



TOLOSA

TOLOSA PRIVACY POLICY

Last Modified: September 2020

This Privacy Policy explains how Tolosa and its affiliated brands and companies (the “Company”) collect and use information when you use our websites, social media offerings, online community forums, or blogs (collectively referred to in this Policy as the “Sites”), visit our locations, purchase our products, or when you otherwise interact with us.

Tolosa is part of the Alpha Omega Collective, a collection of the wine brands of vintner Robin Baggett. Other members of the Collective (currently, Alpha Omega and Perinet) are considered Affiliates of Tolosa.

Please read the following to help you understand how we collect, use and safeguard the personal information you provide to us. By using and/or browsing this site, you agree to this Privacy Policy, the terms of use and all applicable laws governing your use of the Sites. We may occasionally update this Privacy Policy and we will notify you by revising the date at the top of the policy. We encourage you to review the Privacy Policy whenever you access the Sites to stay informed about our information practices and the ways you can help protect your privacy.

We are committed to protecting your privacy by employing commercially reasonable efforts in deploying technical and organizational security measures to prevent the loss, misuse, unauthorized access, disclosure or alteration of personal information and by complying with law.

This Privacy Policy does not apply, however, to Company employees, employment applicants, suppliers, distributors or trade contacts except when they are acting in a “customer” capacity, or to third-party sites linked from the Sites.



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1. Collection of Personal Information

INFORMATION YOU PROVIDE TO US

We collect information you provide directly to us. For example, we collect information when you create an account, visit our tasting rooms, subscribe to our wine clubs, purchase products, request customer support, access the Sites, or otherwise communicate with us either directly or through social media. The types of information we may collect include your username, password, email address, phone number, birthdate, mailing and billing addresses, credit card number, expiration date and CVV code, purchase history and any other information you choose to provide in interaction with our staff or the Sites.

When you post comments and images from your social media account(s) (including, but not limited to, Instagram, Twitter and Facebook) with certain hashtags, “tag us”, or use the name of our businesses, depending upon your social media privacy settings, the image may be redisplayed on our sites. While you retain ownership of the image, using our designated hashtags, “tagging us”, or utilize the name of our businesses, gives us permission to display and re-display the image, which may contain information about you, and we may collect and use that information for marketing and research purposes.

In addition, we may receive certain categories of personal information listed above from sources other than you, such as from our business partners and third-party applications (including, but not limited to, Instagram, Twitter and Facebook) that you use in conjunction with the Sites (e.g., for age-gating purposes).

INFORMATION WE COLLECT AUTOMATICALLY WHEN YOU USE OUR SITES

When you access or use the Sites, we automatically collect information about you, including:



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- *Usage Information:* When you send or receive information, we collect information, including the time, date, sender and recipient of the information.
- *Log Information:* We log information about your use of the Sites, including your browser type and language, access times, pages viewed, your IP address and the website you visited before navigating to the Sites.
- *Device Information:* We may collect information about the computer or device you use to access the Sites, including the hardware model, operating system and version, MAC address, unique device identifier, phone number, International Mobile Equipment Identity (“IMEI”) and mobile network information.
- *Information Collected by Cookies and Other Tracking Technologies:* We use various technologies to collect information, and this may include sending “cookies” to you. Cookies are small data files stored on your hard drive or in device memory that help us to improve your experience, see which areas and features of the Sites are popular, and count visits. These cookies are activated once you start navigating our website. We may also collect information using web beacons (also known as “tracking pixels”), or any other tracking technology.

INFORMATION WE COLLECT FROM OTHER SOURCES

We may also obtain information from other sources and combine that with information we collect. If you provide or connect your third-party account credentials to an account with us, some content and/or information in those accounts may be transmitted into your account with us. We may obtain information from service providers such as delivery services and banks and credit card companies. Please note that we do not receive your payment method information from service providers.

2. Use of Information



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We may use information about you for various purposes, including to:

- Provide, maintain and improve our offerings, including to provide additional features and content through the Sites;
- Provide and deliver the products and services you request, process transactions and send you related information;
- Respond to your comments, questions and requests and provide customer service;
- Interact with you using social networking features you may have activated;
- Communicate with you about products, services, offers, promotions, rewards and events offered by us and provide news and information about our offerings we think will be of interest to you;
- Monitor and analyze trends, usage and activities in connection with our offerings;
- Personalize and improve the Sites and our services and provide advertisements, content or features that match user profiles or interests;
- Link or combine with information we get from others to help understand your needs and provide you with better service;
- Detect, investigate and/or prevent fraudulent, unauthorized or illegal activity; and
- Carry out any other purpose for which the information was collected.

3. Sharing of Information

We take great care to protect the information you provide us, and do not rent or sell information that we collect from users with third parties other than our Affiliates specifically mentioned in this Privacy Policy. We may only share information about you as follows or as otherwise described in this Privacy Policy:

- With vendors, consultants and other service providers who need access to such information to carry out work on our behalf for the fulfillment of

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- your purchases. We do not authorize any service provider involved in these processes to share your information and we require them to implement adequate security measures to prevent unauthorized access or processing;
- In response to legal process or a request for information if we believe disclosure is in accordance with any applicable law, rule or regulation, or as otherwise required by any applicable law, rule or regulation, including the need to enforce applicable terms of service, prevent fraud or protect our rights and assets;
 - In order to investigate or remedy potential violations of our user agreements or policies, or to protect the rights, property and safety of the Company, our users or others;
 - In connection with, or during negotiations of, any merger, sale of company assets, financing or acquisition of all or a portion of our business to another company. In such event we will require such other company to assume responsibility for the personal information collected by us in the terms contained in this Privacy Policy as amended from time to time, or to amend this policy giving an option to opt out; and
 - With your consent or at your direction.

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

SHARING OF INFORMATION WITH OUR AFFILIATES

We may share information we collect with our Affiliates across our brands and Sites for potentially all of the uses set forth above. For example, if we collected your information from the site of one brand, you may receive information we deem of interest to you concerning a different brand. In addition, we may use information collected at one brand to fulfill your requests or orders. For example, information collected in connection with an order for Perinet wine made at the Alpha Omega Collective tasting room will be shared



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with Perinet for fulfillment of that order and subsequent customer service and marketing as a customer of Perinet.

SHARING OF INFORMATION VIA SOCIAL MEDIA

We may use social plugins on our Sites, for instance plugins of the social networks such as Facebook, Instagram, Twitter, or Pinterest, and may feature icons, like the “thumbs up” icon or text like “Recommend”, “Like” or “Comment.” Your browser may create a connection to the servers of such social networks and/or transmit data to such servers when you view a page on our Sites. If you use the plugin functionality (e.g. click the “Like” button or make a comment), this information is also transmitted directly to the social network by your browser and may be stored there. This Privacy Policy does not cover the practices of these third party social networks.

ANALYTICS SERVICES PROVIDED BY OTHERS

We may allow others to provide analytics services on our behalf. These entities may use cookies, web beacons and other technologies to collect information about your use of the Sites, including your IP address, web browser, pages viewed, time spent on pages, links clicked and conversion information. They may also use information from our point of sale system. This information may be used to, among other things, analyze and track data, determine the popularity of certain content and better understand your online activity and your buying preferences.

4. Requests Regarding Personal Information under the California Consumer Privacy Act of 2018

REQUESTS FOR DISCLOSURE OF PERSONAL INFORMATION

You have the right to request us to disclose what personal information about you we collect, use, disclose and sell. To make such a request, use the contact information indicated in the “Contact Us” Section below. Please note that we

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are only required to respond to two such requests per customer within a 12-month period.

REQUESTS TO DELETE PERSONAL INFORMATION

You have the right to request us to delete the personal information we have collected about you. To make such a request, use the contact information indicated in the “Contact Us” Section below.

REQUEST TO OPT -OUT OF THE SALE OF PERSONAL INFORMATION

We only share personal information with our Affiliates, which are the member wineries of the Alpha Omega Collective (currently, Alpha Omega, Tolosa, and Perinet).

AUTHORIZED AGENT

You may use an authorized agent to submit any request related to your consumer privacy rights. If you use an agent, please provide the agent written and signed permission to submit the request, verify your identity with us, as set forth in the Contact Us section below, and also confirm with us that you have provided permission to the agent.

NON-DISCRIMINATION

We will not discriminate against you for exercising your consumer privacy rights.

5. Security

We take reasonable commercial safeguards to help protect information about you from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction. We will comply with applicable law with respect to any data breach that might occur.



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6. California Privacy Rights Regarding Customer Records

Under California Civil Code Sections 1798.83-1798.84 relating to customer records, California residents are entitled to ask us for a notice identifying the categories of personal information which we share with our Affiliates and/or third parties for marketing purposes, and providing contact information for such Affiliates and/or third parties. If you are a California resident and would like a copy of this notice, please submit a request using the contact information indicated in the “Contact Us” Section below. Please note that we are only required to respond to one such request per customer each year.

7. Do Not Track Disclosures

Do Not Track is a privacy preference that users can set in their web browsers. When a user turns on the Do Not Track signal, the browser sends a message to websites requesting them not to track the user. At this time, we do not respond to Do Not Track browser settings or signals.

8. Minors or Those under Legal Age

We do not knowingly collect personal information from users under the age of twenty-one. We are only allowed to offer products and services to persons who are twenty-one years of age or older, and any registration, use or access to the Sites by anyone under twenty-one is strictly prohibited and in violation of our terms of service.

9. Account Information

You may update or correct information about yourself by editing your account settings within the Sites. In case you cancel your account, please note that we may retain certain information as required by law, for legitimate business purposes, or as part of our regular retention practices. We may also retain cached or archived copies of information about you for a certain period.

10. Location



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When you first launch any features of the Sites that collect location information, you will be asked to consent to our collection of this information. If you initially consent to our collection of location information, you can subsequently stop the collection of this information by changing the preferences on your mobile device. If you do so, certain features of the Services will no longer function. You may also stop collection of location information by following the standard uninstall process to remove the Sites from your device.

11. Cookies

Most web browsers are set to accept cookies by default. If you prefer, you can usually choose to set your browser to remove or reject browser cookies. Please note that if you choose to remove or reject cookies, this could affect the availability and functionality of our Sites.

12. Opting out

If you no longer wish to receive email marketing communications from us, you may opt-out of receiving marketing-related emails by using the unsubscribe method provided in our communications (e.g., by clicking on the “unsubscribe” link in the email to unsubscribe or replying STOP to a text message).

Alternatively, to the extent that applicable law requires your prior opt-in consent to receive marketing and promotional emails, we will ask for your consent and you can choose not to opt-in.

Cookie Choices. To exercise choices regarding cookies set through our Sites, as well as other types of online tracking and interest-based advertising, see the “Cookies” section above.

You may also opt out of the automated collection of information by third-party ad networks such as Google or Facebook for the purpose of delivering



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advertisements tailored to your interests by editing or opting out of such networks' program, usually configurable on their site.

In addition to the above methods of exercising choice, to the extent required by applicable law, we also provide you the ability to opt out of sharing your information with certain third parties for their own use by contacting us as detailed in the "Contact Us" section below. You may also send requests about your contact preferences related to the items listed above or changes to your information to us as detailed in the "Contact Us" section below.

We will try to comply with your request as soon as reasonably practicable as required by applicable law. Please note that we may need to retain certain information for recordkeeping purposes, to complete any transactions that you began prior to your request, or for other purposes as required or permitted by applicable law. In addition, please note that even if you opt-out of receiving marketing communications from one or all of our Sites, we may need to send you service-related communications and may need to keep information we have collected about you for record-keeping, research, and other purposes.

13. Applicable laws

The Company is based in the state of California, United States, and the information we collect is governed by U.S. and California laws. By accessing or using the Sites or otherwise providing information to us, you consent to the processing and transfer of information in and to the U.S. and other countries. If you choose to use our Sites from the European Union or other regions of the world with laws governing data collection and use that differ from United States law, then you acknowledge that we will transfer your personal information to the United States for the purpose of performing the services according to our terms of service and for any other purpose for which you provide consent.

14. Contact



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If you have any questions about your privacy or to make any requests under this policy, please email us at privacy@tolosawinery.com or call [866-782-0300](tel:866-782-0300). For any requests to disclose information we collect, to delete your personal information, or to opt out of sharing your personal information, please provide your email address and full name; if we need additional information to verify your identity to comply with such requests, we will let you know. Please be specific enough in your request for us to understand the nature of the request.