

## Terms and Conditions

Eatslink is not a food provider or restaurant. All food providers who provide food through our app “Eatslink” operate independently of Eatslink Inc.. These food providers are required to comply with all governing laws and regulations in the State of California, USA. Food providers are required to meet all industry food safety and preparation guidelines and practices. Eatslink is not liable for any claims made by food providers regarding food from their menus, and is not responsible for any situations resulting from food allergies, spoiled or “bad” food and possible food poisoning incidents. Eatslink Inc. only provides food providers with a channel to receive orders, sell and deliver their food items via a mobile app. Eatslink is not responsible for any adverse situations, ie illness or death that arise from the consumption of food provided by the food providers. Any such claims pertaining to illness or death caused by food consumption shall be addressed to the food provider or restaurant.

Any and all complaints regarding and not limited by the quality, taste, aroma, look and quantity, etc. should be addressed directly with the food provider as well. Returned food items should be delivered directly to the original food provider for any refunds or replacements by the food provider according to the food providers return and refund policies. Eatslink will not accept any returned items.

Any and all complaints regarding food damage caused by delivery or excessive delay in delivery resulting in deterioration of food quality should be addressed directly with the delivery entity, company or independent driver or delivery person. Eatslink will not accept any liability regardless of the condition of the items caused by delivery.

Any and all complaints regarding the actions of the delivery persons or damages caused by the delivery person should be addressed directly with the delivery entity, company or independent driver. Eatslink Inc. will not accept any liability for damages caused by delivery or delivery entity.

## Privacy Notice

Eatslink Inc.  
101 N. Verdugo Rd. 9223  
Glendale, CA 91206  
Email: [support@eatslink.com](mailto:support@eatslink.com)  
Web site: <http://www.eatslink.com>

This document governs the privacy notice of our mobile app Eatslink. Our privacy notice tells you what personal data and non-personal data we may collect from you, how we collect them, how we protect them, how we share them, how you can access and change them, and how you can limit our sharing of them. Our privacy notice also explains certain legal rights that you have with respect to your personal data. Any capitalized terms not defined herein will have the same meaning as where they are defined elsewhere.

### Definitions

‘NON-PERSONAL DATA’ (NPD) is information that is in no way personally identifiable.

‘PERSONAL DATA’ (PD) means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified directly or indirectly by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person. PD is in many ways the same as Personally Identifiable Information (PII). However, PD is broader in scope and covers more data. (GDPR) means General Data Protection Regulation.

### YOUR RIGHTS

When using our services and submitting PD to us, you have certain rights.

- The Right to Be Informed - You have the right to be informed about the PD that we collect from you and how we process them.
- The Right of Access - You have the right to get confirmation that your PD are being processed and you have the ability to access your PD.
- The Right to Erasure (Right to Be Forgotten) - You have the right to request the removal or deletion of your PD if there is no compelling reason for us to continue processing them.
- The Right to Restrict Processing - You have the right to ‘block’ or restrict the processing of your PD. When your PD are restricted, we are permitted to store your data, but not to process them further.
- Automated Individual Decision-Making and Profiling - You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects regarding you or similarly significantly affects you.

### **You Have the Right Not to Have Your Personal Information Sold**

You have the right to request that we do not sell any of your personal information.

*Personal information* for this section means a natural person’s first name or first initial and last name in combination with any one or more of the following data elements when the name and data elements are not encrypted: social security number, driver’s license number, driver authorization card number, or identification card number. Account number, credit card number, or debit card number, in combination with any required security code, access code, or password that would permit access to the person’s financial account. A medical identification number or a health insurance identification number. A username, unique identifier, or electronic mail address in combination with a password, access code, or security question and answer that would permit access to an online account.

If you wish to make this request, please email us at: [Support@eatlink.com](mailto:Support@eatlink.com) telling us that you do not want to have any of your personal information sold. Please include enough personal data so that we can reasonably verify your identification. We will respond to your request within 60 days after receiving it.

### **Your California Privacy Rights**

As a Californian consumer you have certain rights under the California Consumer Privacy Act (CaCPA) AB 375, some of these rights are:

1. the right of Californians to know what personal information is being collected about them
2. the right of Californians to know whether their personal information is sold or disclosed and to whom
3. the right of Californians to say no to the sale of their personal information
4. the right of Californians to access their personal information

5. The right to data portability. You have the right to request your personal information that you provided to us and use them for your own purposes. We will provide your data to you within 30 days of your request. Contact us using the information at the top of this privacy notice to request your personal information.
6. the right of Californians of the deletion of their personal information
7. the right of Californians of equal service, price, and not being discriminated against even if they exercise their privacy rights
8. one or more designated means for Californian consumers to submit requests under the CACPA including (at minimum) a toll-free number, and if the business maintains an Internet website, a website address.

These rights include the right to request what personal information we collect and disclose about consumers. Provisions with an asterisk (\*) only apply to consumers if the business sells personal data about Californian consumers or discloses their personal information for business purposes.

Personal information includes:

- categories of personal information that a business collected about the consumer
- categories of sources from which the personal information was collected
- specific pieces of personal information that the business has collected about consumers
- categories of third parties with whom the business shares personal information
- the business or commercial purpose of collecting or selling personal information
- \*categories of personal information sold
- \*categories of third parties to whom personal information was sold, by category or categories of personal information sold for each third party to whom personal information was sold
- \*categories of personal information disclosed for a business purpose
- \*categories of personal information that the business sold about the consumer in the preceding 12 months, or a statement that it has not sold any personal information
- \*categories of personal information about the consumer that the business disclosed for a business purpose in the preceding 12 months, or a statement that it has not disclosed any personal information for business purposes.

Under California Civil Code Section 1798.83 our customers and users who are California residents are permitted to request certain information about the types of information shared by Eatslink with third parties for their direct marketing purposes and the identities of those third parties. To make such a request please send an email

to: Support@eatslink.com or write to us at:

Eatslink Inc.  
101 N. Verdugo Rd. 9223  
Glendale, CA 91206  
Support@eatslink.com

## INFORMATION WE COLLECT AND HOW WE COLLECT IT

Generally, you control the amount and type of information that you provide to us when using our mobile app.

### **Automatic Information**

We automatically receive information from your web browser or mobile device. This information may also include the IP address of your device/the proxy server you use to access the Internet, your Internet service provider's name, your web browser type, the type of mobile device, and data about your browsing activity when using our mobile app. We use all this information to analyze trends among our users to help improve our mobile app.

### **When Using Our Mobile App**

When you use our mobile app and agree to accept cookies, some of these cookies may contain your PD.

### **Our Use of Cookies**

Our mobile app uses cookies. A cookie is a small piece of data or a text file that is downloaded to your computer or mobile device when you access certain websites or mobile apps. Cookies may contain text that can be read by the web server that delivered the cookie to you. The text contained in the cookie generally consists of a sequence of letters and numbers that uniquely identifies your computer or mobile device; it may contain other information as well.

By agreeing to accept our use of cookies you are giving us and the third parties with which we partner permission to place, store, and access some or all the cookies described below on your computer.

- **Strictly Necessary Cookies** - These cookies are necessary for proper functioning of the mobile app, such as displaying content, logging in, validating your session, responding to your request for services, and other functions. Most web browsers can be set to disable the use of cookies. If you disable these cookies, you may not be able to access features on our mobile app correctly or at all.
- **Performance Cookies** - These cookies collect information about the use of the mobile app, such as pages visited, traffic sources, users' interests, content management, and other mobile app measurements.

- **Functional Cookies** - These cookies enable the mobile app to remember users' choices, such as their language, usernames, and other choices while using the mobile app. They can also be used to deliver services, such as letting a user create a blog post, listen to audios, or watch videos.
- **Media Cookies** - These cookies can be used to improve a mobile app's performance and provide special features and content. They can be placed by us or third parties who provide services to us.
- **Advertising or Targeting Cookies** - These cookies are usually placed and used by advertising companies to develop a profile of your browsing interests and serve advertisements on other mobile apps and websites that are related to your interests. You will see less advertising if you disable these cookies.
- **Session Cookies** - These cookies allow mobile apps to link the actions of a user during a browser session. They may be used for a variety of purposes, such as remembering what a user has put in their shopping cart as they use a mobile app. Session cookie also permit users to be recognized as they navigate a mobile app so that any item or page changes they make are remembered. Session cookies expire after a browser session; they are not stored long term.
- **Persistent Cookies** - These cookies are stored on a user's device between browser sessions, which allows the user's preferences or actions across a mobile app or across different mobile apps or websites to be remembered. Persistent cookies may be used for several purposes, including remembering users' choices and preferences when using a mobile app or to target advertising to them.
- We may also use cookies for:
  - identifying the areas of our mobile that you have visited
  - personalizing content that you see
  - our mobile app analytics
  - re marketing our products or services to you
  - remembering your preferences, settings, and login details
  - targeted advertising and serving ads relevant to your interests
  - affiliate marketing
  - allowing you to post comments
  - allowing you to share content with social networks.

Most web browsers can be set to disable the use of cookies. However, if you disable cookies, you may not be able to access features on our mobile app correctly or at all.

### **At User Registration**

When you register as a user, we collect your name, address, email address and phone number.

### **When Buying Products or Services**

If you buy products or services from us, we collect your first and last name, email address, physical address, credit card or other payment information, phone number, and other information listed.

### **Collecting Information About Your Physical Location**

When you use our services, we may collect and process information about your actual physical location. We use several technologies such as GPS and IP tracking to determine your location. These technologies may also give us information about nearby cell towers, Wi-Fi access points, and other devices.

### **What Happens If You Don't Give Us Your PD**

If you do not provide us with enough PD, we may not be able to provide you all our products and services.

## **HOW YOUR INFORMATION IS USED AND SHARED**

We use the information we receive from you to:

- provide our products and services you have requested or purchased from us
- personalize and customize our content
- make improvements to our mobile app
- contact you with updates to our mobile app, products, and services
- resolve problems and disputes
- contact you with marketing and advertising that we believe may be of interest to you.

### **Communications and Emails**

When we communicate with you about our mobile app, we will use the email address you provided when you registered as a user or customer. We may also send you emails with promotional information about our mobile app or offers from us or our affiliates unless you have opted out of receiving such information. You can change your contact preferences at any time through your account or by contacting us using the contact information at the top of this privacy notice.

### **Sharing Information with Affiliates and Other Third Parties**

We do not sell or rent your PD to third parties for marketing purposes. However, for data aggregation purposes we may use your NPD, which might be sold to other parties at our discretion. Any such data aggregation would not contain any of your PD. We may give your PD to third-party service providers whom we hire to provide services to us. These third-party service providers may include but are not limited to payment processors, web analytics companies, advertising networks, call centers, data

management services, help desk providers, accountants, law firms, auditors, shopping cart and email service providers, and shipping companies.

### **Sharing Information With Business Partners**

We may share your PD with our business partners. The business partners include general business partners, affiliates, and joint venture partners. We share this information with them so that they can send you information about our products and services as well as their products and services. When you choose to take part in our services and/or offerings, you are authorizing us to provide your email address and other PD to our business partners. Please understand that when we share your PD with our business partners, your PD becomes subject to our business partners' as well as our privacy notice.

### **Text Messaging and Push Notifications**

If you provide a mobile telephone number to us, you are giving your consent and authorize us or a third party to send you text messages and push notifications. You are not required to give us your consent for these text messages and push notifications. However, withholding your consent may interfere or prevent us from providing some or all of our services to you. You can stop receiving text messages and push notifications at any time.

### **Legally Required Releases of Information**

We may be legally required to disclose your PD if such disclosure is (a) required by subpoena, law, or other legal process; (b) necessary to assist law enforcement officials or governmental enforcement agencies; (c) necessary to investigate violations of or otherwise enforce our terms and conditions; (d) necessary to protect us from legal action or claims from third parties, including you and/or other users; or (e) necessary to protect the legal rights, personal/real property, or personal safety of our company, users, employees, and affiliates.

### **Disclosures to Successors**

If our business is sold or merges in whole or in part with another business that would become responsible for providing our mobile app to you, we retain the right to transfer your PD to the new business. The new business would retain the right to use your PD according to the terms of this privacy notice as well as to any changes to this privacy notice as instituted by the new business. We also retain the right to transfer your PD if our company files for bankruptcy and some or all of our assets are sold to another individual or business.

### **RETAINING AND DESTROYING YOUR PD**

We retain information that we collect from you (including your PD) only for as long as we need it for legal, business, or tax purposes. Your information may be retained in electronic, paper, or a combination of both forms. When your information is no longer needed, we will destroy, delete, or erase it.



## UPDATING YOUR PD

You can update your PD using services found on our mobile app. If no such services exist, you can contact us using the contact information found at the top of this privacy notice and we will help you. However, we may keep your PD as needed to enforce our agreements and to comply with any legal obligations.

## REVOKING YOUR CONSENT FOR USING YOUR PD

You have the right to revoke your consent for us to use your PD at any time. Such optout will not affect disclosures otherwise permitted by law including but not limited to: (i) disclosures to affiliates and business partners, (ii) disclosures to third-party service providers that provide certain services for our business, such as payment processors, web analytics companies, advertising networks, call centers, data management services, help desk providers, accountants, law firms, auditors, shopping cart and email service providers, and shipping companies, (iii) disclosures to third parties as necessary to fulfill your requests, (iv) disclosures to governmental agencies or law enforcement departments, or as otherwise required to be made under applicable law, (v) previously completed disclosures to third parties, or (vi) disclosures to third parties in connection with subsequent contests or promotions you may choose to enter, or third-party offers you may choose to accept. If you want to revoke your consent for us to use your PD, please contact us through the contact information at the top of this privacy notice.

## PROTECTING THE PRIVACY RIGHTS OF THIRD PARTIES

If any postings you make on our mobile app contain information about third parties, you agree to make sure that you have permission to include that information. While we are not legally liable for the actions of our users, we will remove any postings about which we are notified, if such postings violate the privacy rights of others.

## DO NOT TRACK SETTINGS

Some web browsers have settings that enable you to request that our mobile app not track your movement within our mobile app. Our mobile app does not obey such settings when transmitted to and detected by our mobile app. You can turn off tracking features and other security settings in your browser by referring to your browser's user manual.

## LINKS TO OTHER WEBSITES

Our mobile app may contain links to other websites. These websites are not under our control and are not subject to our privacy notice. These websites will likely have their own privacy notices. We have no responsibility for these websites and we provide links to these websites solely for your convenience. You acknowledge that your use of and access to these websites are solely at your risk. It is your responsibility to check the privacy notices of these websites to see how they treat your PD.

## PROTECTING CHILDREN'S PRIVACY

Even though our mobile app is not designed for use by anyone under the age of 18, we realize that a child under the age of 18 may attempt to access our mobile app. We do not knowingly collect PD from children under the age of 18. If you are a parent or guardian and believe that your child is using our mobile app, please contact us. Before we remove any information we may ask for proof of identification to prevent malicious removal of account information. If we discover that a child is accessing our mobile app, we will delete his/her information within a reasonable period of time. You acknowledge that we do not verify the age of our users nor have any liability to do so.

### OUR EMAIL POLICY

You can always opt out of receiving email correspondence from us or our affiliates. We will not sell, rent, or trade your email address to any unaffiliated third party without your permission except in the sale or transfer of our business, or if our company files for bankruptcy.

### OUR SECURITY POLICY

We have built our mobile app using industry-standard security measures and authentication tools to protect the security of your PD. We and the third parties who provide services to us also maintain technical and physical safeguards to protect your PD. Unfortunately we cannot guarantee prevention of loss or misuse of your PD or secure data transmission over the Internet because of its nature. We strongly urge you to protect any login information and password you may have for our mobile app and not share it with anyone.

### USE OF YOUR CREDIT CARD

You may have to provide a credit card to buy products and services from us. We do not store your credit card information. We use third-party billing services and have no control over them. We use commercially reasonable efforts to ensure that your credit card number is kept strictly confidential by using only third-party billing services that use industry-standard encryption technology to protect your credit card number from unauthorized use. However, you understand and agree that we are in no way responsible for any misuse of your credit card number.

### CHANGES TO OUR PRIVACY NOTICE

We reserve the right to change this privacy notice at any time. If our company decides to change this privacy notice, we will post those changes on our mobile app so that our users and customers are always aware of what information we collect, use, and disclose. If at any time we decide to disclose or use your PD in a method different from that specified at the time it was collected, we will provide advance notice by email sent to the email address on file in your account. Otherwise we will use and disclose our users' and customers' PD in agreement with the privacy notice in effect when the information was collected. In all cases your continued use of our mobile app, services, and products after any change to this privacy notice will constitute

your acceptance of such change. If you have questions about our privacy notice, please contact us through the information at the top of this privacy notice.

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