



Privacy Policy

Privacy Policy (as of January 1, 2016)

First Watch Technologies, Inc. and its affiliates and related entities (collectively, "First Watch") are committed to protecting the privacy and security of certain data that is collected from you and that you submit when you access this web site or web sites under our operation and control (collectively, the "Site"). We recognize the sensitive nature of much of the information with which we are entrusted on a daily basis, and we are committed to the highest standards of privacy. This Privacy Policy is intended to familiarize you with our policies for the gathering, use, maintenance and protection of certain personally identifiable information. Please review it carefully. First Watch reserves the right to change this Privacy Policy at any time, in which event the Site will contain a notice of the change. Changes will be effective immediately upon posting to the Site. This Privacy Policy is subject to and incorporated into the "Terms of Service" and "Terms of Use" between you and First Watch. You may access the Terms of Use and Terms of Service by navigating to and clicking on the Terms of Use or Terms of Service hyperlinks on the homepage. Capitalized words used in this Privacy Policy without definition have the meaning given to them in the Terms of Use and Terms of Service. By using, installing, or accessing the Site or the First Watch Products, you are consenting to the collection, processing, use and disclosure of your personally identifying information according to this Privacy Policy and you are agreeing to the terms this Privacy Policy. If you have any questions or concerns about any of our practices, please contact us.

How First Watch Collects and Uses Information

Personal Information. First Watch collects certain personally identifiable information about you when you visit the Site, as well as in connection with your transactions with First Watch, including, without limitation, your name, mailing address(es), phone number(s), e-mail address(es), IP address(es), and credit card information, if applicable ("Personal Information").

First Watch uses "cookies" and other technologies to collect data that enables us to better understand and improve the usability, performance and effectiveness of our Site. Cookies are files sent to your browser and stored on your computer. If you do not want First Watch to send cookies to your browser, you can set your browser options to reject cookies or notify you when a web site tries to put a cookie into your browser software. Rejecting cookies may affect your ability to use some features of the First Watch Products and the Site.

First Watch gathers general information about visits to our Site, the configuration of your computer and your computer's interaction with First Watch. First Watch uses this information to understand traffic and downloads on our Site, provide you with technical support, improve the Site, and provide the best online experience possible for our customers. This includes compiling statistical information concerning the usage of the Site, such as the number of visitors to the Site, or to sections or pages within the Site, patterns of traffic flowing through the Site, length of time spent on the Site, or in sections or pages of

the Site, the other sites that refer visitors to the Site, the pages of the Site that visitors frequently use as entry and exit points, utilization of the browser and operating systems and versions used by visitors to the Site, etc. In order to compile this information, First Watch may collect and store your IP address, your operating system version, your browser version, the pages you visit within the Site, the length of time you spend on pages within the Site, the site from which you linked to ours, search terms you used in search engines which resulted in you linking to the Site, etc. While all of this information can be associated with the IP address your computer had while you visited the Site, it will not be associated with you as an individual, or associated with any other information you may submit through the Site, or that First Watch may store about you for any other purposes.

First Watch may use your Personal Information in connection with and disclose your Personal Information to: (a) a consumer reporting agency representative; (b) in the course of providing First Watch Products; (c) law enforcement; (d) an insurance company; (e) a representative of a payment verification service, financial institution or credit card company; or (f) a consumer reporting agency or other organizations in order to obtain informational credit reports about you or a minor child for whom you have registered for First Watch Products.

In addition, First Watch may disclose your Personal Information to third parties for the purpose of developing, and providing to you information regarding, products and services that First Watch believes will be of interest to you, but First Watch shall not share, sell, rent or trade your Personal Information with third parties to promote the businesses of such third parties. First Watch may also use and disclose Personal Information for purposes such as: (a) complying with court orders and other legal process; (b) assisting with identity verification, and to prevent fraud and identity theft; (c) selling First Watch or First Watch's assets, or in process of arranging for the dissolution or disposition of First Watch through bankruptcy; (d) enforcing our agreements and property rights; and (e) as otherwise permitted or required by law.

Safeguarding of Information. The security of your Personal Information is important to us. While there is no such thing as "perfect security" on the Internet, we will take reasonable steps to help ensure the privacy and security of your Personal Information. However, you understand and agree that such steps do not guarantee that use of the Site is invulnerable to all security breaches, and that First Watch makes no warranty, guarantee, or representation that use of any of our Sites is protected from viruses, security threats or other vulnerabilities.

Our employees are trained to understand the importance of confidentiality and are required to adhere to our privacy policies and procedures. Employees who violate these policies and procedures are subject to disciplinary action. We employ numerous practices to protect against the unauthorized uses and disclosures of Personal Information. These practices include the use of password protection of computer files, e-mail and voice-mail, firewall, virus and malware protection, and facility access limitations.

First Watch Technologies, Inc. is a participant in the TRUSTe Privacy Seal Program. TRUSTe is an independent organization whose mission is to advance privacy and trust in the networked world. As this Site wants to demonstrate its commitment to your privacy, it has agreed to disclose its information practices and have its privacy practices monitored for compliance by TRUSTe. If you have questions or concerns regarding this statement, you should first contact First Watch. If you do not receive acknowledgment of your inquiry, or if your inquiry has not been satisfactorily addressed, you should then contact TRUSTe at http://www.truste.org/consumers/watchdog_complaint.php. TRUSTe will then serve as a liaison with First Watch to resolve your concerns.

Updating Your Personal Information: You can update your Personal Information by accessing the password-protected, web-based First Watch administrative console by supplying your valid login credentials or emailing us at CustomerService@FirstWatchCorp.com.

Regarding Children. First Watch is very concerned about protecting the privacy of children. The Site is not intended for the use by anyone under the age of eighteen (18), although parents and guardians may use the Site and First Watch Products with respect to such children. First Watch does not intend to collect any personally identifiable information from children under 18 years old or knowingly distribute such information. Children under 18 are not permitted to use First Watch's web site, and we request that children under 18 not submit any personally identifiable information to First Watch. If parents or guardians have any questions about the information they have provided to us concerning their child, the parent or guardian should contact First Watch at 888-635-3587 immediately.

Complaints: If you do not receive acknowledgment of your complaint or your complaint is not satisfactorily addressed by First Watch, you should contact: Better Business Bureau 222 W. Market Street Akron OH 44303 WWW: <http://akron.bbb.org> Email: info@akronbbb.org (330)253-4590 (phone) (330)253-6249 (fax) or General Counsel First Watch Technologies, Inc. 760 Killian Road Akron, Ohio 44319-2530.

Other Provisions. This Privacy Policy is governed by the laws of Ohio, without regard to its conflict of laws principles. Jurisdiction for any claims arising under or out of this Privacy Policy shall lie exclusively with the state and federal courts within Ohio. If any provision of this Privacy Policy is found to be invalid by a court having competent jurisdiction, the invalidity of such provision shall not affect the validity of the remaining provisions of this Privacy Policy, which shall remain in full force and effect.