PRIVACY POLICY

Effective Date: March 3, 2023

# **OVERVIEW**

This privacy policy (this “Policy”) applies to Sumitomo Rubber North America, Inc. doing business as Falken Tire Corporation and Dunlop Motorcycle Tires (“we,” “us,” or “our”). We strive to deliver outstanding products and services and value our customers’ business and loyalty. We recognize that privacy is an important issue. We have developed this Policy to explain our practices regarding the personal information we collect from you or about you when you purchase products from us, through written or verbal communications with us, when you use this website or mobile applications, or from other sources. While this Policy broadly describes the practices we have adopted within North America, local laws vary, and some jurisdictions may place restrictions on our collection, use, or disclosure of personal information. Our actual practices in such jurisdictions may be more limited than those described in this Policy to comply with local requirements. If you are a resident of California, please see Appendix A for information regarding your rights under California law.

**By accessing or using our websites, mobile applications (“apps”), or submitting information to us, or otherwise agreeing to this Policy, e.g., in the context of registering for any of our products or services, you understand and consent to our collection and use of your personal information as described herein.**

# **PERSONAL INFORMATION WE COLLECT AND USE**

Personal information is information that identifies, relates to or describes you or can reasonably be associated with or linked to you. We collect personal information directly from you through our websites and apps and in our contact with you at our events or activities. We may also collect information related to conversations, including records or copies of your correspondence with us or customer service calls for quality assurance and training purposes, and other communications such as website chat support, in-app messages, or SMS.

We collect and use personal information in certain common cases, including:

## Purchase of Goods

. In connection with your purchase of goods from us through our website or our dealers, we collect personal information. The information we collect in these cases may include first name, last name; shipping address, city, county, state, zip code; billing address, city, county, state, zip code; telephone number; e-mail address; gender; age; account name, account password; goods purchased; customer comments; date of purchase; a copy of your original invoice; invoice number; credit card number, expiration date and security code. We use this information to facilitate the purchase transaction. The personal information described in this paragraph is the “Purchase Data.”

## Customer Service

. We provide customer service in person, by telephone and through our website. In providing customer service we may collect personal information from you such as name, address, e-mail address, telephone, product purchases, product sales, and other information related to your service request. We use this information in order to investigate, resolve and respond to your customer service issue. The personal information described in this paragraph is the “Customer Service Data.”

## Rebates, Warranties and Recalls

*.* We offer multiple means of registration and communication with regard to product rebates, warranties, and recalls. We may collect this personal information from you directly, or if you provide the information to one of our service providers to administer such registrations or fulfill related requests. The information we collect in these cases includes account number; address, city, province, state, zip code; age; tire brand, tread, size, type; business name; car or bike make and model; cell phone; contact info; customer comments; date of tire purchase; dealership info; dot serial numbers; email address; first name; last name; gender; a copy of your original invoice; invoice number; last 4 payment card digits from your original invoice; number of household vehicles; odometer reading(s); order date; order number; original receipt; product(s) purchased; return reason; signature; tire service record; trial ending date; vehicle make, model, year; vehicle identification number; purchase preferences; facility visit logs; and other information you choose provide to us. We use this information to provide rebates, warranty service or recall services to you. The personal information described in this paragraph is the “Warranty and Recall Data.”

## Falken Dealer Programs

*.* For dealers of automobile tires interested in obtaining more information about our Falken dealer opportunities, we may collect information about you in order to assess your suitability to become a Falken dealer. If you are a Falken dealer, we also collect information from you. The information we collect as part of our Falken dealer applications and programs includes dealer status; address, city, state, zip code; bank account number; bank routing number; comments; company; contract date; distributor; distributor center; email address; fax number; first name, last name; location district, Fanatic ID, and type; payment method; phone number, mobile phone; tax classification; taxpayer ID number; territory; dealer website; and documents or other information that you choose to upload or otherwise provide us. We collect this information for the purpose of operating our dealer programs.

We also invite certain Falken dealers to participate in on-site educational activities, to give our dealers a chance to see the inner workings of our company, intimately learn our products, and truly understand our brand. If you register or attend these events, we may collect the following information from you to organize and facilitate your attendance: dealer program status; historical experience attendance; company; work address; work phone; date of birth; dietary needs; a copy of your driver’s license; accessibility requirements; email address; emergency contact name; emergency contact number; emergency contact relationship; flight and airline information, redress number, seating preference, known traveler number, gender; hotel information; job title; mobile phone; name; photographs; shirt size; special requests; transportation; and other information you choose to provide us. We collect this information for the purpose of operating our dealer educational and training programs. The personal information described in this and the preceding paragraph is the “Falken Dealer Data.”

## Dunlop Dealer Programs

*.* For dealers of motorcycle tires interested in obtaining more information about our Dunlop dealer opportunities, we may collect information about you in order to assess your suitability to become a Dunlop dealer. If you are a Dunlop dealer, we also collect information from you. The information we collect as part of our Dunlop dealer applications and programs includes account name; address; age; date of birth; dealership info; email address; IP address; name; payment info; phone number; principal name; purchase history; tax identification number; app information including user audio settings, user network access, user network connections, user photos and videos, user USB storage; customer names, addresses, emails, invoices, and payment information; and other information you choose to provide us. We collect this information for the purpose of operating our Dunlop dealer programs. The personal information described in this paragraph is the “Dunlop Dealer Data.”

## Social Media

. If you choose to participate in one of our sponsored social media activities or offerings, we may collect certain information from your social media account consistent with your settings within the social media service, such as location, check-ins, activities, interests, photos, status updates, and friends list. We may also allow you to enter into contests to provide photos, such as of products you have purchased, which you may share with your connections on social media for votes, shared offers or other promotions. We use this information for providing information about our goods and services and for understanding the needs and preferences of our customers. The personal information described in this paragraph is the “Social Data.”

## Sponsorship

. We collect personal information to consider applications for, and administer, various sponsorship programs. This information includes first name, last name; email address; city; state; zip code; questions or comments; photos or files uploaded; vehicle year; vehicle make; vehicle model; vehicle location; current and future vehicle modifications; magazine features; events calendar; podiums or events won; and current sponsors. We collect this information for the purpose of operating our sponsorship programs. The personal information described in this paragraph is the “Sponsor Data.”

## Contests and Sweepstakes

. We may run contests or sweepstakes in which you may choose to participate. The personal information we collect may include first name, last name, e-mail address, telephone number, address, date of birth and other individual responses as indicated at the time of collection. Prize winners may be required to provide a social security number for tax reporting purposes. We use this information to facilitate the contest or sweepstakes. The personal information described in this paragraph is the “Contest Data.”

## Customer Surveys

.We collect personal information at various events through surveys in which you may choose to participate. The information we collect includes age; vehicle type; agreement to terms of use, date collected; information on tire use, maintenance, purchase history, habits, and preferences; email; first name; last name; miles ridden; opt-in/out of marketing or other communications; phone number; residence; vehicle make, model, and year; and other individual survey responses as indicated at the time of collection. We collect this information to better understand our customers’ preferences, evaluate our products, improve our products, and provide information to our customers about our products. The personal information described in this paragraph is the “Survey Data.”

## Security

.Our facilities may use security cameras to monitor the activity of our customers and staff. The information we collect includes video recordings. Audio is not recorded. The camera images are not monitored in real time. The recordings are viewed only if there is reason to believe that there has been a breach of security. We use this information to detect security incidents and to report to law enforcement agencies. The personal information described in this paragraph is the “Security Data.”

## Automatically Collected Personal Information

. By their nature, our websites and apps also automatically collect some personal information about you. In order for you to view or interact with our website or apps, we receive individual identifiers like your IP address, and some network information like the date and time that pages are visited. We may collect this personal information even if you are not logged in. We collect some personal information automatically using cookies or other tracking technologies as described below in Section 7. The personal information automatically collected may be collected by or on behalf of third parties who may provide us with inferences or aggregate reporting based on analysis of such personal information. We use this information to understand how our customers are using our websites and apps. The personal information described in this paragraph is the “Use Data.”

## Employees

. We collect personal information in the context of your role as an applicant to, an employee of, director of, or officer of, our business. The personal information we collect in these cases may include name, social security number, address, date of birth, gender, race, ethnicity, bank account and routing number, tax filing status, emergency contact information, telephone number, family member names, educational background, criminal background and employment history, medical provider information, dependent name(s), date of birth, gender and address, medical insurance provider, compensation and benefits data, workplace, and title. We only use this information for purposes of evaluating qualifications related to your job application or your job duties; evaluating your performance; or for providing compensation, benefits and services in the context of the employment relationship. We also collect geolocation, telematics, speed, braking, and other vehicular information from our company-owned vehicles driven by employees that we use to track, evaluate, and maintain those vehicles. The personal information described in this paragraph is the “Employee Data.”

## Individuals Representing Businesses

. We collect personal information in the context of your role as a representative of a business. The personal information we collect in these cases may include name, address, email address, telephone, date of birth, gender, social security number and personal financial information. We use this information for communicating with you in your role as a representative of a business or if you are an owner of a business to evaluate your creditworthiness. The personal information described in this paragraph is the “Biz Rep Data”

In addition to the information we collect from you directly, we may also infer information about you based on the information you provide to us or from other information we collect.

# **SOURCES FROM WHICH WE COLLECT PERSONAL INFORMATION**

We may collect personal information about you from a number of sources in addition to those means of collection indicated above, including offline or through sources unrelated to your use of our websites or apps or interaction with us at our facilities. For example, we may collect personal information from publicly accessible sources (e.g., property records); directly from a third party, (e.g., credit reporting agencies or customer due diligence providers); or from a third party with your consent (e.g., your bank). We may merge or co-mingle that personal information with the personal information we maintain about you and other data collected on or through our website. Categories of sources from which we may collect personal information include: advertising networks; internet service providers; data analytics providers; government entities; operating systems and platforms; and social networks

# **PURPOSES FOR WHICH WE COLLECT PERSONAL INFORMATION**

In addition to the purposes set forth in Section 2 above, we may collect your personal information for the following purposes:

## Auditing

. Auditing related to a current interaction with you, including, but not limited to, counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards;

## Security

. Helping to ensure security and integrity to the extent the use of your personal information is reasonably necessary and proportionate for these purposes; detecting security incidents, protecting against malicious, deceptive, fraudulent or illegal activity, and prosecuting those responsible for that activity;

## Debugging

. Debugging to identify and repair errors that impair existing intended functionality;

## Transient Use

. Short-term, transient use, including, but not limited to, non-personalized advertising shown as part of a consumer’s current interaction with us provided that your personal information is not disclosed to a third party and is not used to build a profile about you or otherwise alter your experience outside the current interaction with us;

## Services

. Performing services on our behalf, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage or providing similar services on our behalf;

## Advertising

. Providing advertising and marketing services to you.

## Research

. Undertaking internal research for technological development and demonstration.

## Quality and Safety

. Undertaking activities to verify or maintain the quality or safety of our products and services and to improve, upgrade, or enhance our products and services.

## Commercial Interests

. Advancing our commercial or economic interests, such as by inducing a person to buy, rent, lease, join, subscribe to, provide, or exchange products, goods, property, information, or services, or enabling or effecting, directly or indirectly, a commercial transaction.

# **LIMITED USE OF PERSONAL INFORMATION**

We will only use your personal information for the purposes for which we have collected it, unless we reasonably determine we need to use it for another reason and that reason is compatible with the original purpose. For example, we consider de-identification, aggregation, and other forms of anonymization of personal information to be compatible with the purposes listed above and in your interest, because the anonymization of such information reduces the likelihood of improper disclosure of that information.

If you wish to receive an explanation as to how the processing for a particular purpose is compatible with the original purpose, please contact us via the information specified in the Contact section below.

# **OUR DISCLOSURE OF PERSONAL INFORMATION**

In order to provide you with the best products and services, we disclose your personal information to our affiliates, commercial customers, service providers, contractors and other third parties as described below.

## Affiliates

. We may disclose your personal information to our parent company and entities under shared corporate control (“Affiliates”) for the purposes described in Sections 2 and 4 above.

## Commercial Customers

. We supply services and products to motor vehicle manufacturers, aftermarket parts wholesalers and retailers, motor vehicle dealers, and other customers that offer their own consumer services and products (“Commercial Customers”). We share personal information with our Commercial Customers for the purposes described in Sections 2 and 4 above.

## Contractors

. We disclose personal information to entities that help us fulfill a business or commercial purpose including, but not limited to, shipping companies that deliver our products to you (“Contractors”). Contractors are not permitted to sell or share your personal information or to use your personal information other than to perform the tasks we assign to them.

## Service Providers

. We disclose your personal information to companies that process personal information on our behalf for a business or commercial purpose, including, but not limited to, website hosting, app design, database management, web analytics, app analytics, billing, payment processing, and communicating with you about our products or services (“Service Providers”). Service Providers are not permitted to sell or share your personal information or to use your personal information other than to perform the tasks we assign to them.

## Third Parties

. In addition to third parties in the foregoing categories, we may disclose personal information to the following categories of third parties: advertising networks, internet service providers, data analytics providers, government entities, operating systems and platforms, social networks and data brokers. For the purposes of this Policy, “third party” or “third parties” are entities that may sell, retain, use, or disclose personal information for purposes beyond providing services directly to us for our business or commercial purposes or for cross-context behavioral advertising purposes. We may disclose personal information to advertising networks so they may help us deliver advertisements to you based on your activity on our website or apps or your activity on other websites or apps.

## Compliance with Laws

. We cooperate with government and law enforcement officials and private parties to enforce and comply with the law. We may disclose your personal information to government or law enforcement officials or private parties in response to lawful requests when we believe disclosure or sharing is necessary to comply with any legal obligation, enforce or apply our terms and conditions, respond to claims and legal process, protect our services, members, dealers, our rights and/or the safety of the public or any person, or prevent or stop any illegal, unethical or legally actionable activity (including for the purposes of fraud protection). As purchasers of secondhand goods, we are required in some jurisdictions to report to local or state law enforcement agencies personal information about those from whom we purchase such goods.

## Sale or Transfer of Business or Assets

. We may disclose some or all of your personal information in connection with a merger, bankruptcy, or other transaction in which another entity assumes control of all or part of our business. If another company or individual acquires our business, or assets, that company or individual will possess the personal information collected by us and will assume the rights and obligations regarding your personal information as described in this Policy.

# **COOKIES AND OTHER TRACKING TECHNOLOGIES**

Third parties, including Google and Facebook, may use cookies, web beacons, and other storage technologies to collect or receive information from our websites and elsewhere on the internet and use that information to provide measurement services and target ads. You can opt-out of the collection and use of information for ad targeting using the options described in the Opting Out section below. The tracking technologies we utilize include the following:

## Cookies

. We may use different types of cookies when providing different types of web-related services. If you do not know what cookies are, or how to control or delete them, then we recommend you visit [www.aboutcookies.org](http://www.aboutcookies.org) for detailed guidance. Cookies allow us to identify and authenticate visitors, track aggregate behavior, and enable important service features. We use both session ID cookies and persistent cookies. Session ID cookies are used to maintain your browser state as you browse through services, and they expire when you close your browser. A persistent Cookie remains on your hard drive for an extended period, and we use that to identify you should you return to services and want to find information you had previously entered or accessed.

We may also contract with analytics services, third-party affiliate services, and third-party advertising companies to collect similar information. These cookies allow the ad servers to recognize your computer each time they send you an online advertisement, and compile information about you or others who use your computer. This information allows such advertising networks to, among other things, deliver targeted advertisements that they believe will be of most interest to you.

You may disable cookies through your web browser. For information about opting out of these collection services, please see the Your Choices section below.

## Web Beacons/Tags

. We may automatically collect aggregate anonymous information through files embedded in our services and emails known as “web beacons.” We may deliver a web beacon to you through our services from an advertising network with which we have contracted. Web beacons allow third parties to provide anonymized and aggregated auditing, research, and reporting for us. Web beacons also allow us to tell whether email recipients are able to properly view messages or if email messages have been opened, to ensure that we are sending only messages that are of interest to our users. We may use this information to reduce or eliminate messages sent to users. We do not tie the information gathered by web beacons to personal information.

## Flash LSOs

. When we post videos, third parties may use local shared objects, known as “Flash cookies,” to store your preferences for volume control or to personalize certain video features. Flash cookies are different from browser cookies because of the amount and type of data and how the data is stored. The cookie management tools provided by many popular browsers will not remove Flash cookies. To learn how to manage Flash cookie privacy and storage settings, click here: <http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html>.

## Analytics

. We may use analytics tools or similar tools provided by third parties (“Data Analytics Providers”) to help analyze how you and other users utilize our services. Analytics tools use cookies and other tracking technologies to collect information such as how often users visit our website, what pages they visit, and what other websites they have used prior to visiting our website. We use the information we get from analytics tools only to improve services. Analytics tools collect the IP address or other unique identifier assigned to you on the date you visit our services. Analytics tools provided by third parties plant a persistent cookie on your web browser to identify you as a unique user the next time you visit our website, and the treatment of that information is governed by the third party’s terms of use and/or privacy policy. To learn about how Google uses data related to website analytics when you use our site or apps, click here: <https://policies.google.com/technologies/partner-sites>. For information about how Facebook uses cookies and other storage technologies, click here: <https://www.facebook.com/policies/cookies/>.

## BY USING OUR WEBSITE, YOU GIVE CONSENT FOR US TO SHARE YOUR DATA WITH THESE PROCESSORS, AND FOR THEM TO TRANSFER THIS INFORMATION ONWARD TO THEIR PARTNERS IN CONNECTION WITH PROVIDING YOU SERVICES.

# **OPTING OUT**

You can make the following choices regarding your personal information:

## Promotional and Other Emails

. You may choose, during the account registration processes on one of our websites, or otherwise, to provide us with your email address for the purpose of allowing us to send newsletters, surveys, offers, and other materials related to our services. You can stop receiving these emails by sending a request to the email address in the Contact Us section below. If you decide not to receive these emails, we may still send you communications related to your current or former membership.

## Behavioral Advertising

. Our services may use behavioral advertising. This means that a third party may use technology (e.g., a cookie) to collect information about your use of our websites so that they can provide advertising about products and services tailored to your interests. That advertising may appear either on our website, or on other websites not operated by us. If you do not want third parties to collect information about your use of our services, you can opt-out of such at the [Digital Advertising Alliance](https://youradchoices.com/control) in the US, the [Digital Advertising Alliance of Canada](https://youradchoices.ca/en/tools) in Canada, or the [European Digital Advertising Alliance](http://www.youronlinechoices.eu/) in Europe.

PLEASE NOTE THAT OPTING-OUT OF BEHAVIORAL ADVERTISING DOES NOT MEAN THAT YOU WILL NOT RECEIVE ADVERTISING WHILE USING SERVICES. IT WILL, HOWEVER, EXCLUDE YOU FROM INTEREST-BASED ADVERTISING CONDUCTED THROUGH PARTICIPATING NETWORKS, AS PROVIDED BY THEIR POLICIES AND CHOICE MECHANISMS.

## Analytics

. Many analytics providers allow end-users to opt out of the retention of their information, including our third-party analytics providers. Please note that, typically, unless you create an account with the analytics provider, your choice to opt out applies only to the device from which you make the request, because the providers use cookies on that device to recognize your choice. If you get a new device, install a new web browser, update your browser, or otherwise erase/alter your browser cookie files you may clear the opt-out cookie.

You may learn more about the use of information by and opting-out of analytics from our third-party provider by visiting its opt-out page at the following links: [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/) and <https://tools.google.com/dlpage/gaoptout> .

## Cookies

. You may disable, or delete cookies in your Web browser, but doing so may impact the usability of the website. To block cookies, you can also browse our service using your browser’s anonymous usage setting (called “Incognito” in Chrome, “In Private” for Internet Explorer, “Private Browsing” in Firefox and Safari, *etc*.).

## Do Not Track

.  Our website recognizes and responds to “Do Not Track” requests available through many popular web browsers. If we recognize that you have enabled one of these “Do Not Track” signals, we will not track or sell cookie information about your online activities.

# **INTERNATIONAL TRANSFERS OF INFORMATION**

Your personal information may be processed in the country in which it was collected and in other countries, where laws regarding personal information may be less stringent than the laws in your country. Therefore, in some circumstances, you might be left without a legal remedy in the event of a privacy breach or other use that is prohibited in your country. By submitting your personal information, you agree to this transfer, storage and/or processing, including all associated risks.

# **INFORMATION SECURITY**

No method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security. We make efforts to protect your personal information from improper or unauthorized loss, misuse, access, disclosure, alteration, or destruction. If you have questions about the security of your personal information, contact us at the email or regular mail address specified in the Contact section below.

# **DATA RETENTION**

We will retain your personal information for as long as necessary to fulfill the purposes for which we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information, whether we can achieve those purposes through other means, and the applicable legal requirements.

# **THIRD-PARTY LINKS**

Our websites or apps may contain links to other websites or apps. We are not responsible for the privacy practices or the content of these other websites or apps. You should read the policy statement of these other websites or apps to understand their policies. When you access linked websites or apps, you may be disclosing private information. It is your responsibility to keep such information private and confidential.

# **CHANGES TO THIS PRIVACY POLICY**

We may update this Policy from time to time, in our sole discretion. When we do so, we will post the new Policy on our website. You should consult this Policy regularly for any changes. Continued use of services following posting of such changes constitutes your acknowledgement of such changes and agreement to be bound by the changes. If you do not agree, you should immediately discontinue your use of our website and services.

# **CONTACT US**

If you have questions regarding this Policy, its appendices, or our treatment of your personal information, you may contact us at:

Sumitomo Rubber North America, Inc.

Attn: Privacy Officer

8656 Haven Ave.

Rancho Cucamonga, CA 91730

[privacy@falkentire.com]

# APPENDIX A

# CALIFORNIA PRIVACY RIGHTS NOTICE

**Effective Date:** March 3, 2023

# **YOUR CALIFORNIA PRIVACY RIGHTS UNDER THE CCPA**

Under the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act of 2020 (“CCPA”), if you are a resident of California you have the following rights with respect to your personal information.

## Right to Know About Our Collection, Disclosure, Sharing and Sale of Personal Information about You.

Personal information as defined in the CCPA is information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to you, including the following categories of information: (a) identifiers; (b) categories described in California Civil Code §1798.80(e); (c) characteristics of protected classes; (d) commercial information; (e) biometric information; (f) internet or other electronic network activity; (g) geolocation data; (h) audio, electronic, visual, thermal, olfactory or similar information; (i) professional or employment related information; (j) education information; and (k) inferences drawn from such information to create a consumer profile.

You have the right to know the categories of personal information we have collected about you; the categories of sources from which we collect personal information; our business or commercial purpose for collecting, disclosing, sharing or selling personal information; the categories of third parties to whom we disclose, share or sell personal information, if any; and the specific pieces of personal information we have collected about you. Personal information includes “sensitive” personal as described below.

## Right to Know About Our Collection, Disclosure, Sharing and Sale of “Sensitive” Personal Information about You.

“Sensitive” personal information as defined in the CCPA is personal information that reveals: (a) your social security, driver’s license, state identification card, or passport number; (b) your account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; (c) your precise geolocation; (d) your racial or ethnic origin, religious or philosophical beliefs, or union membership; (e) the contents of your mail, email, and text messages unless we are the intended recipient of the communication; and (f) your genetic data. “Sensitive” personal information also includes biometric information that is processed for the purpose of identifying you, information that is collected and analyzed concerning your health; or your sex life or sexual orientation.

You have the right to know the categories of “sensitive” personal information we have collected about you, the categories of sources from which we collect personal information, our business or commercial purpose for collecting, selling or sharing “sensitive” personal information, the categories of third parties with whom we sell or share “sensitive” personal information, if any, and the specific pieces of “sensitive” personal information we have collected about you.

## Right to Delete Your Personal Information

Subject to the exceptions set out below, and upon your submission of a verifiable request, you have the right to deletion of your personal information from our records, and to have us direct our service providers, contractors and third parties to delete your personal information from their records.

We are not required to, and reserve our right to not delete your personal information if it is necessary to: (i) complete the transaction for which the personal information was collected, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us; (ii) help to ensure security and integrity to the extent the use of your personal information is reasonably necessary and proportionate for those purposes; (iii) debug to identify and repair errors that impair existing intended functionality; (iv) exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law; (v) comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code; (vi) engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of such research, provided we have obtained your informed consent; (vii) enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us and compatible with the context in which you provided the information; and (viii) comply with a legal obligation.

## Right to Correct Inaccurate Personal Information.

Subject to the exceptions set out below, and upon your submission of a verifiable request, you have the right to correct any inaccurate personal information in our records, and to have us direct our service providers, contractors and third parties to correct any inaccurate personal information from their records.

If we cannot verify your identity pursuant to the CCPA and its regulations we may deny a request to correct. In such event, we shall inform your that your identity cannot be verified.

In determining the accuracy of the personal information that is the subject of your request to correct, we shall consider the totality of the circumstances relating to the contested personal information. We may deny your request to correct if we determine that the contested personal information is more likely than not accurate based on the totality of the circumstances.

## Right to Be Free from Discrimination

You have the right to not be discriminated against by us because you exercised any of your rights under the CCPA. This means we cannot, on the basis of the exercise of your rights thereunder, among other things, deny goods or services to you, charge different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties; provide a different level or quality of goods or services to you; or suggest that you will receive a different price or rate for goods or services or a different level or quality of goods or services or retaliate against you as an employee, applicant for employment or independent contractor.

## Right to Opt-Out of the Sharing of Personal Information

We may disclose your personal information to third parties for cross-context behavioral advertising purposes (“Share” or “Sharing”). This means the targeting of advertising to you based on your personal information that we obtain from your activity across businesses, distinctly-branded websites, applications, or services, other than our business, distinctly-branded website, application, or service. We may Share personal information with advertising networks so they may help us to deliver advertisements to you based on your activity on our website or apps and/or your activity on other websites or apps.

We do not Share the personal information of users of this website at < https://www.fanaticdealer.com/>. Since we do not Share the personal information of users of this website, this website does not provide a “Do Not Sell or Share My Personal Information” opt-out link.

## Right to Opt-Out of the Sale of Personal Information

We may disclose your personal information to third parties in exchange for monetary or other consideration. Such disclosures are considered to be “Sales” under the CCPA. We may Sell personal information to advertising networks so they may help us to deliver advertisements to you based on your activity on our website or apps and/or to recommend our products and services to you based on your activity on other websites or apps.

We do not Sell the personal information of users of this website at < https://www.fanaticdealer.com/>. Since we do not Sell the personal information or users of this website, this website does not provide a “Do Not Sell or Share My Personal Information” opt-out link..

## Right to Opt-Out by Using Opt-Out Preference Signals.

Since we do not Sell or Share the personal information of users of this website at < https://www.fanaticdealer.com/>, this website does not recognize and process user generated opt-out preference signals.

## Right to Limit the Use of “Sensitive” Personal Information

We use your “sensitive” personal information only to the extent that it is necessary to provide our goods and perform our services as reasonably expected by you. If we were to use your “sensitive” personal information other than is necessary to provide our goods and perform our services, you would have the right to limit our use of your “sensitive” personal information to that which is necessary to provide our goods and services to you.

## Right of Children to Opt-In to the Sale of Personal Information

We do not knowingly collect or sell the personal information of minors under 16 years of age without affirmative authorization. For minors who wish to opt-in to the sale of their personal information, we have established the following processes:

*Minors between 13 and 16 years of age*:

In the case of consumers between 13 and 16 years of age, we require the consumer to affirmatively authorize the sale of the consumer’s personal information. In order to opt-in minors in this age range, as part of the account registration process for our products which may be targeted toward minors, we require the consumer or consumer’s parent or guardian to verify the consumer’s identity by providing at least two data points with data points maintained by the business, which we have determined to be reliable for the purpose of verifying the consumer.

*Minors under 13 years of age:*

In the case of consumers who are less than 13 years of age, we require the consumer’s parent to affirmatively authorize the sale of the consumer’s personal information. In order to opt-in minors in this age range, as part of the account registration process for our products which may be targeted toward minors, we require that the consumer’s parent or guardian verify the consumer’s identity, which we have determined to be reliable for the purpose of verifying the consumer.

We reserve the right to require additional information or not complete your request if we cannot verify your identity. If you are a parent or guardian seeking to opt-out on behalf of their child, please contact us at 1-800-723-2553 or email us at [[privacy@falkentire.com](mailto:privacy@falkentire.com)]with the subject “Minor Opt-Out.”

# **HOW TO EXERCISE YOUR CCPA RIGHTS**

Unless otherwise specified, to exercise any of your rights described in this Appendix A, please complete a consumer request form available [[https://www.fanaticdealer.com//Consumer-Privacy-Request-Form](https://falkenfanatics.channel-fusion.com/Consumer-Privacy-Request-Form) or call us toll-free at 1-800-723-2553 or submit your request to us at the following address: Sumitomo Rubber North America, Inc., 8656 Haven Ave., Rancho Cucamonga, CA 91730, Attn: CA Privacy.”

In order to verify your request, we will need you to provide us with enough information to identify you (e.g., your full name, address, and customer or matter reference number), proof of your identity and address (e.g., a copy of your driving license or passport and a recent utility or credit card bill), and a description of what right you wish to exercise along with any information to which your requests relates. If feasible, we will match the identifying information provided by you with the personal information that we already maintain about you.

You may designate an authorized agent to make a request under the CCPA on your behalf. In order to fulfill your request to know or delete submitted by an authorized agent, you must provide the authorized agent written permission to do so, and we may require that you verify your own identity with us directly.

We reserve our right not to grant a consumer request if we cannot verify that the person making the request is the person about whom we have collected information, or someone authorized to act on such person’s behalf. You may only make a request to access or receive copies of personal information twice within a 12-month period. Any personal information we collect from you to verify your identity in connection with your request will be used solely for the purposes of verification.

# **OUR PERSONAL INFORMATION COLLECTION, USE AND DISCLOSURE PRACTICES**

A description of the personal information that we collect online and off-line is provided in Section 2 of the main Policy. The purposes for which we collect and use personal information are described in Sections 2 and 4 of the main Policy. Sources from which we receive personal information are described in Section 3 of the main Policy. Our personal information disclosure practices are described in Sections 6 and 7 of the main Policy. Our personal information retention practices are described in Section 11 of the main Policy.

## Categories of Personal Information Collected; Sold or Shared for Cross-Context Behavioral Advertising; and Disclosed for a Business Purpose within the past 12 months.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Category of Personal Information | Collected | Sold or Shared in the Past 12 Months? | Categories of Third Parties to Whom Sold or Shared | Disclosed for a Business Purpose in Past 12 Months? | Categories of Third Parties to Whom Disclosed |
| Individual Identifiers | Yes | Yes | Advertising Networks; Data Analytics Providers | Yes | Commercial Customers; Contractors;  Service Providers;  Government Entities;  Affiliates |
| Categories Described in California Consumer Records Act, Civil Code §1798.81.5 | Yes | Yes | Advertising Networks; Data Analytics Providers | Yes | Commercial Customers; Contractors;  Service Providers;  Government Entities;  Affiliates |
| Characteristics of protected classifications under California or federal law. | Yes | No | Not Applicable | Yes | Contractors;  Service Providers;  Government Entities;  Affiliates |
| Commercial information. | Yes | Yes | Advertising Networks; Data Analytics Providers | Yes | Commercial Customers; Contractors;  Service Providers;  Government Entities;  Affiliates |
| Biometric information. | Yes | No | Not Applicable | Yes | Contractors; Service Providers |
| Internet or other electronic network activity. | Yes | Yes | Advertising Networks; Data Analytics Providers | Yes | Contractors; Service Providers |
| Geolocation data. | Yes | No | Not Applicable | No | Contractors; Service Providers |
| Audio, electronic, visual, thermal, olfactory, or similar information. | Yes | No | Not Applicable | Yes | Contractors; Service Providers; Governmental Entities |
| Professional or employment-related information. | Yes | No | Not Applicable | Yes | Contractors;  Service Providers;  Affiliates |
| Education information. | Yes | No | Not Applicable | Yes | Contractors;  Service Providers; Affiliates |
| Inferences drawn from any of the information identified above. | None | No | Not Applicable | No | None |

## Categories of “Sensitive” Personal Information Collected; Sold or Shared for Cross-Context Behavioral Advertising; and Disclosed for a Business Purpose within the past 12 months.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Category of Sensitive Personal Information | Collected | Shared or Sold in the Past 12 Months? | Categories of Third Parties to Whom Shared or Sold | Disclosed for a Business Purpose in Past 12 Months? | Categories of Third Parties to Whom Disclosed |
| Social Security, Driver’s License,  State ID, Passport Number. | Yes | No | Not Applicable | Yes | Government Entities |
| Account Log-in and Password | Yes | No | Not Applicable | No | Not Applicable |
| Financial Account, Debit Card, Credit Card Number and account access information. | Yes | No | Not Applicable | Yes | Service Providers |
| Precise Geolocation. | No | No | Not Applicable | No | Not Applicable |
| Racial or ethnic origin, religious or philosophical beliefs or union membership. | No | No | Not Applicable | No | Not Applicable |
| Contents of e-mail, text messages unless we are intended recipient. | Yes | No | Not Applicable | No | Not Applicable |
| Genetic Data | No | No | Not Applicable | No | Not Applicable |
| Biometric Information for purpose of identification. | No | No | Not Applicable | No | Not Applicable |
| Health information collected and analyzed. | No | No | Not Applicable | No | Not Applicable |
| Sex life or sexual orientation collected and analyzed. | No | No | Not Applicable | No | Not applicable |

# **OTHER CALIFORNIA PRIVACY RIGHTS**

## Shine the Light Request.

Individual consumers who reside in California and have provided us with their personal information may request information about our disclosures of certain categories of personal information to third parties for their direct marketing purposes. Such requests must include your name, street address, city, state, and zip code, and be submitted to us at one of the following addresses: [[privacy@falkentire.com](mailto:privacy@falkentire.com)]with the subject “California Shine the Light Request” or Sumitomo Rubber North America, Inc., 8656 Haven Ave., Rancho Cucamonga, CA 91730, Attention: CA Privacy. Within thirty days of receiving such a request, we will provide a list of the categories of personal information disclosed to third parties for third-party direct marketing purposes during the immediately preceding calendar year, along with the names and addresses of these third parties. This request may be made no more than once per calendar year. We reserve our right not to respond to requests submitted to addresses other than the addresses specified in this paragraph.

## Minor’s Right to Remove Posted Content.

If you are a California resident under the age of 18, and a registered user of any website where this Policy is posted, California Business and Professions Code Section 22581 permits you to request and obtain removal of content or information that you have publicly posted. To make such a request, please send an email with a detailed description of the specific content or information to [[privacy@falkentire.com](mailto:privacy@falkentire.com)] with the subject “Privacy Rights for Minors.” Please be aware that such a request does not ensure complete or comprehensive removal of the content or information you have posted and that there may be circumstances in which the law does not require or allow removal even if requested.