

Love Your Melon Build Your Own Beanie Contest Privacy Notice

Last Updated/Effective Date: March 21, 2023

Love Your Melon Inc. (“**Love Your Melon**,” “**we**,” “**us**,” or “**our**”) respects your privacy.

This Privacy Notice describes the processing of Personal Information (defined below) that is provided, collected, or disclosed when you enter into our Build Your Own Beanie Contest (the “**Contest**”). It also describes the choices you may have with regard to the Personal Information we collect.

If we materially modify this Privacy Notice, we will notify you of such change and will conspicuously post an updated Privacy Notice on this website.

1. **Personal Information We Collect**

We may collect a range of Personal Information. “Personal Information” means information that uniquely identifies, relates to, describes, or is reasonably capable of being associated with or linked to you.

When you enter the contest on behalf of your child, we may collect the following Personal Information:

- **Contact Information** – This may include your name, email address, and phone number.
- **Limited Children Information** – This may include your child’s first name and age, or any other information the parent or guardian submits about its child.
- **Location Data** – While navigating our website, your mobile device or browser may share your location data, both through WiFi and GPS. We will collect this information based on the settings of your phone and browser.
- **Usage Information** – When you use our website, our servers may automatically record information, including your Internet Protocol address (IP Address), browser type, referring URLs (e.g., the site you visited before coming to our website), domain names associated with your internet service provider, information on your interaction with our website, and other such information.
- **Contest-related Information** – We may collect certain information that is specific to your Contest submission, including (a) any background story related to the beanie design; and (b) if your child wins, the hospital and/or nonprofit to whom any proceeds will be donated to.
- **Communication Information** – We may collect the contents of your communications with us, whether via e-mail or otherwise.

We do not need, nor do we want, any information related to an individual’s medical diagnoses. Please do not provide any such information to Love Your Melon or through the Contest.

2. **How We Collect Your Personal Information**

- **We May Collect Your Personal Information Directly From You** – For example, when you voluntarily submit any information for the Contest or contact us about the Contest.
- **Through Online Tracking Technologies** – We and our service providers may use cookies and similar technologies such as pixels, web beacons, and local storage to collect usage and browser information about how you use our website. We process the information collected through such technologies, which may include or be combined with Personal Information, to help operate certain features of our website, to enhance your experience through personalization, and to help us better understand the features of our website that you and other users are most interested in.

3. Cookies and Other Tracking Technologies

As mentioned, above we collect certain data from cookies, which are pieces of data stored directly on the computer or mobile device that you are using. Cookies allow us to collect data such as browser type, time spent on our website, pages visited, referring URL, language preferences, and other aggregated traffic data. We use the data for security purposes, to facilitate navigation, to display data more effectively, to collect statistical data, to personalize your experience while using our website and to recognize your computer to assist your use of our website. We also gather statistical data about use of our website to continually improve design and functionality, understand how it is used and assist us with resolving questions.

Pixel Tags and Other Similar Technologies. We collect data from pixel tags (also known as web beacons and clear GIFs), which are used to, among other things, track the actions of users of our website and compile statistics about usage of our website.

Through Analytics We use analytics services, including Google Analytics, to assist us with analyzing our website traffic through cookies and similar technologies. To learn more about how Google uses data, visit [Google's Privacy Policy](#) and Google's page on "[How Google uses data when you use our partners' sites or apps.](#)" You may download the [Google Analytics Opt-out Browser Add-on](#) for each web browser you use, but this does not prevent the use of other analytics tools. To learn more about Google Analytics cookies, visit [Google Analytics Cookie Usage on Websites](#).

Refusing cookies and similar technologies. Most browsers provide you with the ability to block, delete, or disable cookies, and your mobile device may allow you to disable transmission of unique identifiers and location data. If you choose to reject cookies or block device identifiers, some features of our website may not be available, or some functionality may be limited or unavailable. Please review the help pages of your browser or mobile device for assistance with changing your settings.

Some of our service providers or plug-ins may use cookies or other methods to gather information regarding your use of our website and may combine the information in these cookies with any Personal Information about you that they may have. The use of such tracking information by a third party depends on the privacy notice of that third party. We do not respond to Do Not Track ("DNT") signals sent to us by your browser at this time. To learn more about how DNT works, please visit <http://allaboutdnt.com/>.

3. How We Use Personal Information

We may use your Personal Information for the following purposes:

- **To provide the Contest**, such as operating the Contest (including posting limited Personal Information to our social media pages to highlight a Contest submission), providing Contest-related support, publishing the winners and winning design, and fulfilling any customer requests related to the Contest.
- **To communicate with you**, such as responding to your questions and comments and notifying you of updates to the Contest.
- **For legal, security, or safety reasons**, such as protecting our and our users' safety, property, or rights, complying with legal requirements, enforcing our terms, conditions, and policies, detecting, preventing, and respond to security incidents, and protecting against malicious, deceptive, fraudulent, or illegal activity.

4. **Disclosure of Personal Information**

We may share your Personal Information in the following circumstances:

- **To Service Providers** – When we hire a service provider to help operate or run the Contest, we may give access to Personal Information as necessary to perform the service for us. This may include service providers that operate the Contest or our website.
- **For Legal Obligation or Safety Reasons** – When we have a good faith belief that access, use, preservation or disclosure of Personal Information is reasonably necessary to (a) satisfy or comply with any requirement of law, regulation, legal process, or enforceable governmental request, (b) enforce or investigate a potential violation of the Contest Rules, (c) detect, prevent, or otherwise respond to fraud, security or technical concerns, (d) support auditing and compliance functions, or (e) protect the rights, property, or safety of Love Your Melon, the Contest, Contest entrants, or the public against harm.
- **In the Case of a Merger or Sale** – If and when we are involved in a merger, acquisition, or any form of transfer or sale of some or all of its business, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding. Personal Information may be transferred along with the business. Where legally required we will give you prior notice and if you have a legal right to do so, an opportunity to object to this transfer.

5. **How Long Do We Keep Your Personal Information?**

If you are a winner of the Contest, we will retain your Personal Information for the limited purpose of publishing your child's winning design, name, and age on our website. In addition, we may retain limited Personal Information posted through our social media accounts during the Contest period, as described herein. All other Personal Information related to the Contest will be deleted thirty (30) days after the Contest ends.

6. **How We Protect Your Personal Information**

We use our commercially reasonable efforts to protect the confidentiality and security of Personal Information we process. However, despite these efforts to store Personal Information in a secure operating environment, we cannot guarantee the security of Personal Information during its transmission or its storage on our systems. Further, while we attempt to ensure the integrity and security of Personal Information, we cannot guarantee that our security measures will prevent third parties such as hackers from illegally obtaining access to Personal Information.

7. **Your Choices and Controls**

If you live somewhere other than California, you may have the following rights with respect to your Personal Information:

- **Access:** You may have the right to know what Personal Information we have collected about you and to access such data.
- **Data portability:** You may have the right to receive a copy of your information in a portable and readily usable format.
- **Deletion:** You may have the right to delete your Personal Information that we have obtained, subject to certain exceptions.

- Correction: You may have the right to correct inaccuracies in your Personal Information.
- Opt out of certain processing: You may have the right to opt out of the processing of your information for purposes of (i) targeted advertising, (ii), the sale of your Personal Information; or (iii) profiling in furtherance of decisions that produce legal or similarly significant effect concerning you. **Please note that we do not partake in any activities that would give you a right to opt out.**

To exercise any of these rights available to you, see Section 12 below.

To opt out of marketing emails, please email us at legal@loveyourmelon.com or by following the instructions included in the email or text correspondence. Please note that, even if you unsubscribe from certain correspondence, we may still need to contact you with important Contest-related information, as permitted by law. Additionally, if you choose not to provide certain Personal Information, we may be unable to provide some or all of our services to you.

8. International Use of Our Website

Our website is hosted in the United States. If you are visiting our website from outside of the United States, please note that by providing your Personal Information it is being transferred to, stored, collected, or processed in the United States, where our data center and servers are located and operated.

9. Children’s Privacy

The submission of Personal Information for the Contest is to only be done by the parents or guardians of children. We have put measures in place to verify that any individuals submitting Personal Information through the Contest are above the age of 18.

Even though the Contest involves the participation of children, we do not knowingly collect or solicit any Personal Information directly from children under the age of 16. In the event that we learn that we have collected Personal Information directly from a child, we will promptly take steps to delete that information.

If you are a parent or legal guardian and think your child has given us their Personal Information, you can email us at legal@loveyourmelon.com.

10. Links to Third-Party Websites

We are not responsible for the practices employed by any websites or services linked to or from our website, including the information or content contained within them. We encourage you to investigate and ask questions before disclosing Personal Information to third parties, since any Personal Information disclosed will be subject to the applicable third party’s Privacy Notice.

11. Notice to California Residents

This Section applies to our collection and use of Personal Information if you are a resident of California, as required by the California Consumer Privacy Act of 2018 and its implementing regulations, as amended by the California Privacy Rights Act (“CCPA”), where “Personal Information” has the definition set forth in the CCPA.

This Section describes (a) the categories of Personal Information collected and disclosed by us, (b) your privacy rights under the CCPA, and (c) how to exercise your rights. For the information related to our retention of your Personal Information, please see Section 5.

Love Your Melon makes the following disclosures regarding the Personal Information Love Your Melon has collected within the 12-month period preceding the Effective Date of this Privacy Policy:

Sources of Personal Information

We collect Personal Information from the categories of sources detailed in Section 2 above: (a) directly from you; and (b) through data collected automatically through tracking technologies.

Use of Personal Information

We collect Personal Information for the business and commercial purposes detailed in Section 3 above.
Disclosure of Personal Information

The categories of third parties to which we disclose personal information for a business or commercial purpose or to whom we sell or share personal information are summarized in the chart below. **We do not sell or share your Personal Information, and we do not knowingly sell or share the Personal Information of minors under the age of 16.**

Categories of CA Personal Information We Collect	Categories of Third Parties to Which We Disclose Personal Information for a Business Purpose
Identifiers	Service Providers
Personal information, as defined in the California customer records law	Service Providers
Internet or other similar network activity	Service Providers
Geolocation data	Service Providers
Inferences drawn from other personal information	Service Providers

If you are a resident of California, you may have the following rights:

Privacy Right	Description
Notice	You may have the right have the right to be notified of what categories of Personal Information will be collected at or before the point of collection and the purposes for which they will be used and shared.

Access	You may have the right to know what Personal Information we have collected about you, including (a) the categories of Personal Information; (b) the categories of sources from which the Personal Information was collected; (c) the business or commercial purpose for collecting, selling, or sharing Personal Information; (d) the categories of third parties to whom the business discloses Personal Information; and (e) the specific pieces of Personal Information we have collected about you.
Data Portability	You may have the right to receive a copy of your information in a portable and readily usable format.
Delete	You may have the right to have your Personal Information deleted. Note, however, that we may not always be able to comply with your request to delete for specific legal reasons which will be notified to you, if applicable, at the time of your request.
Correction	You may have the right to request that we correct any incorrect personal information that we collect or retain about you, subject to certain exceptions.
To Opt Out of Sales or Sharing of Personal Information	We do not sell or share your Personal Information. However, you may have the right to opt out of the selling or sharing of personal information.

Only you, or an authorized agent that you authorize to act on your behalf, may make a request related to your Personal Information. You may also make a request on behalf of your minor child.

You may only make a request for access or data portability twice within a 12-month period. The request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Other California Privacy Rights. Under California Civil Code Section 1798.83, individual customers who reside in California and who have an existing business relationship with us may request information about our disclosure of certain categories of personal information to third parties for the third parties' direct marketing purposes, if any. To make such a request, please contact us using the information in the Contact Us section below. Please be aware that not all information sharing is covered by these California privacy rights requirements and only information on covered sharing will be included in our response. This request may be made no more than once per calendar year.

12. Exercising your Individual Privacy Rights

You will not be discriminated against in any way by virtue of your exercise of the rights listed in this Privacy Notice which means we will not deny goods or services to you, provide different prices or rates for goods or services to you, or provide a different level or quality of goods or services to you.

To exercise any of the privacy rights afforded to you under applicable data protection law, please submit a request to us by e-mailing us at legal@loveyourmelon.com.

Verification: We must verify your identity before fulfilling your requests. If we cannot initially verify your identity, we may request additional information to complete the verification process. We will only use Personal Information provided in a request to verify the requestor's identity. If you are an authorized agent making a request on behalf of a California consumer, we will also need to verify your identity, which may require proof of your written authorization or evidence of a power of attorney.

We endeavor to respond to requests within the time period required by applicable law. If we require more time, we will inform you of the reason and extension period in writing.

We will deliver our written response via email, unless you notify us of another preference.

We do not charge a fee to process or respond to your request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity and confirm the Personal Information relates to you. Making a verifiable consumer request does not require you to create an account with us.

We may deny certain requests, or only fulfill some in part, as permitted or required by law. For example, if you request to delete Personal Information, we may retain Personal Information that we need to retain for legal purposes

This Privacy Notice is available to consumers with disabilities. To access this Privacy Notice in an alternative downloadable format, please email us at legal@loveyourmelon.com.

Appeals: If you are not satisfied with the resolution of your request and you are afforded a right to appeal such decision, you will be notified of our appeal process in our response to your request.

13. Contact Us

If you have any questions about our practices or this Privacy Notice, please contact us at legal@loveyourmelon.com.