

# Privacy Policy

(Effective April 12, 2023)

## 1. Introduction

MOBILE COFFEE COMPANY, LLC. (“TRAVELIN’ TOM’S COFFEE TRUCK”, “we”, or “us” or “our”) respects your privacy and is committed to protecting it through our compliance with this policy. We have adopted this policy to explain our privacy practices with respect to information that we may collect about you when you access <https://travelintomscoffee.com/> (the “Website”) or any of our other websites, applications, or services that we place this policy, **including but not limited to [https://travelintomscoffee.com]** (collectively, the “Services”).

**Please read this policy carefully to understand our practices regarding the information we collect from you or about you and how we will treat it. By accessing or using the Services, you agree to this Privacy Policy. This policy may change from time to time (See Changes to Policy below). Your continued use of the Services after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.**

This policy applies to information we collect:

- On or through these Services.
- In email, text, and other electronic messages between you and us or the Services.
- Through mobile and desktop applications you download, which provide dedicated non-browser-based interaction between you and our Services.

It does not apply to information collected by:

- Us offline or through any other means, including any other website operated by Kona Ice, Inc. or any third party (including affiliates or subsidiaries); or
- Any third party (including our affiliates or subsidiaries), including through any application or content that may link to or be accessible from or on the Services.

**Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Services. By accessing or using our Services, you agree to this privacy policy.**

## 2. Children Under the Age of 13

Our Services are not intended for children under 13 years of age. No one under age 13 may provide any personal information to or through the Services. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on these Services, or through any of its features, register on the Services, or make any purchases through the Services, use any of the interactive or public comment features of these Services, or provide any information about yourself

to us, including your name, address, telephone number, email address, or the personal information of anyone else including a parent or legal guardian. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at [marketing@travelintomscoffee.com](mailto:marketing@travelintomscoffee.com) or 859-282-3203.

### **3. Information We Collect About You and How We Collect It**

Our Services enable you to make online purchases of our products for a contactless purchase experience with our TRAVELIN' TOM'S COFFEE TRUCK franchisee partners ("TRAVELIN' TOM'S COFFEE TRUCK Partners") and to obtain access (or purchase a product) at our events for a specific location and time ("TRAVELIN' TOM'S COFFEE TRUCK Event"). You can obtain these services for yourself, your child, or for someone else through our Pay It Forward service ("Recipient"). The Services will be provided based on your purchase for a designated event or place. As a result, we will need some personal information to provide the requested Services. Personal information, or personal data, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal information about you which we have grouped together as follows:

- **Identity or Contact Data** includes name, home or billing address, email address, telephone number, date of birth, or similar identifier.
- **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting, location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Website.
- **Transaction Data** includes details about products that you have purchased from us.
- **Payment Data** includes credit or debit card information entered to pay for our products.
- **Profile Data** includes your interests, schools, preferences, feedback and survey responses.
- **Usage Data or Navigation Data** includes information about how you use the Website.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We may also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose, which we do not treat as personal information. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a feature on the Website. However, if we combine or connect Aggregated Data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information which will be used in accordance with this privacy policy.

*a. We collect this information through:*

- **Direct interactions.** You may give us information about you by filling in forms or by communicating with us via e-mail or otherwise. This includes information you provide when you provide your name, mail/billing address, email address, debit and credit information, and event when registering or in connection with an order.
- **Automated technologies or interactions.** As you interact with our Services, we may automatically collect technical data about your equipment, browsing actions and patterns as specified above. We collect this information by using cookies, server logs, web beacons, and other similar technologies (see Cookies and Automatic Data Collection Technologies).
- **From our service providers.** This includes businesses that collect your personal information on our behalf in order to help us respond to consumer inquiries, conduct market research, fulfill product orders, and comply with legally mandated disclosure requirements.
- **Other third parties or publicly available sources.** We may receive information about you if you visit other websites employing our cookies or from third parties including, for example, business partners, payment processors, sub-contractors, delivery services, social network platforms, analytics providers, search information providers, credit reference agencies, data brokers, or aggregators.

*b. Cookies and Automatic Data Collection Technologies*

Our Services use automatic data collection technologies to distinguish you from other Service users. This helps us deliver a better and more personalized service when you browse our Services. Depending on how you access our Services, whether on our Website or through your mobile device we collect information to improve our Services by enabling us to:

- Estimate our audience size and usage patterns.
- Store your preferences so we may customize our Services according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our Website.

We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking).

We use Google Analytics to perform analytics services for us, which may include tracking your interactions with our Website and to store information, such as what time you visited it, whether you have visited it before and what site referred you to it. Website measurement statistics may be used to personalize your website experience, as well as to evaluate – anonymously and in aggregate – statistics on website activity. We use this information to measure the effectiveness of our web presence and to compile statistical reports.

Certain internet browsers may offer you the option of providing notice to websites that you do not wish for your online activities to be tracked for preference-based advertising purposes (“DNT Notice”). Some browsers are, by default, set to provide a DNT Notice, whether that reflects your preference. Please note that with respect to our Website, we do not take any action based on browser based DNT Notices. If you do not wish to participate in behavioral tracking activities, you should follow the opt-out process described in Your Choices About Your Information.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. For information about managing browser settings to refuse cookies, see Your Choices About Your Information.
- **Flash Cookies.** Certain features of our Website may use Flash cookies (local stored objects) instead of browser cookies to collect and store information about your preferences and navigation to, from, and on the Website. For information about managing Flash cookies see Your Choices About Your Information.
- **Web Beacons.** Our Website pages and emails may contain small transparent embedded images or objects known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count website page visitors or email readers, or to compile other similar statistics such as recording Website content popularity or verifying system and server integrity. For information about managing your browser or email program to not download web beacons, see What Are Your Choices About How We Use and Disclose Your Information.

We do not respond to or honor “do not track” (a/k/a DNT) signals or similar mechanisms transmitted by web browsers.

#### *c. Third Party Content, Apps, and Links*

Some content or applications on the Services may be served by third parties, content providers and application providers. For example, we may make available the option for you to use “plug ins” that are operated by social media companies. If you choose to use one of these plugins, then it may collect information about you and send it back to the social media company that owns it. This may happen even if you do not click on the plug in, if you are logged into the social media website that owns the plugin when you visit our Website. Information collected by a plug in is subject to the privacy policy and terms of the social media company that makes it. These are non-essential cookies and only work if you accept cookies. If you are logged into your social media account when you visit our website, you permit us (and are directing us to) disclose information to these social media plug in owners.

## **4. How We Use Your Information**

We use the information that we collect about you or that you provide to us, including any personal information:

- To present our Services to you.

- To provide you with the contactless purchase service as requested.
- To fulfill any other purpose for which you provide such information.
- To respond to your inquiries, concerns, and receive your feedback regarding our products and services, including through physical mailings and responses to online surveys.
- To provide you with notices about your account and/or subscription, including expiration and renewal notices.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, or TRAVELIN' TOM'S COFFEE TRUCK Partners and us including for billing and collection.
- To notify you about changes to our Services, or any products or services we offer or provide through it.
- To allow you to participate in interactive features on our Services.
- To respond to inquiries related to job opportunities as a TRAVELIN' TOM'S COFFEE TRUCK Partner or other employment opportunities with TRAVELIN' TOM'S COFFEE TRUCK.
- In any other way, we may describe when you provide the information.
- For any other purpose with your consent.

We may also use the information you provide to us to contact you about our own and third-party goods and services that may be of interest to you. For more information, see [What Are Your Choices About How We Use and Disclose Your Information](#).

## **5. Disclosure of Your Information**

We may disclose aggregated information about you and information that does not identify any individual, without restriction.

We may disclose personal information that we collect, or that is provided by you as described in this privacy policy:

- To a Recipient of our Services who was authorized by you to receive our product.
- To our franchisees and affiliates.
- We will disclose personal information to the third-party service providers that we engage to assist us in making the Services available. These service providers consist of our TRAVELIN' TOM'S COFFEE TRUCK partners, payment processor, datacenter provider(s), storage provider(s), customer support system provider(s), email service provider(s), and software development contractors. These third-parties have access to your personal information only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

- To contractors, service providers, and other third-parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our Services are among the assets transferred.
- To third-parties to market their products or services to you if you have consented to or not opted out of these disclosures. We contractually require these third-parties to keep personal information confidential and use it only for the purposes for which we disclose it to them. For more information, see What Are Your Choices About How We Use and Disclose Your Information.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce or apply our terms of use [LINK](#) and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of TRAVELIN' TOM'S COFFEE TRUCK Ice, Inc, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

## 6. What Are Your 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 their information:

**Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies or to be alerted when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this Website may then be inaccessible or not function properly.

**Promotional Offers from Kona Ice, Inc.** If you do not wish to have your email address or contact information used by us to promote our own or third parties' products or services, you can opt-out by calling us 859-371-3203 or emailing us at . If we have sent you a promotional email, you may send us a return email asking to be omitted from future email 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.

- **Third Party Websites.** Our Website may, from time to time, contain links to and from the websites of our partner networks, co-sponsors of promotions and affiliates, or plugins enabling third-party features. If you follow a link to any third-party website or engage a third-party plug-in, please note that these third parties have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal information to these third parties.
- **California Residents.** If you are a California resident, you may have additional personal rights and choices with regard to your personal information. Please see [Your California Privacy Rights](#) for more information.

## 7. Your California Privacy Rights

California’s “Shine the Light” law (Civil Code Section § 1798.83) permits users of our website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. At this time, we do not engage in this type of disclosure.

## 8. Accessing and Correcting Your Information

You can review and change personal information by calling us at 859-371-3203. You may also send us an email at [Korporate@kona-ice.com](mailto:Korporate@kona-ice.com) to request access to, correct or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect. Additionally, we are only committed to a data retention period of six years from creation/last effective rule.

## 9. Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored with Amazon Web Services. Any payment transaction information will be encrypted with Stripe.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Services, you are responsible for keeping the password confidential. We ask you not to share their password with anyone. We urge you to be careful about giving out information in public areas of the Services. The information you share in public areas may be viewed by any other users of the Services.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Services. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Services.

## **10. Contact Information**

To ask questions or comment about this privacy policy and our privacy practices, contact us at: MOBILE COFFEE COMPANY, LLC.

5945 Centennial Circle

Florence, KY 41042

[marketing@travelintomscoffee.com](mailto:marketing@travelintomscoffee.com)

or via our toll-free number:

859-371-3203