

Privacy Notice

Last Updated/Effective Date: May 8, 2024

American Christmas, LLC and Christmas in America, LLC (“**American Christmas**,” “**we**,” “**us**,” or “**our**”) respect your privacy. This Privacy Notice describes the processing of Personal Information (defined below) that is provided, collected, or disclosed in the course of providing our products to you and on the websites that link to this Privacy Notice (“**Sites**”). It also describes rights you may have under applicable laws.

This Privacy Notice is available to consumers with disabilities. To access this Privacy Notice in an alternative downloadable format, please click [here](#).

1. Personal Information We Collect

We may collect a range of Personal Information. “**Personal Information**” means information that uniquely identifies, relates to, describes, or is reasonably capable of being associated with or linked to you.

The types of Personal Information we collect may include:

- *Contact Information* – If you submit an inquiry, place an order, or provide information on or through our Sites, we may collect information including your name, company name, job title, mailing address, email address, and phone number.
- *Commercial Information* – If you submit an inquiry, or provide information on our Sites, we may collect commercial information including information about purchases and products you have shown interest in.
- *Usage Information* – When you use our Sites, we may automatically record information, including your Internet Protocol address (IP Address), geolocation of your device, browser type, referring URLs (e.g., the website you visited before coming to our Sites), domain names associated with your internet service provider, and any other information regarding your interaction with our Sites.
- *Communication Information* – We may collect Personal Information contained within your communications with us and any files provided to us via email, chat functionality, social media, telephone, or otherwise. Where permitted by applicable law, we may collect and maintain records of calls and chats with our agents, representatives, or employees via message, chat, post, or similar functionality.

2. How We Collect Personal Information

- *Directly From You* – We collect Personal Information that you provide to us, for example, if you choose to contact us, request or purchase products or information from us, or sign up to receive updates.
- *Through Online Tracking Technologies* – We use cookies and similar technologies to collect Personal Information related to activity on our Sites. For additional information regarding our use of these technologies, see the *Cookies and Tracking Technologies* section below.

3. How We Use Personal Information

To the extent permitted by applicable law, we use Personal Information:

- *To provide our Sites* such as processing or fulfilling orders and transactions, providing our Sites, processing payments, providing customer service, creating and maintaining business records, and undertaking or providing similar services.
- *For internal research and development*, such as testing, verifying, and improving the quality of our Sites.
- *For marketing*, such as sending information about our products, including using your information to send you messages, notices, newsletters, surveys, or promotions.
- *For communicating with you*, such as responding to your questions and comments.
- *For legal, security, or safety reasons*, such as protecting our and our users' safety, property, or rights; complying with legal requirements; enforcing our terms, conditions, and policies; detecting, preventing, and responding to security incidents; and protecting against malicious, deceptive, fraudulent, or illegal activity.
- *As part of a corporate transaction*, such as in connection with the sale of part or all of our assets or business, the acquisition of part or all of another business or another business' assets, or another corporate transaction, including bankruptcy.

4. How We Disclose Personal Information

We may disclose your Personal Information in the following circumstances:

- *Service Providers* – We disclose your Personal Information with third party service providers as necessary to enable them to support our Sites or other aspects of our business.
- *Business Partners* – We may disclose Personal Information with trusted business partners. For example, we may disclose your Personal Information with a company whose products or services we think may be of interest to you or who we co-sponsor a promotion or service with.
- *Legal Obligation or Safety Reasons* – We may disclose Personal Information to a third party when we have a good faith belief that such disclosure of Personal Information is reasonably necessary to (a) satisfy or comply with any requirement of law, regulation, legal process, or enforceable governmental request, (b) enforce or investigate a potential violation of any agreement you have with us, (c) detect, prevent, or otherwise respond to fraud, security or technical concerns, (d) support auditing and compliance functions, or (e) protect the rights, property, or safety of American Christmas, our employees, or the public against harm.
- *Merger or Change of Control* – We may disclose Personal Information to third parties as necessary if we are involved in a merger, acquisition, or any other transaction involving a change of control in our business, including but not limited to, a bankruptcy or similar proceeding. Where legally required, we will give you notice prior to such disclosure.

5. Cookies and Other Tracking Technologies

We and our service providers may use cookies and similar technologies to collect usage and browser information about how you use our Sites. We process the information collected through such technologies,

which may include or be combined with Personal Information, to help operate certain features of our Sites, to enhance your experience through personalization, and to help us better understand the features of our Sites that you and other users are most interested in.

We allow or enable third parties to collect Personal Information in order to provide their interest-based advertising services, and we use Google Ads and other third parties to serve ads for our Services across various websites. To opt-out of this type of advertising by Google, to customize your ad preferences, or to limit Google's collection or use of your data, visit [Google's Safety Center](#) and [Google's Ad Settings](#) and follow [Google's personalized ad opt-out instructions](#). Opting out will not affect your use of our Services.

We use analytics services, including Google Analytics, to assist us with analyzing our Site traffic. These services utilize cookies and other technologies that collect your Personal Information. To learn more about how Google uses data, visit [Google's Privacy Policy](#) and Google's page on "[How Google uses data when you use our partners' websites or apps](#)." You may download the [Google Analytics Opt-out Browser Add-on](#) for each web browser you use, but this does not prevent the use of other analytics tools. To learn more about Google Analytics cookies, visit [Google Analytics Cookie Usage on Websites](#).

Most browsers provide you with the ability to block, delete, or disable cookies, and your mobile device may allow you to disable transmission of unique identifiers and location data. If you choose to reject cookies or block device identifiers, some features of our Sites may not be available, or some functionality may be limited or unavailable. Please review the help pages of your browser or mobile device for assistance with changing your settings.

6. How Long We Keep Your Personal Information

We will retain each category of your Personal Information for as long as necessary to fulfill the purposes described in this Privacy Notice, unless otherwise required by applicable laws. Criteria we will use to determine how long we will retain your Personal Information include whether we need your Personal Information to provide you with our Sites; you have requested information from us; we have a legal right or obligation to continue to retain your Personal Information; we have an obligation to a third party that involves your Personal Information; our retention or recordkeeping policies and obligations dictate that we retain your Personal Information; or we have another business purpose for retaining your Personal Information.

7. How We Protect Personal Information

We use commercially reasonable efforts to protect the confidentiality and security of Personal Information. However, despite these efforts to store Personal Information in a secure environment, we cannot guarantee the security of Personal Information during its transmission or its storage on our systems.

8. International Use of our Sites

Our Sites are hosted in the United States. If you are visiting our Sites from outside of the United States, please note that by providing your Personal Information, it is being transferred to, stored, collected, or processed in the United States, where our servers are located and operated.

9. Children's Privacy

We do not knowingly collect or solicit any Personal Information from children under the age of 13 without verified written parental consent. In the event that we learn that we have collected Personal Information

from a child under the age of 13, we will promptly take steps to delete that information. If you are a parent or legal guardian and think your child has given us their Personal Information, you can email us at privacy@americanchristmas.com.

10. Links to Third-Party Websites

We are not responsible for the practices employed by any websites or services linked to or from our Services, including the information or content contained within them. We encourage you to investigate and ask questions before disclosing Personal Information to third parties, since any Personal Information disclosed will be handled in accordance with the applicable third party's privacy notice.

11. Notice to California Residents

This section applies to our collection and use of Personal Information if you are a resident of California, as required by the California Consumer Privacy Act of 2018 and its implementing regulations, as amended by the California Privacy Rights Act ("CCPA"), where "**Personal Information**" has the definition set forth in the CCPA.

American Christmas makes the following disclosures regarding the Personal Information it has collected within the 12-month period preceding the Effective Date of this Privacy Notice:

Sources of Personal Information

We collect Personal Information from the categories of sources detailed in the *How We Collect Personal Information* section above.

Use of Personal Information

We collect Personal Information for the business and commercial purposes detailed in the *How We Use Personal Information* section above.

Disclosure of Personal Information

The categories of third parties to whom we disclose Personal Information for a business or commercial purpose or to whom we sell or share Personal Information are detailed in the "*How We Disclose Personal Information*" section above. We do not knowingly sell or share the Personal Information of minors under the age of 16.

Categories of Personal Information We Collect	Categories of Third Parties to Whom We Sell or Share Personal Information
Identifiers	<ul style="list-style-type: none">• Third-party marketers• Analytics providers• Other third parties that set cookies and other online tracking technologies on our Sites.

Personal information, as defined in the California customer records law	We do not sell or share this category of Personal Information.
Commercial Information	We do not sell or share this category of Personal Information.
Internet or other similar network activity	<ul style="list-style-type: none"> • Third-party marketers • Analytics providers • Other third parties that set cookies and other online tracking technologies on our Sites.

12. Your Privacy Rights and How to Exercise Them

Depending on where you live, you may have the following rights with respect to your Personal Information under applicable data protection laws:

- *Access* – The right to know what Personal Information we have collected about you and to access such data.
- *Data portability* – The right to receive a copy of your information in a portable and readily usable format.
- *Deletion* – The right to delete your Personal Information that we have obtained, subject to certain exceptions.
- *Correction* – The right to correct inaccuracies in your Personal Information.
- *Opt Out* – The right to opt out of the processing of your Personal Information for purposes of targeted advertising and opt out of the sale or sharing of your Personal Information.

To opt out of marketing emails, please email us at privacy@americanchristmas.com or by following the instructions included in the email or text correspondence. Please note that, even if you unsubscribe from certain correspondence, we may still need to contact you with important transactional or administrative information, as permitted by law.

To exercise any of the privacy rights afforded to you under applicable data protection laws, please submit a request to us by one of the following methods:

- Calling us toll free at (914) 663-0600

- E-mailing us at privacy@americanchristmas.com
- Clicking on the “Do Not Sell or Share My Personal Information” link at the bottom of our Sites

You may also initiate any opt outs by broadcasting an Opt-Out Preference Signal, such as the Global Privacy Control (GPC). We honor Opt-Out Preference Signals, including GPC. If you choose to use an Opt-Out Preference Signal, you will need to turn it on for each supported browser or browser extension you use.

You will not be discriminated against in any way by virtue of your exercise of the rights listed in this Privacy Notice which means we will not deny our products to you, provide different prices or rates for products to you, or provide a different level or quality of products to you. Only you, or an authorized agent that you authorize to act on your behalf, may make a request related to your Personal Information. You may also make a request on behalf of your minor child.

We must verify your identity before fulfilling your requests, and if we cannot verify your identity, we may request additional information from you. If you are an authorized agent making a request on behalf of another person, we will also need to verify your identity, which may require proof of your written authorization or evidence of a power of attorney. We endeavor to respond to requests within the time period required by applicable law. If we require more time, we will inform you of the reason and extension period in writing.

We do not charge a fee to process or respond to your requests unless they are excessive or repetitive. If we determine that a request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request. We may deny certain requests, or only fulfill some in part, as permitted or required by law. If you are not satisfied with the resolution of your request and you are afforded a right to appeal such decision, you will be notified of our appeal process in our response to your request.

Other California Privacy Rights

Under California Civil Code Section 1798.83, individual customers who reside in California and who have an existing business relationship with us may request information about our disclosure of certain categories of Personal Information to third parties for the third parties’ direct marketing purposes, if any. To make such a request, please contact us using the information in the *Contact Us* section below. Please be aware that not all information sharing is covered by these California privacy rights requirements and only information on covered sharing will be included in our response. This request may be made no more than once per calendar year.

13. Changes to this Privacy Notice

Please note that we may modify or update this Privacy Notice from time to time, so please review it periodically. We will provide you notice if material changes are made. Unless otherwise indicated, any changes to this Privacy Notice will apply immediately upon posting to our Sites.

14. Contact Us

If you have any questions about our practices or this Privacy Notice, please contact us at privacy@americanchristmas.com.