

PRIVACY POLICY

CARDINAL ACOUSTICS, INC.

THIS PRIVACY POLICY APPLIES TO YOU THE USER (“YOU” AND “YOUR”) AND YOUR ACCESS AND USE OF THE WEBSITE AND THE SERVERS, SOFTWARE, AND COMPONENTS (COLLECTIVELY, THE “WEBSITE”) PROVIDED AND OWNED OR LICENSED BY CARDINAL ACOUSTICS, INC., AN OHIO CORPORATION (“WE” OR “US” OR “OUR”). BY ACCESSING OR USING THE WEBSITE, YOU ARE AGREEING THAT YOU HAVE READ AND AGREE TO THIS PRIVACY POLICY AND YOU AFFIRM THAT YOU ARE ABLE AND LEGALLY COMPETENT TO ACCEPT AND AGREE TO THIS PRIVACY POLICY. IF YOU DISAGREE WITH ANY PART OF THIS PRIVACY POLICY, THEN DO NOT ACCESS OR USE THE WEBSITE.

We take your privacy very seriously and have taken all reasonable measures to safeguard any information that you provide us. The purpose of this Privacy Policy is to help you understand what information we collect, why we collect it, what we do with it, and your rights with respect to such practices.

We control and operate our business and the Website from within the United States of America. Our privacy practices are governed by the laws of the United States and the State of Ohio, which may differ from privacy laws in your state or home country or territory. By submitting your personal information to us or our agents through the use of the Website, you consent to the transfer of your personal information to any country and its use and disclosure in accordance with applicable laws and with this Privacy Policy.

We may change this Privacy Policy at any time for any reason. Your continued use of the Website after we publish changes constitutes your acceptance of any changed terms.

What Kind Of Information We Collect

Whether accessing and using the Website from your personal computer, smart phone, tablet, or other Internet-enabled device (each a “**Device**” and collectively the “**Devices**”), we and our Affiliates (defined below) may collect information that you voluntarily provide which identifies you or relates to you as an individual (collectively, “**Your Information**”), such as your:

- Date of birth;
- Name;
- Mailing address;
- Telephone number;
- E-mail address;
- Geolocation (if using a mobile application and you consent to providing it); and/or
- Additional personal information necessary for the administration of certain promotional events.

In addition, we may collect other types of data elements (“**Other Information**”) that you do not voluntarily provide and which does not reveal your identity, including but not limited to:

- Browser and Device information, including operating systems;
- Demographic information and other information provided by you that we may combine with other users of the Website or use on our own;
- Mobile application usage data;
- Aggregated information (e.g., “click stream” information) such as entry and exit points for the Website (including referring URLs or domains), certain traffic statistics, page views, and impressions;
- Information collected through cookies, pixel tags and other technologies described in more detail later in this Privacy Policy; and/or
- Log Data (defined below).

We may collect Your Information directly from you when you provide it to us and we may collect Other Information automatically as you use and navigate through the Website. To the extent we knowingly obtain certain legally protected information such as social security numbers, medical records/HIPAA protected information, or other similar information, whether such information is yours or that of a third party that was obtained from you, we will not use such information and destroy it immediately.

The information we collect automatically may include personal information. Such information helps us to improve the Website and to deliver a better and more personalized service, including by enabling us to:

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

Some content or applications, including advertisements that may be present, on the Website may be served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. Such third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use the 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. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content. We do not control third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see Choices About How We Use and Disclose Your Information, below.

How We Use The Information We Collect

We collect Your Information and Other Information only in ways that are fair and lawful. We collect only the personal data we say will collect and only in the ways we say we will collect it. This information is collected to allow us to use multiple means of contacting you and to help prevent fraud. Under no circumstances will we use Your Information or Other Information for anything else not described in this Privacy Policy. You may review Your Information and Other Information at any time by requesting it from us by e-mail. You can correct factual errors in Your Information and/or Other Information by notifying us. To protect your privacy and security, we will take reasonable steps to verify your identity before granting access or making corrections. By using the Website, you give us permission to use Your Information and Other Information for the purposes stated in this Privacy Policy and according to the terms of this Privacy Policy.

We may use Your Information and/or Other Information for purposes described in this Privacy Policy or as otherwise disclosed to you through the Website or our Terms of Use (www.cardinalacoustics.com). In addition to the purposes described elsewhere in this Privacy Policy, we may use Your Information and/or Other Information to:

- Process and manage your access to and use of the Website.
- Respond to your inquiries or requests.
- Create and deliver personalized promotions.
- Communicate with you by mail, telephone, facsimile, e-mail, mobile alerts and SMS text messaging about the Website and/or your requests for information, and to update you about changes to the Website, this Privacy Policy, our Terms of Use, and other terms and conditions of use of the Website.
- Communicate with you, including by mail, telephone, facsimile, e-mail, mobile alerts and SMS text messaging, in connection with our marketing efforts, such as if and when we send you offers and promotions that you can take advantage of through the Website.
- Further business purposes, such as to perform data analysis, audits, fraud monitoring and prevention; to enhance, improve or modify the Website; to identify usage trends; to determine the effectiveness of our promotional campaigns; and to operate and expand our business activities.

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

We may send you communications regarding your use of and access to the Website and other matters relating to the Website using various electronic communications, including e-mail and mobile communications. For communications to you by e-mail or mobile SMS text communication, you must opt in to receive such e-mail and mobile communications from us. Any such opt-in will be subject to this Privacy Policy and we will only e-mail you or send you mobile alerts or SMS text messages (other than for purposes described earlier in this paragraph) if you opt in to receive them from us. If, at any time, you decide you would rather not receive these types of communications from us, you can opt-out by clicking the unsubscribe link at the bottom of any e-mail or message from us or contact us. To the extent allowed under applicable law, you opt in to such communications by agreeing to our Terms of Use (www.cardinalacoustics.com).

How We May Disclose Your Information

Your privacy is very important to us. We generally will not disclose Your Information and/or Other Information to anyone, except in the following circumstances:

Service Providers. We may disclose Your Information and/or Other Information to third-party service providers who provide us with services such as website hosting, professional services, including information technology services and related infrastructure, customer service, e-mail delivery, auditing and other similar services.

Affiliates. We may disclose Your Information and/or Other Information to our Affiliates for the purposes described in this Privacy Policy, including for marketing purposes. “**Affiliates**” are those companies that are majority-owned by or under common majority control with us.

To Perform Services You Request. We may disclose Your Information and/or Other Information to third parties in order to perform services you request or functions you initiate. In addition, we may disclose Your Information and/or Other Information in order to identify you to anyone to whom you send communications through the Website.

Corporate Transactions or Events. We may disclose Your Information and/or Other Information to a third party in connection with a corporate reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets, membership interests, or stock, including in connection with any bankruptcy or similar proceedings.

Legal Reasons. We may use or disclose Your Information and/or Other Information as we deem necessary or appropriate: (a) pursuant to applicable law, including laws outside your country or state of residence; (b) to respond to requests from public and government authorities including public and government authorities outside your country or state of residence; (c) to comply with subpoenas and other legal processes; (d) to pursue available remedies or limit damages we may sustain; (e) to protect our operations or those of any of our Affiliates; (f) to protect the rights, privacy, safety or property of us, our Affiliates, you, and others; and (g) to enforce this Privacy Policy and/or our Terms of Use.

Other Reasons. Similarly and except as otherwise stated or limited in this Privacy Policy, we generally may use Your Information and/or Other Information for any purpose not prohibited by law. In particular, we may collect, compile, store, publish, promote, report, sell, or otherwise disclose or use any and all other information, provided that such information does not personally identify you beyond how you are identified by use of the Website.

What We Do Not Intend to Do With Your Information

We will not knowingly sell or otherwise provide Your Information as part of a “batch” sale of information to be used for any reason. In other words, we will not create a randomly generated list of users’ information and sell or otherwise provide such list to any person, company, association, or organization.

Notwithstanding anything in this Privacy Policy to the contrary, we will not knowingly sell or provide Your Information to any person, company, association, or organization who we know or have reason to believe has violated, is violating, or will violate the Telemarketing and Consumer Fraud and Abuse Prevention Act, the Controlling the Assault of Non-Solicited Pornography And Marketing (CAN-SPAM) Act of 2003, the Children’s Online Privacy Protection Act or any other similar Federal or state law.

Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of the Website may then be inaccessible or not function properly.
- **Disclosure of Your Information for Third-Party Advertising.** If you do not want us to share your personal information with unaffiliated or non-agent third parties for promotional purposes, you can opt-out by sending us an e-mail stating your request to info@cardinalacoustics.com.
- **Promotional Offers from the Company.** If you do not wish to have your e-mail address/contact information used by us to promote our own or third parties’ products or services, you can opt-out by sending us an e-mail stating your request to info@cardinalacoustics.com. If we have sent you a promotional e-mail, you may send us a return e-mail asking to be omitted from future e-mail distributions. This opt out does not apply to information provided to us as a result of a product purchase, warranty registration, product service experience or other transactions.
- **Targeted Advertising.** If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers’ target-audience preferences, you can opt-out by sending us an e-mail stating your request to info@cardinalacoustics.com.

How We Protect Your Information and Other Information

We have implemented reasonable safeguards designed to prevent loss, misuse and unauthorized access, disclosure or modification of Your Information and/or Other Information provided or collected through the Website. Your Information and Other Information can never be 100% secure and you should always take appropriate security measures to protect Your Information and Other Information. If you believe that any information you provided to us is no longer secure, please notify us immediately. Please be advised that when you post information in a public forum it becomes public information.

Log Data and Cookies

Whenever you use a website, mobile application, or other Internet service, certain information is created and retained by the website or application. This happens with our website as well. We collect technical information that does not personally identify you when you use our Website, or information that has been made anonymous, such as Log Data and cookies.

Our servers may automatically record information when you use the Website, such as your IP address, the type of browser you are using and its settings, the operating system you are using, the domain name of your Internet service provider, and the duration of your visits (collectively, “**Log Data**”).

The technologies we use for automatic data collection may include:

- **Cookies.** A “cookie” is a small text files placed in your Devices’ browser directories to store information about your activities online. A cookie will typically contain the name of the domain (internet location) from which the cookie has come, the lifetime of the cookie, and a value, usually a randomly generated unique number. We may use cookies so that we can operate and improve the Website.
- **Flash Cookies.** Certain features of our Website may use local stored objects (or “Flash cookies”) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- **Web Beacons.** Pages of the Website may contain small electronic files known as “web beacons” (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have the Website and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

If you do not wish to receive cookies or wish to manage cookies in general, you must configure your browser settings, if available, on your Device. Although you are not required to accept cookies, if you set your Device’s browser to reject cookies, you may not be able to use all of the features and functionality of the Website. If you block or otherwise reject cookies, you may lose some of the functionality of the Website.

Your Consent

By using the Website, you consent to our sharing Your Information and Other Information as described in this Privacy Policy. You may withdraw your consent at any time. When you give us your consent, you are giving us permission to process Your Information and Other Information specifically for the purposes identified. If and when we ask you for additional personal data, we will always tell you why and how such information will be used. You may withdraw consent at any time by sending an e-mail or a letter to us at the addresses set forth below.

Opting Out of Interest-Based Advertisements on the Mobile App

If we utilize a mobile application, we may collect certain unique mobile operating system IDs, such as Apple’s Identifier for Advertising ID (IDFA) or Google’s Android Advertising ID (AAID), to select, target, and deliver advertisements. You may be able to opt out of interest-based advertisements through the most recent applicable settings features of your mobile Device(s). These opportunities are subject to the offerings made available by the third-party operating system providers and subject to their privacy policies, and not any offerings by us or this Privacy Policy.

Retaining and Deleting Your Information

We retain certain information, including transaction, location, device and usage information, for a minimum of seven (7) years in connection with regulatory, tax, insurance and other requirements. Once such information is no longer necessary to provide the Website, enable customer support, enhance the user experience or serve other operational purposes, we take steps to prevent access to or use of such information for any purpose other than compliance with these requirements or for purposes of safety, security and fraud prevention and detection.

You may request deletion of Your Information and/or Other Information at any time by contacting us by e-mail. Following such request, we delete the information that we are not required to retain. If we are unable to delete Your Information and/or Other Information for any reason (for example, if there is an unresolved claim or dispute), we will delete Your Information and/or Other Information once the issue is resolved.

We may also retain certain information if necessary for our legitimate business interests, such as fraud prevention and enhancing users' safety and security. For example, if we block your use of the Website because of your breach of our Terms of Use, we may retain Your Information to prevent you using the Website in the future.

Social Networking And Third Party Sites

When you link to the Website through any social networking or third-party sites, applications, or services, you are bound by the privacy policy and terms of use or service of the social network or third-party site, application, or service. We do not control and are not responsible for the privacy practices and terms of use or service of such sites. You should consult the privacy policy and terms of use or service of such sites to determine the information practices of those sites.

Choice of Law, Jurisdiction

Subject to the following section, this Privacy Policy is governed by the laws of the State of Ohio and of the United States of America without regard to conflict of laws rules. You irrevocably consent to the exclusive jurisdiction of the state and federal courts in Franklin County, Ohio for purposes of any legal action arising out of or related to the use of the Website or this Privacy Policy.

Special Information for European Union (“EU”) Users

Beginning May 25, 2018, the processing of personal data of users in the EU is subject to the EU General Data Protection Regulation (the “**GDPR**”). If you use the Website in the EU, this section provides information as relates to your rights, and our responsibilities, under the GDPR. Under the GDPR, we are your “controller.” To exercise any of the rights described in this section, please see below or submit your request to info@cardinalacoustics.com.

Explanation and Copies of Your Data

- You have the right to request an explanation of the information that we have about you and how we use that information.
- You also have the right to receive a copy of the information that we collect about you if collected on the basis of consent or because we require the information to provide the Website or other services that you request.

Correction

- If we have information about you that you believe is inaccurate, you have the right to request correction of your information. Please see the section titled “How We Use The Personal Information We Collect” above for more information on correcting, or requesting correction of, Your Information and/or Other Information.

Deletion & Erasure

- You may request deletion of Your Information and Other Information at any time. Please see the “Information Retention & Deletion” section above for more information regarding our retention and deletion practices.
- You have the right to be forgotten. This right is also known as the “right to erasure.” It is your right to have Your Information and Other Information erased or the right to prevent processing in specific circumstances.

Portability

- You have the right of data portability. This right allows you to move, copy or transfer Your Information and Other Information from one place to another in a secure manner without interrupting the integrity and usability of Your Information and Other Information.

Objections and Complaints

- You have the right to object to our processing of personal data, including for marketing purposes based on profiling and/or automated decision making. We may continue to process Your Information and/or Other Information notwithstanding the objection to the extent permitted under the GDPR.
- You may also have the right to file a complaint relating to our handling of Your Information and Other Information with the Autoriteit Persoonsgegevens, the Dutch Data Protection Authority. Their contact information is as follows:

Autoriteit Persoonsgegevens
Postbus 93374

2509 AJ DEN HAAG
(+31) - (0)70 - 888 85 00

To exercise any of the above rights, please contact us. You may also submit questions, comments or complaints to our Data Protection Officer.

The GDPR requires that companies processing the personal data of EU users do so only with specific legal grounds. As described below, we process the information of EU users based on one or more of the grounds specified under the GDPR:

To provide the Websites and features you request:

- We must collect and use certain information in order to provide the Website to you. This includes usage information, which is necessary to maintain, optimize and enhance the Website.

To protect the vital interests of our users or of others:

- We may process Your Information and/or Other Information, including disclosing data with law enforcement authorities, in case of threats to the safety of users or of others.

For our legitimate interests:

- We collect and use Your Information and/or Other Information to the extent necessary for our legitimate interests. This includes collecting and using information:
 - To maintain and enhance our users' safety and security. For example, we may use personal information to prevent use of the Website by users who have engaged in inappropriate or dangerous behavior, such as by retaining information of banned users to prevent their use of the Website.
 - To prevent, detect and combat fraud in connection with the use of the Website. For example, we may use your profile, location, Device and usage information to identify and prevent circumstances when users attempt to defraud us, you, or others.
 - To inform law enforcement officials of criminal acts or threats to public safety.
 - To provide customer support.
 - To optimize the Website and develop new services. This includes, for example, identifying your use habits with respect to the Website to determine whether you might be interested in other services we may develop.
 - For research and analytical purposes. This includes, for example, analyzing usage trends to improve the user experience and enhance the accessibility and security of the Website.
 - To enforce our Terms of Use.

For the legitimate interests of other persons or parties:

- We collect and use Your Information and/or Other Information to the extent necessary for the interests of other persons or the general public. This includes sharing information in connection with legal or insurance claims, to protect the rights and safety of others.
- We may also process Your Information and/or Other Information when necessary in regards to a substantial public interest, on the basis of applicable laws.

To fulfill our legal obligations:

- We are subject to legal requirements in the jurisdictions in which we operate that may require us to collect, process, disclose and retain Your Information and/or Other Information. For example, some record keeping laws may require us to keep data for several years.

Consent

- We collect and use Your Information and Other Information on the basis of your consent.

- **YOU MAY REVOKE YOUR CONSENT AT ANY TIME BY CONTACTING US AT INFO@CARDINALACOUSTICS.COM.**
- If you revoke your consent, you will not be able to use the Website or any feature that requires collection or use of the information we collected or used on the basis of consent.
- We rely on consent in connection with data collections or uses that are necessary to enhance the user experience, to enable optional services or features, or to communicate with you. If you are an EU user, the following types of data collections or uses are done on the basis of your consent:
 - Address Book / Contacts
 - Calendar Syncing
 - Accessibility Features

You have the right to withdraw previously provided consent for our processing of Your Information and Other Information.

Arbitration

NOTWITHSTANDING ANYTHING IN THIS PRIVACY POLICY TO THE CONTRARY AND TO THE EXTENT PERMISSIBLE UNDER APPLICABLE LAW, YOU AND US AGREE TO GIVE UP ANY RIGHTS TO LITIGATE CLAIMS IN A COURT OR BEFORE A JURY OR TO PARTICIPATE IN A CLASS ACTION OR REPRESENTATIVE ACTION WITH RESPECT TO A CLAIM. OTHER RIGHTS THAT YOU WOULD HAVE IF YOU WENT TO COURT, SUCH AS ACCESS TO DISCOVERY, ALSO MAY BE UNAVAILABLE OR LIMITED IN ARBITRATION.

Any dispute between you and us (and/or our agents, employees, members, officers, directors, principals, successors, assigns, and/or Affiliates) arising from or relating to this Privacy Policy and its interpretation or the breach, termination or validity thereof, the relationships which result from this Privacy Policy, including disputes about the validity, scope or enforceability of this arbitration provision will be settled by binding arbitration in Franklin County, Ohio administered by the American Arbitration Association (“AAA”) under its Commercial Arbitration Rules, in effect on the date thereof. Prior to initiating any arbitration, the initiating party will give the other party at least thirty (30) days’ advanced written notice of its intent to file for arbitration. We will provide such notice by e-mail to your e-mail address on file with us and you must provide such notice by e-mail with “Legal Dispute” appearing in the subject line. During such 30-day notice period, you and us will endeavor to settle amicably by mutual discussions any disputes.

Payment of all filing, administration and arbitrator fees will be governed by the AAA’s rules. If the arbitrator determines the claim(s) you assert in the arbitration are frivolous, you agree to reimburse us for all fees and expenses associated with the arbitration that we have paid.

The arbitrator will have the power to grant whatever relief would be available in court under law or in equity and any award of the arbitrator(s) will be final and binding on each of the parties and may be entered as a judgment in any court of competent jurisdiction. The arbitrator will not, however, have the power to award punitive or exemplary damages, the right to which you and we hereby waive, and the arbitrator will apply applicable law and the provisions of this Privacy Policy. You and we agree that any dispute will be submitted to arbitration on an individual basis only. NEITHER US NOR YOU ARE ENTITLED TO ARBITRATE ANY DISPUTE AS A CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY ACTION AND THE ARBITRATOR(S) WILL HAVE NO AUTHORITY TO PROCEED ON A CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY GENERAL BASIS. If any provision of these arbitration provisions is found to be unenforceable, the unenforceable provision(s) will be severed and the remaining arbitration terms will be enforced. NOTWITHSTANDING THE FOREGOING, IN NO CASE WILL THERE BE A CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY GENERAL ARBITRATION. Regardless of any statute or law to the contrary, notice of any claim arising from or related to this Privacy Policy must be made within one (1) year after such claim arose or be forever barred. For purposes of this section, this Privacy Policy and related transactions will be subject to and governed by the Federal Arbitration Act, 9 U.S.C. §§ 1-16.

Severability

If any provision in this Privacy Policy shall be deemed invalid, void, or for any reason unenforceable by a court of competent jurisdiction, such provision shall be deemed severable and shall not affect the validity and enforceability of any remaining provisions of this Privacy Policy.

California Rights.

Under California Civil Code sections 1798.83-.84, California residents who have established a business relationship with us may request from us a notice describing what categories of personal information we share with third parties or affiliates for those third-parties or corporate affiliates' direct marketing purposes. Such notice will identify the categories of information that we shared and will include a list of the third parties and affiliates with whom the information was shared, including their names and addresses. If you are a California resident and would like a copy of this notice, you must submit a written request to us. We will respond within 30-60 days.

Children's Online Privacy

We strongly believe in the importance of protecting the privacy of children. We will not knowingly collect any personally identifiable information from children under eighteen (18) years of age. When you disclose Your Information on or through the Website, you are representing to us that you are at least eighteen (18) years of age. If a child under eighteen (18) years of age has provided us with personally identifiable information through the Website, we request that a parent or guardian e-mail us at info@cardinalacoustics.com and we will delete the child's information from our records.

International

This English-language Privacy Policy is our official statement of our privacy practices. In case of any inconsistency between this English-language Privacy Policy and its translation into another language, this English-language document prevails.

Contact Us

To contact us or give us a notice regarding any matter described in this Privacy Policy or otherwise relating to the Website, you must send it by electronic mail or first-class post to:

Cardinal Acoustics, Inc.
Attn: Daniel Khourie
4622 Sawmill Rd.
Columbus, Ohio 43220
E-mail: dkhourie@cardinalacoustics.com

Our routine communications regarding the Website and legal notices will be posted on the Website. Notices are deemed received as of the time posted or delivered, or if that time does not fall within a Business Day, as of the beginning of the first Business Day following the time posted or delivered. For purposes of counting days for notice periods, the Business Day on which the notice is deemed received counts as the first day. Notices must be given in the English language. "**Business Day**" means any day other than Saturday, Sunday, and U.S. Federal holidays.

Reservation of Rights

All rights not expressly granted herein are reserved by us.