you with access to your account should you become locked out or forget your login and password.

**Facilitate Purchases**

We will also use your personal information to facilitate any purchase you initiate through 365 Platforms, particularly 365 kiosks, mobile apps, and consumer websites.

**Issue Benefits**

We may also use your personal information to issue credits to your account like gift cards, subsidies, rewards, snack credits, loyalty credits, referral credits, courtesy credits, and inform you of offers and promotions.

We may notify you of account benefits through push, email, or SMS notifications as outlined in the **Communications & Notifications** section.

**Conduct Marketing and Advertising**

We may combine information related to your purchases, use of 365 Platforms, and interactions with our advertising and promotional content with the same information from other users of 365 Platforms to inform our advertising and marketing content, including sharing this anonymous, aggregate data with our third-party advertising partners. This anonymous, aggregate information cannot be used to identify you individually, and we do not disclose or sell your personal information to our advertising partners.

When we display advertising and promotional content to you, this content may be tailored to you based on your “home location.” Your “home location” is the kiosk or 365 Platform to which your account is tied, and any tailored advertising or promotional content you receive will be based on the aggregate purchases made by all users at your “home location.”

**Communications & Notifications**

We may contact you through push notifications, email, or SMS to provide you with important information, service-related alerts, promotional messages and updates to this policy. These communications are intended to enhance your experience with our services and may include, but are not limited to, account updates, security alerts, reminders, new feature announcements, special offers, and to issue benefits.

You may control or disable push notifications at any time through your device or in-app settings. Similarly, you may opt out of promotional email and SMS communications by following the unsubscribe instructions included in the message, or by contacting us directly. Please note, however, that certain essential service-related communications (such as security alerts, account verification messages, updates about this policy, or transaction confirmations) may still be sent to you regardless of your notification preferences.

**Meet Legal Obligations**

In certain circumstances, we may be required to disclose your personal information to law enforcement, as part of court proceedings, or as

otherwise required by law. We will only share the information we are required to disclose by law and only when we are required to do so.

**Security and Fraud Prevention**

When necessary, we will use your personal information, including email communications, to preserve the security of our 365 Platforms, systems, and personal information in our control. If necessary, we will also use your personal information including video or images taken as outlined in the **Interact with a Kiosk** section of this notice to investigate possible fraud, theft or other criminal activity, to identify violations of this Privacy Notice and our Terms of Service, and to prevent any attempted harm to our users or customers.

If a 365 customer suspects you of fraud, theft, or other criminal activity the customer may use the personal information collected through 365 Platforms to investigate such activity, communicate with law enforcement, and/or contact you to recover losses from the fraud, theft, or criminal activity.

**Train our Software**

At Stockwell and computer vision kiosks, we may also capture videos of transactions, which may incidentally include your likeness including your face and hands, in order to process receipts of those transactions and to train our software to recognize products or transaction state (pulling something off a shelf or putting it back on).

**Corporate Transaction**

We may use your personal information in the event we undertake or are involved in or contemplating any merger, acquisition, reorganization, sale of all or a portion of our business or assets, or in connection with bankruptcy, insolvency event, due diligences purposes, or other business transactions.

## **Personal Information Sharing and Disclosure**

We share your personal information with third parties to be used only for legitimate purposes in keeping with this Privacy Notice when you have granted us permission to do so, when it is necessary to fulfill our obligations to you, or when it is in the legitimate interest of our business to do so, provided that our interests do not outweigh your individual rights and freedoms.

**Support Vendors**

When necessary, we share your data with third-party vendors working on our behalf to provide specific business support services, including payment processing, closed loop payment systems like student cards, manual video transaction reviews, website hosting and management, data warehousing, and providers of application programming interfaces (“APIs”) and other functions.

APIs are application program interfaces, and are a set of routines, protocols, and tools for building software applications. 365 shares information with third party vendors and service providers only to the extent necessary to provide those APIs and services for which they are hired.

**Website Analytics Companies**

We share anonymous, aggregate information regarding visitors to our website with third-party website analytics companies. These companies use this aggregate data, which has been stripped of any personally identifying information about you, to provide us with insight regarding our web usage patterns. As we only share anonymous, aggregate data, this information cannot be traced back to you individually by either us or the website analytics vendors.

We use Google Analytics to provide us website usage and analytic reports, which necessitates us sharing your anonymous, aggregate data. You may choose not to share your data with Google by installing the Google Analytics opt-out browser add-on, which instructs your browser not to provide your website usage data to Google Analytics. To opt-out of Google Analytics, visit <https://tools.google.com/dlpage/gaoptout> to install the browser add-on.

Please note that installing the Google Analytics opt-out browser add-on will only disable the use of Google Analytics and will not prevent data from being sent to the website itself or to other web analytics services.

**365 Customers**

We share information with our customers that implement 365 Platforms at their locations, which may include your personal information discussed in this Privacy Notice. These customers may also use your personal information as outlined in the Personal Information Use section of this document. We do not control customers' use of your personal information and are not responsible for any such use. Where kiosks are enabled with video technology, we record and transmit videos of interactions with the kiosks, which is accessible to the customer administrator of that kiosk and may be viewed by that administrator.

**Other Uses**

If you choose to share User Content on 365 Platforms, such as product reviews and certain social networking preferences (e.g., pages you "Like" or "Follow"), this information may be viewed by the general public. Accordingly, 365 cannot ensure the privacy of any personal information included in your User Content.

**Employers**

In some locations features like payroll deduct and client portal are in use to streamline your market and employment experience. At Payroll Deduct location we share your first and last name, email address, payroll deduct ID and purchase balance with your employer so that balance can be deducted from a future paycheck by your employer. At locations using client portal we share your first and last name, market location, email address, last activity date, last 4 digits of your credit card on file, payroll group, and account balance with your employer so they can administer your account and issue credits, subsidies, gift cards, rewards and other market benefits issued by your employer.

**Marketing and Advertising Partners**

We may partner with third parties to provide third-party advertising content. When we do so, we do not disclose or sell your personal information to our

third-party advertising partners. However, we will share anonymous, aggregate information about user purchases at a particular location and aggregate, anonymous information about how our users collectively interacted with the advertising content. This information cannot be used to identify you individually.

**Legal Requirements**

As required by law, regulation, or legal process, we will share your personal information with government authorities, enforcement officials, or third parties as necessary to respond to subpoenas, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims.

**Security and Fraud Prevention Efforts**

When necessary, we will share your personal information to investigate, prevent, or take action regarding illegal activities, suspected fraud, theft, situations involving potential threats to the physical safety of any person, violations or suspected violations of this Privacy Notice, our agreements or arrangements with you or other policies in effect from time to time to which you are subject, or as otherwise required by law.

**Sale of Business**

We reserve the right to transfer your personal information in the event we are involved in or contemplating a merger, acquisition, reorganization, sale of all or a portion of our business or assets, bankruptcy, insolvency event or other business transaction.

## Your Privacy Rights

Depending on your jurisdiction, you may be entitled to exercise certain individual rights. Examples of jurisdictions that provide individuals with privacy rights are the European Economic Area (General Data Protection Regulation or GDPR), Canada (Personal Information Protection and Electronic Documents Act or PIPEDA) and California (California Consumer Privacy Act). To exercise any individual rights you may have, contact our DPO as described in the “Contact Us” section of this Privacy Notice.

**European Economic Area Privacy Rights**

If you are a resident of the European Economic Area, you have choices regarding the collection, use, and disclosure of your personal information. Unless explicitly stated otherwise, we will respond to your request as soon as possible, typically within one month.

Your rights include:

- Accessing your personal information to know what information we have collected about you and how it has been shared;
- Requesting the deletion of all or some of your personal information;
- Changing or correcting inaccurate or outdated information;
- Objecting to, limiting, or restricting use of all or some of your personal information; and

- Requesting a copy of your personal information, including in a portable format.

You also have the right to lodge a complaint with your supervisory authority if you believe we have violated your privacy rights or applicable laws and regulations. You may also have the right to make a GDPR complaint to the relevant Supervisory Authority. A list of Supervisory Authorities is available here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

#### Use of Sensitive Personal Information

European law provides residents of the European Economic Area certain rights regarding sensitive personal information, which includes biometric data. We do not sell or share sensitive personal information with third parties. We only use sensitive personal information as necessary for the legitimate business purpose outlined in this Privacy Notice and our Biometric Data Privacy Policy, with your express consent. To learn more or inquire regarding your rights concerning sensitive personal information, please call us or follow the link using the information below.

#### Exercising Your Rights

To exercise the rights described above, please submit a verifiable consumer request to:

**365 Retail Markets, LLC**  
c/o Data Protection Officer  
1743 Maplelawn Drive  
Troy, MI 48084

**Email:** [privacy@365rm.com](mailto:privacy@365rm.com)

**Toll-Free Telephone Number:** 1-888-365-7382

### **Canada Privacy Rights**

If you are a resident of Canada, you have certain rights under the **Personal Information Protection and Electronic Documents Act (PIPEDA)** and applicable provincial privacy laws. These rights ensure that you have meaningful control over how your personal information is collected, used, and disclosed.

#### **Your Rights**

As a Canadian resident, you have the right to:

1. **Access** – Request access to the personal information we hold about you and obtain details about how it is used or disclosed.
2. **Correction** – Request that we correct or update any of your personal information that you believe is inaccurate or incomplete.

3. **Withdraw Consent** – Withdraw your consent at any time for the continued collection, use, or disclosure of your personal information, subject to legal or contractual restrictions.
4. **Information on Use and Disclosure** – Request details about how your information has been shared with third parties, including service providers and business partners.
5. **Challenge Compliance** – Raise a concern or lodge a complaint about our compliance with Canadian privacy laws.

### **How to Exercise Your Rights**

You can make a privacy-related request or inquiry by contacting us at:

**365 Retail Markets, LLC**  
c/o Data Protection Officer  
1743 Maplelawn Drive  
Troy, MI 48084

**Email:** [privacy@365rm.com](mailto:privacy@365rm.com)

**Toll-Free Telephone Number:** 1-888-365-7382

### **Withdrawal of Consent**

You may withdraw your consent to our use of your personal information at any time by contacting us using the details above.

Please note that withdrawing consent may limit your ability to use certain features or services that rely on that information.

### **Complaints and Escalation**

If you have a concern or complaint about how we handle your personal information, you may first contact our Privacy Officer.

If you are not satisfied with our response, you may contact the **Office of the Privacy Commissioner of Canada (OPC)** or, where applicable, your **provincial privacy authority**:

Office of the Privacy Commissioner of Canada (OPC)  
30 Victoria Street, Gatineau, Quebec K1A 1H3  
1-800-282-1376  
[www.priv.gc.ca](http://www.priv.gc.ca)

### **Australia**

If you are a resident of Australia, you have certain rights regarding your personal information under the **Privacy Act 1988 (Cth)** and the **Australian Privacy Principles (APPs)**.

#### **Your Rights**

As an Australian resident, you have the right to:

1. **Access** – Request access to the personal information we hold about you.

2. **Correction** – Request that we correct or update any of your personal information that you believe is inaccurate, out-of-date, incomplete, irrelevant, or misleading.
3. **Opt Out of Direct Marketing** – Request that we do not use your personal information for the purpose of direct marketing, including targeted or personalized advertising.
4. **Anonymity** – Where lawful and practicable, you may choose to remain anonymous or use a pseudonym when dealing with us.

### **How to Exercise Your Rights**

You may make a request to access or correct your personal information, or to opt out of direct marketing, by contacting us at:

**365 Retail Markets, LLC**  
c/o Data Protection Officer  
1743 Maplelawn Drive  
Troy, MI 48084

**Email:** [privacy@365rm.com](mailto:privacy@365rm.com)  
**Toll-Free Telephone Number:** 1-888-365-7382

We will respond to your request **within a reasonable period**, typically within **30 days**, as required by the Privacy Act.

### **Complaints**

If you have concerns about how we handle your personal information, you may first contact us using the details above. If you are not satisfied with our response, you may lodge a complaint with the **Office of the Australian Information Commissioner (OAIC)**:

GPO Box 5218 Sydney NSW 2001  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Telephone: 1300 363 992  
Website: [www.oaic.gov.au](http://www.oaic.gov.au)

### **New Zealand**

Our collection, use, and disclosure of personal information is subject to the New Zealand Privacy Act 2020. By using our services, you acknowledge that your personal information may be transferred to, stored, and processed in the United States, where privacy laws may not provide the same level of protection as those in New Zealand. We will take reasonable steps to ensure that your information is handled in accordance with this Privacy Notice and applicable legal requirements.

### **California Privacy Rights**

We provide our California customers with specific rights regarding their Personal Information. This section describes the rights that you have under California law and explains how to exercise those rights. In the past 12

months, we have collected the following categories of personal information under California privacy law:

<b>Category of Information</b>	<b>Examples</b>	<b>Collected</b>
Personal Identifiers	First and last name, email address, company, telephone number, address, online identifier, device identifier, internet protocol (IP) address	Yes
Personal Information under California Customer Records Statute	First and last name, address, telephone number, education, employment, employment history, credit or debit card number, or any other financial information including encrypted payment tokens. Some personal information included in this category may overlap with other categories	Yes
Protected Classification Characteristics	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information)	Yes
Commercial Information	Products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies	Yes
Biometric Information	Fingerprint scans	Yes
Internet or Network Activity Information	Browsing history, search history, and information regarding interactions with an Internet Web site, application, or advertisement	Yes
Geolocation Data	Address, location of kiosk used, GPS	Yes
Professional or Employment-Related Information	Current employer, employment history	Yes

Education Information	Educational institution(s), student identification number, student account information	Yes
Financial Information	Credit or debit card information, encrypted payment tokens	Yes
Sensitive Personal Information	Biometric information, geolocation data, financial information	Yes
Inferences about You	Profile reflecting preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes	Yes

We have disclosed the above information for business purposes to our affiliates, service providers, customers, and other users of 365 Platforms as described in this Privacy Notice.

*No Sale of Personal Information*

You have the right to opt-out of the sale of your personal information at any time. Note that in the preceding twelve (12) months, we have not sold and will not sell any personal information to non-affiliated third parties. We also have not and will not sell the personal information of minors under 16 years of age to non-affiliated third parties.

*Right to Know About Personal Information Collected, Used, or Disclosed*

You have the right to request that we disclose certain information to you about our collection, use and disclosure of your information over the past 12 months. Once we receive your request and verify your identity, we will disclose to you: (1) the categories of information we collected about you; (2) the categories of sources for the information; (3) our business or commercial purpose for collecting or disclosing that information; (4) the categories of third parties with whom we shared that information; and (5) the specific pieces of information we collected about you in the preceding 12 months.

*Right to Correct Personal Information Collected or Maintained*

You have the right to request that we correct inaccurate personal information that we hold about you.

*Right to Delete Personal Information Collected or Maintained*

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your request and verify your identity, we will permanently delete (and direct our service providers to delete) your personal information from our records, unless a legal exception to deletion applies. In our response to your request to delete, we will specify the manner in which

we have deleted your personal information or, if we must deny your deletion request, the basis for this refusal.

*Right to Non-Discrimination for Exercise of Privacy Rights*

We will not discriminate against you for exercising any of your rights by: (1) denying you goods or services; (2) charging you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties; (3) providing you a different level or quality of goods or services; or (4) suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

*Right to Limit Use of Sensitive Personal Information*

California law may provide you the right to limit the use and disclosure of sensitive information to certain enumerated business purposes. We do not sell or share sensitive personal information with third parties. We only use sensitive personal information for the legitimate business purpose outlined in this Privacy Notice. To learn more or inquire regarding your rights concerning sensitive personal information, please call us or follow the link using the information below.

*California Shine the Light Law*

Under California law, California residents have the right to request in writing from businesses with whom they have an established business relationship certain information pertaining to third parties to which the business discloses personal information for marketing purposes. We do not sell Personal Information collected to third parties for their direct marketing purposes. We do not disclose Personal Information to third parties for their direct marketing purposes. To learn more, please contact us using the information below.

*Exercising Your Rights*

To exercise the rights described above, please submit a verifiable consumer request to us at:

**365 Retail Markets, LLC**  
c/o Data Protection Officer  
1743 Maplelawn Drive  
Troy, MI 48084

**Email:** [privacy@365rm.com](mailto:privacy@365rm.com)  
**Toll-Free Telephone Number:** 1-888-365-7382

*Authorizing an Agent*

You may designate an authorized agent to submit your consumer request on your behalf, so long the authorized agent has your written permission to do so and you have taken steps to verify your identity directly with us.

### Verifying Your Request

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use personal information provided in a verifiable consumer request to verify your identity or authority to make the request. You may only make a verifiable consumer request for access or data portability twice within a 12-month period.

To verify your identity, we ask that you provide us with the following information when you submit your request: (1) first name, (2) last name, and (3) phone number or email. We will use the above information to verify your identity. Depending on your type of request or the information requested by you, we may require additional information to verify your identity and fulfill your request.

California law also requires that we disclose how we respond to “do-not-track requests” from our users. At this time, we do not currently respond to “do-not-track” requests from our users’ browsers.

## **Other U.S. States**

Depending on your state of residency, you may have certain rights related to your personal information, including:

- **Access and Data Portability.** You may confirm whether we process your personal information and access a copy of the personal information we process. To the extent feasible and required by state law, depending on your state, data will be provided in a portable format. Depending on your state, you may have the right to receive additional information and it will be included in the response to your access request.
- **Correction.** You may request that we correct inaccuracies in your personal information that we maintain, taking into account the information's nature and processing purpose.
- **Deletion.** You may request that we delete personal information about you that we maintain, subject to certain exception under applicable law.
- **Opt Out of Using Personal Information for Targeted Advertising, Profiling, and Sales.** You may request that we do not use your personal information for these purposes.

The exact scope of these rights vary by state. There are also several exceptions where we may not have an obligation to fulfill your request.

#### **All Users**

Regardless of the jurisdiction in which you reside, if you have registered an account, you can access and change your own personal information via your account at any 365 Platform.

If you request that we erase or forget your personal information, we will comply with your request to the extent reasonably possible and permitted by law (sometimes other applicable laws require that we keep certain personal information). When we maintain personal information because of a legal requirement, the personal information will be used only for that purpose and maintained only for the amount of time required to comply with applicable law. You may also open a new account with a different email address at any time.

## **EU–U.S. Data Privacy Framework Compliance**

365 Retail Markets, LLC complies with the EU-U.S. Data Privacy Framework (EU-U.S. DPF) and the UK Extension to the EU-U.S. DPF as set forth by the U.S. Department of Commerce. 365 Retail Markets, LLC has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (DPF Principles) with regard to the processing of personal data received from the European Union in reliance on the EU-U.S. DPF and from the United Kingdom in reliance on the UK Extension to the EU-U.S. DPF. If there is any conflict between the terms in this privacy policy and the DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework Program (DPF Program), and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

Details on personal information collection and use from individuals of the EU can be found in the preceding **Personal Information Collection** and **Personal Information Use** of this Privacy Notice.

#### **Onward Transfers to Third Parties**

365 may transfer personal data to service providers and partners who assist in our operations. We require all such third parties to safeguard personal data consistent with the DPF Principles. We remain responsible for the processing of personal data received under the DPF and transferred to a third party acting as an agent.

#### **Individual Rights**

EU individuals have the right to access their personal data held by 365, to correct, amend, or delete that data when it is inaccurate, and to limit use and disclosure of their data. To exercise these rights, please contact us as outlined in the **Contact Information** section.

We will provide an individual opt-out choice, or opt-in for sensitive data, before we share your data with third parties other than our agents, or before we use it for a purpose other than which it was originally collected

or subsequently authorized. To request to limit the use and disclosure of your personal information, please submit a written request to [privacy@365rm.com](mailto:privacy@365rm.com) or by submitting the “Contact Our Data Protection Officer” form at <https://365retailmarkets.com/consumer-policy>

### **Complaint Resolution and Dispute Handling**

In compliance with the DPF Principles, 365 commits to resolve complaints about our collection or use of your personal information. EU individuals with inquiries or complaints should first contact 365 as outlined in the section.

European Union and United Kingdom individuals with inquiries or complaints regarding our handling of personal data in reliance on the DPF should first contact 365 at: [privacy@365rm.com](mailto:privacy@365rm.com) or by submitting the “Contact Our Data Protection Officer” form at <https://365retailmarkets.com/consumer-policy>.

365 has further committed to refer unresolved DPF Principles-related complaints to a U.S.-based independent dispute resolution mechanism, BBB NATIONAL PROGRAMS. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed by us, please visit <http://www.bbbprograms.org/dpf-complaints> for more information and to file a complaint. This service is provided free of charge to you.

### **Binding Arbitration**

Under certain conditions, you may invoke binding arbitration for complaints regarding DPF compliance that are not resolved by the above processes.

365 has further committed to refer unresolved DPF Principles-related complaints to a U.S.-based independent dispute resolution mechanism, BBB NATIONAL PROGRAMS. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed by us, please visit [www.bbbprograms.org/dpf-complaints](http://www.bbbprograms.org/dpf-complaints) for more information and to file a complaint. This service is provided free of charge to you.

### **U.S. Federal Trade Commission Jurisdiction**

365 is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission (FTC). We may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

## **Other Important Information**

### **Cross-Border Data Transfers**

We process data both inside and outside the United States. It is important to know that data protection laws in the United States may not be as strong as those in your country. Where we transfer your personal information from the European Economic Area (“EEA”) to a location outside the EEA, we will

only transfer your data if an appropriate level of protection for your personal information is provided, such as where we have contractual obligations to protect or transfer data with certain safeguards in place. To ensure the continued protection of your personal information while in our care, we take appropriate organizational and technical measures. You may contact us at [privacy@365rm.com](mailto:privacy@365rm.com) to learn more about the safeguards that apply to your personal information and to request a copy of such safeguards. In addition, we may transfer your personal information if one of the legal exceptions for such transfer can be invoked, such as with your consent or in execution of an agreement you have with us.

### **Third-Party Links**

365 Platforms may contain links to websites and content owned or operated by third parties. We sometimes provide links to other websites and means of being involved with us on social media. We do not make any representations, warranties, or endorsement of these website or their privacy policies and practices. You should carefully review the privacy information for a third-party website before providing personal information to these third party websites.

This Privacy Notice applies only to the 365 Platforms specified in this Privacy Notice and not to any third-party websites.

### **Security**

365 has in place administrative, operational, procedural, and technical security measures designed to comply with the reasonable standard of care in 365's industry and applicable law regarding the protection of personal information. Data is encrypted in transit, and at rest.

### **Data Retention**

365 shall continue to store and use your personal information for as long as you continue to use the applicable 365 Platform. We reserve the right to permanently dispose of your personal information in a secure manner upon the earlier of the following:

- The initial purpose for obtaining the personal information has been satisfied;
- You exercise your right to be forgotten (if applicable) by requesting the erasure of your personal information;
- 365 deactivates your account for inactivity, inaccurate records, fraudulent or unauthorized use of your account, or any other reason permitted by law; or
- When required by law.

365 will periodically review the personal information on accounts inactive for 5 years or longer and reserve the right to permanently dispose of such information, however we may continue to retain such personal information that continues to serve a legitimate business purpose as outlined in this Privacy Notice. For additional information on account expiration see [\*\*365 Platforms Terms of Service\*\*](#).

**Children Under the Age of 18**

365 Platforms are not intended for individuals under the age of 18. If you are under 18 you must have a parent's or guardian's permission prior to submitting information to 365 Platforms. 365 takes special care to protect the privacy of children under the age of 18 and encourages parents to actively participate in their child's online activities. 365 abides by the requirements of the Children's Online Privacy Protection Act (COPPA) and other relevant laws, to the extent applicable. 365 Platforms do not target and are not intended for children under the age of 18, and 365 does not knowingly collect personal information from them. If 365 discovers personal information from a child gathered through 365 Platforms, 365 will delete that data.

**Privacy Notice Changes**

This Privacy Notice may be amended at any time by posting a new version at: <https://www.365retailmarkets.com/consumer-policy/>. 365 may highlight with a pop-up or otherwise notify you of an amendment if the amendment is significant or is required by law. The new version will become effective on the date specified in the new version. By continuing to use 365 Platforms following the posting of a new Privacy Notice, you agree to be bound by the new version. If you do not agree to the new version, you should stop using the relevant 365 Platforms.

**Contact Information**

If you have any questions or complaints about this Privacy Notice or 365's collection, use, storage, or disposal of your personal information, you can contact 365 at:

**365 Retail Markets, LLC**  
c/o Data Protection Officer  
1743 Maplelawn Drive  
Troy, MI 48084

**Email:** [privacy@365rm.com](mailto:privacy@365rm.com)  
**Toll-Free Telephone Number:** 1-888-365-7382