

Market Greens – Privacy Notice

(Last Updated June 13, 2019)

Market Greens respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

This privacy notice is part of the Terms of Use of the Internet site located at www.marketgreens.com (the “Site”) and any use of the Site is governed by those Terms of Use. By using the Site, you signify your acceptance of this privacy notice. If you do not agree to this privacy notice, please do not use the Site.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below. Alternatively, you can download a pdf version of the privacy notice [here](#) . Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

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1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY NOTICE

This privacy notice is intended to give you information on how Market Greens collects and processes your personal data.

The Site is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

CONTROLLER

Market Greens, LLC ("Market Greens", "we", "us" or "our" in this privacy notice) is the controller and responsible for your personal data collected on the Site.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise [your legal rights](#), please contact the data privacy manager using the details set out below.

CONTACT DETAILS

Our full details are:

Full name of legal entity: Market Greens, LLC

Name or title of data privacy manager: Ryan Wesely

Email address: privacy@marketgreens.com

Postal address: Market Greens, 217 Centre Street, Suite 246, New York, NY 10013

If you are located in the European Union, you have the right to make a complaint at any time to your national data protection authority ("DPA") We would, however, appreciate the chance to address your concerns before you approach your DPA, so please do not hesitate to contact us.

CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

We have the discretion to update this privacy notice at any time. You acknowledge and agree that it is your responsibility to review this privacy notice periodically and become aware of modifications. Your continued use of the Site following the posting of changes to this privacy notice will be deemed your acceptance of those changes. In the future, you may obtain historic versions of this notice by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

THIRD-PARTY LINKS

The Site may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, 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 data about you which we have grouped together follows:

- Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender. It may also include racial or ethnic background and/or sexual orientation only if you choose to provide this information to us.
- Contact Data includes billing address, mailing address, email address and telephone numbers.
- Financial Data includes bank account and payment card details.
- Transaction Data includes details about payments to and from you and other details of services you have provided for us.
- Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Site.
- Profile Data includes your username and password, services provided by you, your interests, preferences, feedback and survey responses.
- Usage Data includes information about how you use the Site and services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We may also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We may collect Special Categories of Personal Data about you (this includes details about your race, ethnicity, or sexual orientation) only if you choose to provide it to us so that we can consider you for clients who are specifically targeting audiences that you might appeal to. We do not collect other sensitive information such as political opinions, trade union membership, information about your health and genetic and biometric data. Nor do we collect any information about criminal convictions and offences.

IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to match you with a client who wants to engage your services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

IF YOU FAIL TO PROVIDE SENSITIVE DATA

If you fail to provide Sensitive Data, you will not be able to be considered by clients who are specifically targeting characteristics that are deemed sensitive.

PROHIBITED USE BY PERSONS UNDER QUALIFYING AGE

The Site and the services provided in connection with the Site, applications and software provided online through or in connection with such services, are intended for adults only and require that you be no less than the legal age for the services offered based on the applicable regulations of your state or other governmental entities (“Qualifying Age”). Any use of the Site by persons under Qualifying Age is strictly prohibited. Personal information submitted by a person under Qualifying Age will not be accepted. If we learn or have reason to suspect that you are not of Qualifying Age, we will promptly delete any personal information in your account.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

Direct interactions. You may give us your Identity Data, Contact Data and Financial Data by filling in forms, participating in a client campaign, or by corresponding with us by mail, phone, email or otherwise. This includes personal data you provide when you: Interact with a client; create an account on the Site; request marketing to be sent to you; or give us some feedback.

Automated technologies or interactions. As you interact with the Site, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our Cookie Notice located at [here](#) for further details.

Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out below:

- Technical Data from analytics providers (such as Google based outside the EU);
- Contact, Financial and Transaction Data from providers of technical, payment and support services.
- Identity and Contact Data from clients, or other data brokers or aggregators.
- Identity and Contact Data from publicly available sources.

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data other

than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us .

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as an influencer in our database	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Necessary to determine whether applicable regulations permit you to perform or receive services in your location
To process and deliver services for you including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us (c) Facilitate introductions between you and our brand partners and other third parties	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us) (c) Necessary to comply with state and local laws
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business) (c) Necessary to comply with a legal obligation
		(a) Necessary for our

<p>To administer and protect our business and the Site (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity (b) Contact (c) Technical</p>	<p>legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise) (b) Necessary to comply with a legal obligation and to enforce our Terms of Service</p>
<p>To deliver relevant website content to you and measure or understand the effectiveness of the content and materials we provide to you, as well as matching with clients</p>	<p>(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical</p>	<p>Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy)</p>
<p>To use data analytics to improve the Site, services, marketing, customer relationships and experiences</p>	<p>(a) Technical (b) Usage</p>	<p>Necessary for our legitimate interests (to define types of customers for our services, to keep the Site updated and relevant, to develop our business and to inform our marketing strategy)</p>

MARKETING

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

PROMOTIONAL OFFERS FROM US

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or registered as an influencer, or otherwise used one of our services and, in each case, you have not opted out of receiving that marketing.

COMPETITIONS AND SURVEYS

We may periodically request information from you via surveys or contests. Participation in surveys or contests is voluntary and you therefore have a choice whether or not to disclose this

information. Information requested may include your Identity, Contact, Technical, Usage, Profile Data and feedback on various topics. Contact information will be used to notify the winners and award prizes. Survey information will be used to improve the quality of our services to you, and to develop new services. We do not share this data on an individualized basis. Aggregated, non-personally identifying information collected from competitions and surveys may be shared with third parties.

THIRD-PARTY MARKETING

We will get your express opt-in consent before we share your individual personal data with any other company for marketing purposes. Aggregated, non-personally identifying data may be shared with third parties.

OPTING-OUT

You can ask us or third parties to stop sending you marketing messages at any time by following the optout links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of service experience or other transactions.

ADVERTISEMENTS

We may display our online advertisements. In those cases we share aggregated and non-identifying information about site users collected through the registration process as well as through online surveys and promotions with these advertisers. In some instances, we use this aggregated and non-identifying information to deliver tailored advertisements or joint ventures to an intended audience. We do not share personal information with these advertisers or joint venture companies.

COOKIES

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the Site may become inaccessible or not function properly. For more information about the cookies we use, please see [here](#).

CHANGE OF PURPOSE

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

COMPLIANCE WITH LAW

Please note that we may process your personal data without your knowledge or consent where this is required or permitted by law, or in the good-faith belief that such action is necessary to comply with state or federal laws. We reserve the right to collect and share your personal data:

(i) in order to investigate, prevent, or take action regarding suspected or actual illegal activities; (ii) as appropriate or necessary to enforce our Terms of Use or investigate potential or actual violations of the Terms of Use or this privacy notice; (iii) take precautions against liability; (iv) to protect the security or integrity of our services; (v) to exercise or protect our rights and property; or (vi) for other legitimate purposes.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above: Internal Third Parties as set out in the [Glossary](#) . External Third Parties as set out in the [Glossary](#) . Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, we reserve the right to assign, transfer, or sell any information we have about you to any companies which we may acquire, purchase or merge. We will use reasonable efforts to direct such companies to use the information you have provided consistent with this privacy notice and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. INTERNATIONAL TRANSFERS

Market Greens is based outside the European Economic Area (EEA) so any of our processing of personal data collected in the EEA will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we will ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented: We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#) . Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#) . Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#) .

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7. DATA SECURITY

We have put in place appropriate security measures to make a reasonable effort to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third-parties who have a business need to know. We have instructed such persons to only process your personal data on in accordance with this privacy notice and they

are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so. Although we take reasonable steps to protect your personal information, the Internet is inherently insecure and we cannot guarantee that the Site or your information is secure. We do not represent, warrant and/or guarantee that personal information will remain secure.

8. DATA RETENTION

HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting us .

In some circumstances you can ask us to delete your data: see [Request erasure](#) below for further information.

In some circumstances we may anonymize your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

9. YOUR LEGAL RIGHTS

Under certain circumstances, if you are a resident of the EU you have rights under data protection laws in relation to your personal data. These rights may include the right to: Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it. Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us. Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is

something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms. Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it. Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you. Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

To find out more about your rights, see [Data protection in the EU](#). If you wish to exercise any of the rights set out above, please contact us .

NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

TIME LIMIT TO RESPOND

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

DISPUTE RESOLUTION

If you believe that Market Greens has not adhered to this privacy notice, please contact us by e-mail at privacy@marketgreens.com. We will do our best to address your concerns. If you feel that your complaint has been addressed incompletely, we invite you to let us know for further investigation.

10. CALIFORNIA PRIVACY RIGHTS

FOR RESIDENTS OF CALIFORNIA ONLY. Section 1798.83 of the California Civil Code requires select businesses to disclose policies relating to the sharing of certain categories of your personal data with third parties. If you reside in California and have provided your personal data to us, you may request information about our disclosures of certain categories of personal data to third parties for direct marketing purposes. You may make one request per calendar year. In your request, please attest to the fact that you are a California resident and provide a current California address for your response. You may request this information in writing by contacting us at privacy@marketgreens.com. In your request, please specify that you want a "Your California Privacy Rights Notice". Please allow up to thirty (30) days for a response. We reserve the right not to respond to requests submitted in ways other than those specified above.

11. DO NOT TRACK

Some web browsers may allow you to select a "Do Not Track" preference to let the sites you visit know that you do not want them collecting information about you. The Site does not currently respond to "Do Not Track" settings. Please review your web browser's internet options for more details.

12. GLOSSARY

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us .

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.