

Privacy Policy & Terms of Use

OutWhere Inc. Privacy Policy

Effective Date: January 1st, 2020

This Privacy Policy ("Policy") explains how Outwhere Inc. and our subsidiaries and affiliates (collectively, "OUTWHERE," "we" or "us") collect, use and share information about you when you access or use our websites or other online or mobile services or applications ("Services"), shop in our stores, attend our events, outings, or trips, or otherwise interact with us. We may supply different or additional notices of our information practices specific to certain programs or activities. We may also provide different notices of our information practices with respect to certain subsidiaries or affiliates, in which case this Policy will not apply. For purposes of this policy, personal information includes "personal data" and similar terms as defined under applicable privacy laws.

OUTWHERE may change this Policy from time to time.

If we make changes, we will notify you by revising the Effective Date above and, in some cases, we may provide you with more prominent notice (such as adding a statement to our homepage or sending you a notification). We encourage you to review this Policy whenever you access our Services or otherwise interact with us to stay informed about our information practices and the choices available to you.

Collection of Information

Information You Provide to Us. We collect information you provide directly to us. For example, we collect information when you become a member; make a purchase or rental from us; access and use our Services (including when you write a review or participate in other interactive areas of our Services); create an online account or

profile; sign up for or participate in contests, promotions, sweepstakes, customer experience research, surveys, mailing lists, events, outings or trips; engage with us via social media platforms; and when you email, call, or otherwise communicate with us.

The types of information we may collect include your name, address, phone number, email address, ZIP code, photos, videos, social media usernames, payment information, demographic information, information about your interests, outdoor activities, and preferences, information about your fitness condition and physical characteristics, the content you post to the interactive areas of our Services, and any other information you choose to provide. If you sign up for an OUTWHERE event, outing, or trip, or in other limited circumstances, we may collect additional information from you, such as medical, health and disability information, passport information, dietary requirements, and emergency contact information.

In some cases, we may also collect information you provide about others, such as when you provide emergency contact information, purchase a gift card for someone and request that we deliver it electronically, decide to purchase and ship products to someone, or create and share a gift registry. We will use this information to fulfill your requests and will not send communications to your contacts unrelated to your requests, unless they separately consent to receive communications from us or otherwise engage with us.

Information We Collect Automatically. When you access or use the Services or transact business with us, we automatically collect certain information about you, including:

- **Transaction Information:** When you purchase, rent or return a product, or register for events, outings, or trips, we collect information about the transaction, such as product details, purchase price, and the date and location of the transaction.
- **Log and Usage Information:** We obtain information about the device you use to access our Services and your use of our Services, including the type of browser you use, hardware model, operating system and app version, mobile network information, IP address, unique device identifiers, access times, pages viewed, items placed in your cart, links clicked, browsing behavior, and referring URL (the webpage you visited before navigating to our Services).

- **Location Information:** In accordance with your device permissions, we may collect information about the precise location of your device. For more details, please see "Your Choices" below. We may also collect information about your approximate location each time you access our Services.
- **Information Collected by Cookies and other Tracking Technologies:** We and our third-party service providers may use cookies, clear GIFs (also known as web beacons, web bugs or pixel tags), and other tracking technologies to collect information about you and your interaction with our Services, including information about your browsing behavior, purchase behavior, and other engagement with the Services. Most web browsers are set to accept cookies by default, but you can usually change your browser settings to remove or reject cookies. For more information about the types of cookies we use and our reasons for using them, as well as your choices concerning cookies, please see our Cookie Policy.

Information We Collect from Other Sources. We may also receive information about you from other sources and combine or link that with information we have about you. For example:

- We receive information from our partners that provide or lead OUTWHERE experiences (events, outings and trips), such as contact information and feedback participants provide.
- We collect change-of-address information, demographic information, and information about consumer preferences, interests and opinions from third party sources.
- If you create an account or access our Services using credentials from a third-party social media platform (such as Facebook), we have access to certain information from that platform, such as your name, email address, friends list and public profile information, in accordance with the authorization procedures determined by that platform.

- We collect content you share publicly in connection with our products, services or campaigns, including photos, videos and profile information.
- If you apply for certain co-branded financial products, we receive certain information from the financial institution we partner with, including whether your application was approved or denied, account closure information, and aggregated information about your transactional history.

Information We Infer or Derive About You. We may use or combine personal information that you provide, that we collect automatically, or that we obtain from other sources to derive or infer additional personal information about you. For example, we may infer that you are looking to purchase new hiking gear based on your website browsing behavior and past purchases, or we may use your IP address to estimate your general location.

Use of Information

We use the information we collect about you to provide, maintain, and improve our Services and the other interactions we have with you. For example, we use the information we collect to:

- facilitate and improve your in-store and online shopping experience;
- administer your membership and communicate with you about your membership and the;
- provide and deliver products and services, process transactions and returns, and send you related information, including confirmations, receipts, invoices, customer experience surveys, and recall notices;
- manage your accounts with us, host forums and interactive areas of our Services, provide technical support (including to debug and troubleshoot), and send you technical notices, updates, security alerts, and support and administrative messages;

- detect, investigate and prevent fraudulent transactions and other illegal activities and protect the rights and property of OUTWHERE and others;
- respond to your comments and questions and provide customer service;
- communicate with you about OUTWHERE and partner products, services, offers, contests, promotions, sweepstakes, surveys and customer experience research, news, events, outings, and trips, and other information we think will be of interest to you;
- comply with our legal and financial obligations;
- monitor and analyze trends, usage and activities;
- in connection with our Services, stores and experiences;
- tailor the content and information that we send or display to you, offer location customization and personalized recommendations, help, and instructions, and otherwise personalize your experience while using our Services;
- provide advertising and marketing targeted toward your interests;
- process and deliver contest, promotion and sweepstakes entries and prizes;
- link or combine with other information we receive from third parties to help understand your preferences and provide you with personalized service; and
- carry out any other purpose conveyed to you at the time the information was collected.

Transfer of Information to the U.S. and other Countries

We are based in the United States and process and store the information we collect in the U.S. If you are based outside the U.S., we transfer your personal information to, and process your personal information on, servers located in the U.S., a jurisdiction that may not provide equivalent levels of data protection as your home jurisdiction.

Sharing of Information

We may share personal information about you outside of OUTWHERE as follows or as otherwise described in this Policy:

- with service providers, vendors, contractors, or agents who complete transactions or perform services on our behalf, such as those that assist us with our business and internal operations like shipping and delivery, rentals, payment processing, fraud prevention, customer service, gift cards, experiences, co-branded financial products, personalization, marketing, and advertising;
- when you participate in the interactive areas of our Services (such as by creating a profile, posting comments and other content, reporting trail conditions, or writing reviews), certain information about you may be displayed publicly on our Services and also may be distributed on third-party sites. For example, your photos, videos, stories, posts, comments, product reviews, product questions and answers, wish lists, information about your participation in outdoor activities and any other content or information you choose to provide will be shared with users of our Services. In the case of trail conditions, we will also share certain information with third party organizations like rangers or other trail service organizations;
- at your direction, including when you submit a product review using a third party service, create an account or access our Services using credentials from a third party social media platform (such as Facebook), or otherwise direct OUTWHERE to share your personal information with a third party, or take any action on the Services that are subject to the terms of use and privacy policy of a third party;
- in connection with, or during negotiations of, a corporate business transaction, such as a merger or acquisition of all or a portion of our business to another company, joint venture, corporate reorganization, insolvency or bankruptcy, financing or sale of company assets;

- in response to a request for information if we believe disclosure is in accordance with any applicable law, regulation or legal process, including lawful requests by public authorities to meet law enforcement or national security requirements;
- if we believe your actions are inconsistent with our Terms of Use or other agreements or policies, or to protect the rights, property, and safety of OUTWHERE, our members, our customers, or any other persons;
- between and among OUTWHERE and any current and future parents, affiliates, subsidiaries, and other companies under common control and ownership; and
- with your consent.

We may also share aggregated or de-identified information, which cannot reasonably be used to identify you.

Social Sharing Features

The Services may offer social sharing features or other integrated tools, which let you share actions you take on the Services with other media, and vice versa. The use of such features enables the sharing of information with your friends or the public, depending on the settings you establish with the third party that provides the social sharing feature. For more information about the purpose and scope of data collection and processing in connection with social sharing features, please visit the privacy policies of the third parties that provide these features.

Individuals in the European Economic Area (“EEA”)

The following section applies to individuals in the EEA.

Legal Basis for Processing. When we process your personal information, we will only do so when:

- We need to use your personal information to perform our responsibilities under our contract with you, for example to deliver products that you ordered from us.
- We have a legitimate interest in processing your personal information. For example, if you are a customer, we may process your personal information to send you marketing communications, to communicate with you about changes to our Services, and to provide, secure, and improve our Services.
- We find such processing is necessary to comply with our legal obligations.
- We have your consent to do so. When your consent is the legal basis for our processing, you may withdraw such consent at any time.

Data Retention. We store the information we collect about you for as long as is necessary for the purpose(s) for which we collected it or for other legitimate business purposes, including to meet our legal, regulatory, or other compliance obligations.

Data Subject Requests. Individuals located in the EEA have the right to access personal information we hold about you and to ask that your personal information be corrected, erased, or transferred. You may also have the right to object to, or request that we restrict, certain processing. If you would like to exercise any of these rights, please send an email message to BearlyLegal@outwhere.co

Questions or Complaints. If you are a resident of the EEA and have a concern about our processing of personal information that we are not able to resolve, you have the right to lodge a complaint with the data privacy authority where you reside. For contact details of your local Data Protection Authority, please see:

http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index_en.htm.

Your Choices

Your Account Information.

- **OUTWHERE Account:** You may update or correct your online account information by logging into your online account and updating your information or by calling Customer Service. You may also email us at BearlyLegal@outwhere.com if you wish to deactivate your online account, but note that we may retain information about you for legitimate business purposes or as required by law. If you would like to update or correct your membership information, you may do so by completing our Update Your OUTWHERE Membership Information form or by calling Customer Service.

Promotional Communications. You may opt out of receiving promotional communications from OUTWHERE by following the instructions in those communications or changing your preferences. If you opt out of receiving promotional communications, we may still send you non-promotional emails, such as emails about your purchases, account, membership or our ongoing business relations, including information about your dividends and Outwhere's initiatives and activities.

Location Information. The settings of your Internet browser or mobile device may allow you to stop sharing your precise location with OUTWHERE or others. You can also stop our collection of location information in connection with our mobile applications by following the standard uninstall process and removing all OUTWHERE applications from your mobile device.

Mobile Push Notifications/Alerts. With your consent, we may send promotional and non-promotional push notifications or alerts to your mobile device. You can deactivate these messages at any time by changing the notification settings on your mobile device.

Advertising and Analytics Services Provided by Others

We allow third parties to provide analytics services and serve advertisements on our behalf across the web and in mobile applications. These third parties may use cookies, web beacons, and other technologies to collect information about your use of the Services and other websites, including your IP address, web browser, mobile network

information, pages viewed, time spent on pages, links clicked, and conversion information. In some cases, the information in these cookies and other technologies may be linked to other data we collect about you, such as your email address, which we may share in hashed or encrypted form. This information may be used by OUTWHERE and these third parties to analyze and track data, determine the popularity of certain content, deliver advertising and content targeted to your interests on our Services and other websites and mobile applications, and better understand your online activity. For more information, please see our Cookie Policy. For more information about interest-based ads, or to opt out of having your web browsing information used in this way, please visit www.aboutads.info/choices. For individuals in the EEA, please visit <http://www.youronlinechoices.eu/>.

We may also work with third parties to serve ads to you as part of a customized campaign on third-party platforms (such as Facebook or Google). As part of these ad campaigns, we or third-party platforms may convert information about you, such as your email address and phone number, into a unique value that can be matched with a user account on these platforms to allow us to learn about your interests and to serve you advertising that is customized to your interests. Note that the third-party platforms may offer you choices about whether you see these types of customized ads.

Your California Privacy Rights

Consumers residing in California are afforded certain rights with respect to their personal information under the California Consumer Privacy Act (“CCPA”). If you reside in California, this section applies to you.

In the preceding 12 months, we have collected the following categories of personal information: identifiers, characteristics of protected classifications under California or U.S. law, commercial information, Internet and electronic network activity, geolocation data, audio and visual information, professional and employment related information, inferences drawn about your preferences, and other categories of personal information that relate to or are reasonably capable of being associated with you. We collect personal information for the business and commercial purposes described in the “Use of Personal Information” section above. We share personal information with the categories of third parties described in the “Sharing of Personal Information” section above. In the

preceding 12 months, we have disclosed the following categories of personal information for business and commercial purposes: identifiers, characteristics of protected classifications under California or U.S. law, commercial information, Internet and electronic network activity, geolocation data, audio and visual information, professional and employment related information, inferences drawn about your preferences, and other categories of personal information that relate to or are reasonably capable of being associated with you. We do not sell personal information to third parties.

You have the right to request more information about the categories and specific pieces of personal information we collected and disclosed for a business purpose in the preceding 12 months, deletion of your personal information, and that we stop selling your personal information, if we engage in that activity in the future. You may make these requests by submitting a request online or by contacting customer service. We will verify your request by asking you to provide information related to your recent interactions with us, such as information regarding a recent purchase. If you would like to use an authorized agent registered with the California Secretary of State to exercise your rights, we may request evidence that you have provided such agent with power of attorney or that the agent otherwise has valid written authority to submit requests on your behalf. We will not discriminate against you if you choose to exercise your rights under the CCPA.

Contact Us

If you have any questions, comments or concerns about this Policy or about our privacy practices, please call our customer service representatives or send an email message to BearlyLegal@outwhere.com.