

## **Privacy Policy**

**This Privacy Policy was last updated on  
January 25, 2019**

### **Protecting Your Privacy**

We, CAKE (we, us, our), are committed to protecting the privacy of our users. To this end, we believe that you have the right to know what information we collect about you, how the information is used, and how you can access or change any of this information.

This privacy policy (Privacy Policy) explains how we use your information and explains what you can expect from CAKE when it comes to the protection of your personal data (your personal information). This Privacy Policy is provided in a layered format so you can click through to the specific areas set out below.

Please note that we also process personal data on behalf of our clients who use our CAKE platform(s). In those situations, it is the client who determines the purposes and means of the processing of personal data. Whilst there is a written contract in place between us and our client which sets out our data protection obligations, we neither control what personal data our clients collect nor how they use it. We are not responsible for their privacy statements. This Privacy Policy neither applies to such clients' use of personal data, nor to our processing of such personal data for such clients. Please consult the terms and conditions and privacy policy of the relevant client to find out how they use your information and to establish whether and for what purpose they collect it.

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## **About us**

We are CAKE Software, Inc., a corporation incorporated under the laws of Delaware, USA, located at 20411 SW Birch St. Suite 250 Newport Beach, CA 92660, USA.

This Privacy Policy is issued on behalf of CAKE Software, Inc., so when we mention 'CAKE', 'we', 'us' or 'our' in this Privacy Policy, we are referring to CAKE Software, Inc.

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

## **Contact Details**

You can contact us as follows:

FAO: Kevin King, DPO

Address: 20411 SW Birch St. Suite 250 Newport Beach, CA 92660, USA

Email: **privacy@getCAKE.com**

Phone: (00 1) 949-515-2126

Our EU representative's contact details are:

FAO: Ben Cockburn, Data Protection Manager

Address: CAKE Marketing UK Ltd., 33 Foley Street, Fitzrovia, W1W 7TL, London, UK

Email: **privacy@getCAKE.com**

Phone: [+44 (0) 207-082-8210]

If you prefer, you can of course always contact us using our US contact details set out above.

## **What Information Is Collected?**

### **Information that you provide to us**

We collect personal data from voluntary user registrations, requests for information, surveys, mailing lists subscriptions, job applications, contact forms and emails. We may also collect personal data that you provide to us when you purchase a product or service from us, or contact or otherwise correspond with us.

The information you provide to us might include your identity and contact data (name, address, email address, and phone number). If you are creating an account you may also provide a password. If you are purchasing a service from us you will also need to provide your payment details. If you are submitting a job application you may also provide your CV, additional information about your academic and work history, references, and any other such similar or related information as may be supplied.

### **Information that we collect about you**

We may collect any information contained in any correspondence between us. For example, if you contact us using a form on our site or by email, telephone, Skype, or otherwise, we may keep a record of that correspondence.

We may also collect certain technical and usage information when you visit one of our websites (**getcake.com** and **marketingintelligence.com**) about which pages you visit, how long you visit certain pages, and how you arrived at our website among other things. This might include your IP address, geographical location, device information (such as your hardware model, mobile network information, unique device identifiers), browser type, referral source, length of visit to the website, number of page views, the search queries you make on the website, and similar information. This information may be collected by a third-party website analytics service provider on our behalf and/or may be collected using cookies. For more information on exactly what information is obtained, please read the section titled "What Are Cookies?" below or contact us at **privacy@getCAKE.com**.

### **Information that we receive from third parties**

In certain circumstances, we will receive information about you from third parties. For example:

1. if you are a job applicant we may contact your current and former employers and/or references to provide information about you;
2. we may use third-party providers to obtain or verify your contact information. For example, we may use third-party databases or websites (such as LinkedIn, io) and other publicly available sources to confirm your contact details; and
3. we might also receive information about you from third parties if you have indicated to such third party that you would like to hear from us.

# Why Do You Collect Information?

We collect and use your information for the purposes listed below either on the basis of:

1. performance of your contract with us and the provision of our services to you;
2. your consent (where we request it);
3. where we need to comply with a legal or regulatory obligation; or
4. our legitimate interests (see below for more details).

We may use your information for the following purposes:

1. **access to our website:** to improve your user experience through the customization of content and layouts of various pages, (including sharing your information with our website hosts and developers, our digital consultant, designer and website manager) (on the basis of our legitimate interest to ensure our website is presented in an effective and optimal manner);
2. **registration of your account:** when you sign up to use our services, we will use the details provided on your account registration form (on the basis of performing our contract with you);
3. **relationship management and marketing:** to respond to your requests for information and keep you informed about new features and services that we offer along with any content that we provide through our newsletters, provided that we have the requisite permission to do so (either on the basis of your consent where we have requested it, or, alternatively, our legitimate interests to provide you with marketing communications where we may lawfully do so) and provided that you have not asked us to not contact you;
4. **processing and facilitation of transactions:** we will use your information to process transactions and payments, and to collect and recover money owed to us (on the basis of performing our contract with you and on the basis of our legitimate interest to recover debts due);

**5. suggestions and recommendations:** share your information with reputable organizations who may contact you with special offers of possible interest (where we have your consent to do so or, alternatively, on the basis of our legitimate interests to operate a business) and provided that you have not asked us to not to share your data in this way;

**6. user and customer support:** to provide customer service and support (on the basis of our contract with you), deal with enquiries or complaints about the website and share your information with our third-party service providers as necessary to provide customer support (on the basis of our legitimate interest in providing the correct products and services to our website users);

**7. recruitment:** to process any job applications you submit to us (on the basis of your consent where we have requested it, or, alternatively, our legitimate interests to consider job applications, or where we otherwise have a legal obligation to process certain information about our job applicants);

**8. prize draws, competitions and surveys:** to enable you to take part in prize draws, competitions and surveys (on the basis of performing our contract with you and our legitimate interest in studying how our website and services are used, to develop them and grow our business);

**9. fraud and unlawful activity detection:** to protect, investigate, and deter against fraudulent, unauthorized, or illegal activity, including identity fraud (on the basis of our legitimate interests to operate a safe and lawful business or where we otherwise have a legal obligation to do so);

**10. compliance with policies, procedures and laws:** to enable us to comply with our policies and procedures and enforce our legal rights, or to protect the rights, property or safety of our employees, and share your information with our technical and legal advisors (on the basis of our legitimate interests to operate a safe and lawful business or where we otherwise have a legal obligation to do so); and

**11. research and analytics:** to carry out aggregated and anonymized research about general engagement with our website and the use of our services and products (on the basis of our legitimate interest in providing



the right kinds of products and services to our website users, and improving our website, products and services). Please read the section titled "Analytical Data" below for more information.

Where we refer to using your information on the basis of our "legitimate interests", we mean our legitimate business interests in conducting and managing our business and our relationship with you, including the legitimate interest we have in:

- 1. personalizing, enhancing, modifying or otherwise improving the services, products and/or communications that we provide to you, such as sending you marketing and serving you with advertising that is relevant and likely to be of interest to you;**
- 2. managing payments, fees, and charges and collecting and recovering money owed to us;**
- 3. detecting and preventing fraud and operating a safe and lawful business;**
- 4. maintaining and improving security and optimization of our network, sites and services;**
- 5. confirming information that you provide to us in a CV or job application, by reference to past employers and/or publicly available employment or business profiles; and**
- 6. making suggestions and recommendations to you about products or services that may be of interest to you.**

Where we use your information for our legitimate interests, we make sure that we take into account any potential impact that such use may have on you and your rights before we process your personal data for our legitimate interests. Our legitimate interests don't automatically override yours and we won't use your information if we believe your interests should override ours unless we have other grounds to do so (such as your consent, or a legal obligation we have). 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 using the contact details set out in the 'About us' section.

If you have any concerns about our processing please refer to details set out in the section "What Rights Do I Have?" below.

As we outline in the section "What Rights Do I Have?" below, from 25 May 2018 you will have the right to object to our using your information for our legitimate interests. However, please keep in mind that your objection to this sort of processing may affect our ability to carry out the tasks that we have set out above.

### **Analytical Data**

We may use your personal data with non-personal data that we have collected in a manner such that the end-product does not personally identify you or any other user of our site. We may make your personal data non-personally identifiable by either combining it with information about other users (aggregating your personal data with information about other users) or by removing characteristics (such as your name or email address) that make the information personally identifiable. This process is known as anonymizing (or de-personalizing) your information.

Please note that, pursuant to section 7.4. of our **Terms of Use**, you grant us a royalty-free, worldwide, perpetual, irrevocable and fully transferable right and license to use your personal information in connection with the creation and development of analytical and statistical analysis tools relating to the use of the customer data we collect in providing the site and our services (the "Analytical Data"). We are expressly authorized

to make any commercial use of the Analytical Data, including without limitation, sharing the Analytical Data with third parties, provided that we do not sell, trade, or otherwise transfer from us any part of the Analytical Data that personally identifies any of our website users.

## Who Do You Share My Information With?

In connection with the purposes and on the lawful grounds described above and in addition to the recipients of your information as described above, we may disclose your personal information to:

1. companies of the CAKE group based in the US and in the UK;
2. third-party service providers we work with to prepare or send any communications to you, or to assist us in connection with any of our administrative or business functions, or in the provision of any of our products or our services to you (including for example, hosting or operating the website and our databases and site analytics); provided that, where required by European data protection laws and/or the Privacy Shields (as defined below), we enter into written agreements with those third-party agents and service providers requiring them to provide the same level of protection that European data protection laws and/or the Privacy Shield require and limiting their use of the data to the specified services provided on our behalf;
3. any prospective seller or buyer of our business or assets, only in the event that we decide to sell or buy any of our business or assets;
4. any other third parties (including legal or other advisors, regulatory authorities, courts and government agencies) where necessary to enable us to enforce our legal rights, or to protect the rights, property or safety of our employees or where such disclosure may be permitted or required by law (for example, we may need to disclose certain information to comply with laws, regulations, court orders, subpoenas, search warrants, or other legal reasons in the course of a legal proceeding or in response to a law enforcement agency request); and

5. other reputable businesses whose products or services may be of value to you (in the circumstances set out above); provided that, if required by European data protection laws and/or the Privacy Shield (as defined below), we will (i) enter into written contracts with any unaffiliated third-party data controllers requiring them to provide the same level of protection for your personal information that European data protection laws and/or the Privacy Shield require; and (ii) limit their use of your personal information so that it is consistent with any consent you have provided and with the notices you have received.

Where we do share your information with third parties, we will require such third parties to comply with this Privacy Policy and maintain appropriate security to protect your information from unauthorized access or processing, unless we have no ability to do so (for example, where we are sharing information with regulatory authorities or courts). In addition, we take reasonable and appropriate steps to ensure that third parties process your personal information in accordance with our European data protection laws and/or Privacy Shield obligations, where applicable, and to stop and remediate any unauthorized processing of your personal information. Under certain circumstances, we may remain liable for the acts of our third-party agents or service providers who perform services on our behalf with respect to their handling of personal data that we transfer to them pursuant to European data protection laws and/or the Privacy Shield.

## **What Are Cookies?**

We may use cookies to store your individual user preferences in order to make your user experience more enjoyable in the future. Cookies are tiny bits of information stored by your browser on the device you use to

access our website. Most browsers are initially set up to accept cookies by default and they are commonly found on many websites throughout the Internet.

If you wish to disable cookies, there is a simple procedure in most Internet browsers that allow you to turn off cookies. For more information about how to reject cookies using your internet browser settings please consult the "Help" section of your internet browser (or alternatively visit <http://www.aboutcookies.org>). However, note that cookies may be required to use certain features of our website and that of many others.

We may also use third-party advertising companies to serve ads when you visit our website. These companies may use information about your visits to this and other web sites in order to provide advertisements about goods and services of interest to you. If you would like more information about this practice and become aware of your choice to not have this information used by companies, please contact us at [privacy@getCAKE.com](mailto:privacy@getCAKE.com).

**The names of the cookies used on our website and the purposes for which these cookies are used are set out in the table below:**

### **CAKE as Processor**

<b>Cookie Name</b>	<b>Purpose</b>	<b>Duration (C4N)</b>	<b>Duration (C4A)</b>
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trk	Used to refer to related offers	5 years	5 years
i123	Used to track the viewing of an advertisement or offer, where 123 is the identifier of the offer	Varies, but is typically 30 days	5 years
c456	Used to track the viewing of an advertisement or offer, where 456 is the identifier of the offer	Varies, but is typically 30 days	5 years
sess	Used to refer to related offers	Removed when browser closes	Removed when browser closes
x789	Used to track the clicking of a lite-click an advertisement or offer, where 789 is the identifier of the offer	Varies, but is typically 30 days	Varies, but is typically 30 days
v1234	Used to track the voucher code conversion of an advertisement or offer, where 1234 is the identifier of the offer	Varies, but is typically 30 days	Varies, but is typically 30 days
CKM_sess12345	Used to track the visit of page, where 12345 is the	Removed when browser closes.	Removed when browser closes.

	identifier of the creative ID.		
CKM_sessabcdef	Used to track the visit of a page, where abcdef is the identifier of the creative third party name.	Removed when browser closes.	Removed when browser closes.
ckmsid	Used to track the visit of a page to determine if a click should be generated.	Removed when browser closes.	Removed when browser closes.
CKM_sess_crn_abcdef	Used to track the visit of a page, where abcdef is the identifier of the creative third-party name.	Removed when browser closes.	Removed when browser closes.

## Marketing Purposes (CAKE as Controller)

Cookie Name	Purpose
APID	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
__adroll	Registers a unique ID that identifies a returning user's device. The ID is used for targeted ads.
__ar_v4	Optimizes ad display based on the user's movement combined and various advertiser bids for displaying user ads.

__cfduid	Used by the content network, Cloudflare, to identify trusted web traffic.
__hssc	Collects anonymous statistical data related to the user's website visits, such as the number of visits, average time spent on the website and what pages have been loaded. The purpose is to segment the website's users according to factors such as demographics and geographical location, in order to enable media and marketing agencies to structure and understand their target groups to enable customized online advertising.
__hssrc	Collects anonymous statistical data related to the user's website visits, such as the number of visits, average time spent on the website and what pages have been loaded. The purpose is to segment the website's users according to factors such as demographics and geographical location, in order to enable media and marketing agencies to structure and understand their target groups to enable customized online advertising.
Menu	
__hstc	Collects anonymous statistical data related to the user's website visits, such as the number of visits, average time spent on the website and what pages have been loaded. The purpose is to segment the website's users according to factors such as demographics and geographical location, in order to enable media and marketing agencies to structure and understand their target groups to enable customized online advertising.
__lc.visitor_id.8808551	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits to assist in the interactive live chat module
__lc_vv	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits to assist in the interactive live chat module
__livechat	Used to hide the user's personal



customization of LiveChat.

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__livechat_lastvisit	Stores when the user last used LiveChat.
__qca	Collects anonymous data on the user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded with the purpose of generating reports for optimizing the website content.
__stid	Registers a unique ID that identifies the user's device for return visits.
__unam	Saves the user's navigation on the website including what pages have been viewed and how long the browser has been used to view each page.
__utma	Collects data on the number of times a user has visited the website as well as dates for the first and most recent visit. Used by Google Analytics.
__utmb	Registers a timestamp with the exact time of when the user accessed the website. Used by Google Analytics to calculate the duration of a website visit.
__utmc	Registers a timestamp with the exact time of when the user leaves the website. Used by Google Analytics to calculate the duration of a website visit.
__utmt	Used to throttle the speed of requests to the server.
__utmz	Collects data on where the user came from, what search engine was used, what link was clicked and what search term was used. Used by Google Analytics.
_ga	Registers a unique ID that is used to generate statistical data on how the visitor uses the website.

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_gat	Used by Google Analytics to throttle request rate
_gid	Registers a unique ID that is used to generate statistical data on how the visitor uses the website.
_mkto_trk	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (Marketo)
1P_JAR	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (google)
	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising it is used for Adroll advertising
anj	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (adnxs.com)
APID	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
AWSELB	Used to distribute traffic to the website on several servers in order to optimize response times.
bcookie	Used by the social networking service, LinkedIn, for tracking the use of embedded services.
BIGipServerab04web_app_https	This cookie is associated with managing sessions on load-balanced servers, to ensure user requests are routed consistently to the correct server. This cookie is essential in order to enable you to move around the website and use its features, such as accessing secure areas

of the website. Without this cookie services, you may ask for cannot be provided. Category: Strictly necessary

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BizID	To the best of our knowledge the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (bizographics – LinkedIn)
c	Regulates synchronization of user identification and exchange of user data between various ad services.
catAccCookies	Cookie set by the cookie consent plugin to record that you accept the fact that the site uses cookies.
ck1	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded, with the purpose of displaying targeted ads.
CKM_sess_7143	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
ckmsid	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
CMID	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded, with the purpose of displaying targeted ads.
CMPRO	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
CMPS	Collects anonymous data related to the

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user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded, with the purpose of displaying targeted ads.

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CMRUM3	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded, with the purpose of displaying targeted ads.
CMSC	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on the website and what pages have been loaded, with the purpose of displaying targeted ads.
d	The domain that hosts this cookie is owned by Quantcast. The main business activity is: Market and Audience Segmentation, Targeted advertising services
fr	Used by Facebook to deliver a series of advertisement products such as real-time bidding from third-party advertisers.
guest_id	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on the website and which pages have been loaded, with the purpose of personalizing and improving the Twitter service.
hubspotutk	To the best of our knowledge the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (google tag manager)
IDE	The domain that hosts this cookie is owned by Doubleclick (Google). The main business activity is: Doubleclick is Google's real time bidding advertising exchange
IDSYNC	To the best of our knowledge, the purpose

of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising

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KADUSERCOOKIE	The domain that hosts this cookie is owned by Pubmatic. It operates an advertising exchange platform where online publishers can sell targeted advertising space to media buyers using real-time bidding.
khaos	Registers anonymized user data, such as IP address, geographical location, visited websites, and what ads the user has clicked, with the purpose of optimizing ad display based on the user's movement on websites that use the same ad network.
KRTBCOOKIE_10	Registers a unique ID that identifies the user's device during return visits across websites that use the same ad network. The ID is used to allow targeted ads.
lang	Remembers the user's selected language version of a website
lc_window_state	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits to assist in the interactive live chat module
main_window_timestamp	Used to hide the user's personal customization of LiveChat.
main_window_timestamp_0	Used to hide the user's personal customization of LiveChat.
main_window_timestamp_1	Used to hide the user's personal customization of LiveChat.
mc	Collects data on the user's visits to the website, such as what pages have been loaded. The registered data is used for targeted ads.
message_text	To the best of our knowledge, the purpose of this cookie is to obtain statistical data

	related to the user's website visits to assist in the interactive live chat module
NID	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (google)
notification[status_ping]	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits to assist in the interactive live chat module
personalization_id	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
PUBMDCID	Registers a unique ID that identifies the user's device during return visits across websites that use the same ad network. The ID is used to allow targeted ads.
PugT	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
put_2760	Registers anonymized user data, such as IP address, geographical location, visited websites, and what ads the user has clicked, with the purpose of optimizing ad display based on the user's movement on websites that use the same ad network.
put_3644	Registers anonymized user data, such as IP address, geographical location, visited websites, and what ads the user has clicked, with the purpose of optimizing ad display based on the user's movement on websites that use the same ad network.
recent_window	Used to hide the user's personal customization of LiveChat.
rlas3	Collects anonymous data related to the user's visits to the website, such as the number of visits, average time spent on

the website and what pages have been loaded, with the purpose of displaying targeted ads.

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rpb	Registers anonymized user data, such as IP address, geographical location, visited websites, and what ads the user has clicked, with the purpose of optimizing ad display based on the user's movement on websites that use the same ad network.
rpx	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
rtn1-z	This domain is owned by Live Ramp Inc, providers of a platform for targeted marketing and profiling. The main purpose of cookies set by this host is: Targeting/Advertising
sid	Preserves users states across page requests.
site_identity	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
sliguid	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
slirequested	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
stx_user_id	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (live-chat)
symfony	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for

## Targeting/Advertising (Improvely)

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t_gid	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (Adroll)
taboola_usg	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising
tuuid	Registers whether or not the user has consented to the use of cookies.
tuuid_last_update	Used to target ads by recording user behavior across sites.
UserMatchHistory	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for Targeting/Advertising (ads.linkedin.com)
uuid2	This cookie contains a unique randomly-generated value that enables the Platform to distinguish browsers and devices. It is matched against information – such as advertising interest segments and histories of ads shown in the browser or device – provided by clients or other third parties and stored on the Platform. This information is used by clients to select advertisements for delivery by the Platform, and to measure the performance of, and attribute payment for, those advertisements. In addition, to enable clients to use non-PII they collect outside the Platform or acquire from other third parties, this cookie is sometimes matched to clients' or other third parties' cookies that contain such non-PII. (appnexus.com)
UULE	These cookies are used to collect information about how visitors use our Site. We use the information to compile reports and to help us improve the Site. The cookies collect information in an anonymous form, including the number of visitors to the Site, where visitors have



come to the Site from and the pages they visited. If you do not allow these cookies we will not be able to include your visit in our statistics. You can read the full Google Analytics privacy policy at <http://www.google.com/policies/privacy/>.

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wfvt_1013976810	Remembers the user's submitted data when a comment is submitted in a blog post. The purpose is to auto-populate form fields for subsequent comments, in order to save time for the user.
wfvt_2119379668	Remembers the user's submitted data when a comment is submitted in a blog post. The purpose is to auto-populate form fields for subsequent comments, in order to save time for the user.
wfvt_644812304	Remembers the user's submitted data when a comment is submitted in a blog post. The purpose is to auto-populate form fields for subsequent comments, in order to save time for the user.
wordfence_verifiedHuman	To the best of our knowledge, the purpose of this cookie is to obtain statistical data related to the user's website visits and for use in the security software installed on the website

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Our website may contain content and links to other sites that are operated by third parties that may also operate cookies. We don't control these third-party sites or cookies and this Privacy Policy does not apply to them. Please consult the terms and conditions and Privacy Policy of the relevant third-party site to find out how that site collects and uses your information and to establish whether and for what purpose they use cookies.

## Children Under 13

We are concerned about the safety of children. Our website is not intended for children. We do not knowingly allow anyone under the age of 13 to provide us with personal data, and we do not knowingly collect or maintain such personal data. If you are under the age of 13, please do not access our website at any time or in any manner. We will take appropriate steps to delete the personal data of persons under the age of 13.

## **Hyperlinks**

We may link to other websites with information gathering practices that differ from our own. Visitors should carefully review privacy policies for all websites they visit as we have no control over information submitted or collected by third parties.

We may also offer contests, sweepstakes, or other promotions from time to time that are sponsored or co-sponsored by third parties. These third parties may obtain personal data that visitors voluntarily submit to participate in the contest, sweepstake or promotion. We have no control over how these third parties use this data; however, we will notify you whenever you fill out a form that will provide them access to such data.

## **How Is Data Secured?**

We use industry-standard encryption technologies when transferring and receiving personal data. We also have appropriate security measures to protect against loss, misuse or alteration of information that we collect from you.

We operate a policy of “privacy by design” by looking for opportunities to minimize the amount of personal information we hold about you. We use appropriate technological and operational security measures to protect your information against any unauthorized access or unlawful use, such as:

- 1. ensuring the physical security of our offices, or other sites;**
- 2. ensuring the physical and digital security of our equipment and devices by using appropriate password protection and encryption;**
- 3. maintaining an internal data protection policy for, and delivering data protection training to, our employees; and**
- 4. limiting access to your personal information to those in our company who need to use it in the course of their work.**

## **How Long Is Data Kept For?**

We will retain your information for as long as is necessary to provide you with the services that you have requested from us or for as long as we reasonably require to retain the information for our lawful business purposes (such as for the purposes of exercising our legal rights), or for as long as the law otherwise permits.

We operate a data retention policy and look to find ways to reduce the amount of information we hold about you and the length of time that we need to keep it.

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 unauthorised 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.

Please contact us using the information provided in the 'About us' section above if you would like to obtain details of our retention periods for different aspects of your personal data.

## What Rights Do I Have?

### Your rights

You have certain rights in respect of the information that we hold about you, including:

- 1. the right to ask us not to process your personal data for marketing purposes;**
- 2. the right to request access to the information that we hold about you;**
- 3. in certain circumstances, the right to object to processing, i.e. to ask us to stop processing information about you; and**
- 4. the right to lodge a complaint about us to the UK Information Commissioner's Office (<https://ico.org.uk/>).**

From 25 May 2018, 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. We will 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.

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.

Please note that we may need to retain certain information for our own record-keeping and research purposes. We may also need to send you service-related communications relating to your website user account even when you have requested not to receive marketing communications.

## **Your future rights**

From 25 May 2018, in accordance with new data protection laws which will be in force from that date, you will have certain additional rights in respect of the information that we hold about you, including:

1. the right to lodge a complaint about us to the UK Information Commissioner's Office (<https://ico.org.uk/>) or the relevant authority in your country of work or residence;
2. the right to withdraw your consent for our use of your information in reliance of your consent (refer to section titled "Why Do You Collect Information?" above to see when we are relying on your consent), which you can do by contacting us using the details set out at the top of this Privacy Policy;
3. the right to object to our using your information on the basis of our legitimate interests (refer to the section titled "Why Do You Collect Information?" above to see when we are relying on our legitimate interests); and
4. the right to receive a copy of any information we hold about you in connection with the performance of our contract with you or on the basis

of your consent (or request that we transfer this to another service provider) in a structured, commonly used, machine-readable format; and

5. the right to ask us to limit or cease processing or erase information we hold about you in certain circumstances.

## **How can I exercise my rights?**

You may exercise your rights above by contacting us using the details set out at the top of this Privacy Policy in the 'About us' section, or in the case of preventing processing for marketing activities also by checking certain boxes on forms that we use to collect your data to tell us that you don't want to be involved in marketing, by using the unsubscribe option available on email communication you receive from us, or by updating your marketing preferences via your account with us.

We will comply with your requests unless we have a lawful reason not to do so.

## **Changes and Updates**

We may need to change this Privacy Policy from time to time in order to address new issues, new technologies, changes in our website or business practices. We will always post these changes so you will know what information we gather and how we may use that information. We will post any changes on our site, or notify you of any material changes. Please also consult this policy regularly for such updates. Any changes will come into effect the next time you engage with us after the changes have been notified.

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 by updating your profile account information or contacting us via the contact details at the top of this Privacy Policy.

## **Mediation**

If you are a resident of a country outside of the European Union other than Switzerland, you also agree that, in the event any dispute or claim arises out of or relating to this Privacy Policy, excepting those concerning Privacy Shield, that you and CAKE will attempt in good faith to negotiate a written resolution of the matter directly between the parties. You agree that if the matter remains unresolved for forty-five (45) days after notification (via certified mail or personal delivery) that a dispute exists, all parties shall join in mediation services in Orange County, California with a mutually agreed mediator in an attempt to resolve the dispute. Should you file any arbitration claims, or any administrative or legal actions without first having attempted to resolve the matter by mediation, then you agree that you will not be entitled to recover attorneys' fees, even if you would otherwise be entitled to them.

## **Dispute Resolution for Residents of the European Union and Switzerland**

If you are a resident of the European Union, in the event that you have any dispute or claim arising out of or relating to this Privacy Policy, you may lodge a complaint about us to the UK Information Commissioner's Office (<https://ico.org.uk/>) or the relevant authority in your country of work or residence.

## Resolution of Privacy Shield Complaints

We will investigate and attempt to resolve any complaints or disputes regarding the use or disclosure of your personal information pursuant to the Privacy Shield (a “Privacy Shield Complaint”) within forty-five (45) days of receiving your complaint. Notwithstanding anything to the contrary contained in this Privacy Policy, we have agreed to cooperate with JAMS with respect to any unresolved Privacy Shield Complaints. If you are unsatisfied with the resolution of your complaint, you may contact JAMS at **[www.jamsadr.com/eu-us-privacy-shield](http://www.jamsadr.com/eu-us-privacy-shield)** for further information and assistance. You may have the option to select binding arbitration for the resolution of your Privacy Shield Complaint under certain circumstances, provided you have taken the following steps: (a) raised your Privacy Shield Complaint directly with us and provided us the opportunity to resolve the issue; (b) made use of the independent dispute resolution mechanism provided through JAMS as identified above; and (c) raised your Privacy Shield Complaint through the relevant data protection authority and allowed the US Department of Commerce an opportunity to resolve the complaint at no cost to you. For more information on binding arbitration, see **US Department of Commerce’s Privacy Shield Framework: Annex I (Binding Arbitration)**.

## Special Note to Users Outside of the United States



Our site is hosted in the United States. If you are a user accessing our site from the European Union or any other region with laws or regulations governing personal data collection, use, and disclosure, that differ from United States laws, please be advised that your personal data will be processed outside of the European Economic Area (the "EEA"). We will take all steps necessary to ensure that your information is adequately protected and processed in accordance with this Privacy Policy, including but not limited to:

1. only transferring your personal data to **countries that have been deemed to provide an adequate level of protection for personal data** by the European Commission;
2. where we use certain service providers, by using specific contracts approved by the European Commission which give personal data the same protection it has in Europe (the so-called **European Commission's Standard Contractual Clauses**); or
3. where we use providers based in the US, we may transfer data to them under the **EU-US Privacy Shield Framework** or the **Swiss-US Privacy Shield Framework**, in each case as administered by the US Department of Commerce (the "Privacy Shield"), which requires such recipients to provide similar protection to personal data shared between Europe and the US. For more information on the Privacy Shield and our obligations thereunder, please refer to the section titled "Privacy Shield" below.

You consent to such cross-border transfers of your information. Please contact us using the contact details set out in the 'About us' section if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

# Privacy Shield

We recognize that the EEA and Switzerland (collectively, the “Privacy Shield Jurisdictions”) have established strict protections regarding the handling of certain personal information that we receive in the US from the Privacy Shield Jurisdictions (“Privacy Shield Data”), including requirements to provide adequate protection for Privacy Shield Data transferred outside of the Privacy Shield Jurisdictions. To provide adequate protection for certain Privacy Shield Data about consumers and suppliers received in the US, we have elected to self-certify to the **EU-US Privacy Shield Framework** and the **Swiss-US Privacy Shield Framework**. We adhere to the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement, and Liability.

For purposes of enforcing compliance with the Privacy Shield, we are subject to the investigatory and enforcement authority of the US Federal Trade Commission. For more information about the Privacy Shield, see the US Department of Commerce’s Privacy Shield website located at **[www.privacyshield.gov](http://www.privacyshield.gov)**. To review our representation on the Privacy Shield list, see the US Department of Commerce’s Privacy Shield self-certification list located at **[www.privacyshield.gov/list](http://www.privacyshield.gov/list)**.

## Further Questions or Comments

If you have any questions about this Privacy Policy or feel that his website has not followed its stated privacy policy, feel free to contact us by email at [\*\*privacy@getCAKE.com\*\*](mailto:privacy@getCAKE.com), by phone at (00 1) 949-515-2126, or by mail at Kevin King (DPO), CAKE, 20411 SW Birch St. Suite 250 Newport Beach, CA 92660, USA.

Note: This Privacy Policy applies to all of CAKE's owned and operated websites and to CAKE's other information gathering activities.

This Privacy Policy was last updated on 25 January 2019.

