



## Privacy Policy for California Residents and Notice of Collection

**Effective Date:** April 28, 2023

**Last Updated on:** April 28, 2023

This **Privacy Policy for California Residents and Notice of Collection** (“Notice”) supplements the information contained in the Website Privacy Policy of Landmark Ceramic UST, Inc (collectively, “we,” “us,” or “our”).

We adopt this Notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this Policy. This policy controls to the extent of any conflict with our general Website Privacy Policy and is limited to our collection and use of personal information of residents of the State of California who are included in the definition of “consumer” under the CCPA (“consumers” or “you”).

We are a business-to-business (“B2B”) company, providing products to business customers. We also own this website, <https://www.landmarkceramics.com/> and its subdomains (the “Site”), to help us provide these products. As a B2B company, we collect and use relatively less personal information of individuals than many consumer-orientated companies and advertising companies. However, to the extent that we collect or process information pertaining to persons meeting the definition of “consumers” under CCPA, then this Notice will apply. To the extent temporarily exempted from application of the CCPA, this Notice does not apply to employment-related personal information collected from California-based employees, job applicants, contractors, or similar individuals (“employment information”) or to personal information reflecting a written or verbal business-to-business communication (“B2B personal information”). For clarity, to the extent required by Cal. Civ. Code 1798.100, this Notice does apply to employment information in so far as the law requires disclosure at or before the point of collection of the categories of personal information to be collected and the purposes for which the categories of personal information shall be used.

This Notice applies only to the collection, use, disclosure, and protection of personal information collected through the Site and does not apply to any other data or information collected by us online or offline except to the extent this Notice is expressly incorporated by us, such as by internet link on a website, reference within a contract, or otherwise presented or displayed to end users in the course of providing Services.

### **Information We Collect**

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device (“**personal information**”). Personal information does not include:





- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA), clinical trial data, or other qualifying research data;
  - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

In particular, we collected the following categories of personal information from consumers within the last twelve (12) months. The table also lists, for each category, our expected retention period for the category of personal information collected:

Category	Examples	Collected	Retention Period
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES	No longer than is reasonably necessary to achieve the disclosed collection and use purposes
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.  Some personal information included in this category may overlap with other categories.	YES	No longer than is reasonably necessary to achieve the disclosed collection and use purposes
C. Protected classification	Age (40 years or older), race, color, ancestry, national origin, citizenship,	NO	

characteristics under California or federal law.	religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).		
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES	No longer than is reasonably necessary to achieve the disclosed collection and use purposes
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO	
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES	No longer than is reasonably necessary to achieve the disclosed collection and use purposes
G. Geolocation data.	Physical location or movements.	NO	
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO	
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES	No longer than is reasonably necessary to achieve the disclosed collection and use purposes
J. Non-public education	Education records directly related to a student maintained by an educational	NO	

information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.		
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO	

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Indirectly from you. For example, from observing your actions on our Website.

### **Use of Personal Information**

We may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our products, we will use that personal information to respond to your inquiry. If you provide your personal information to purchase a product, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To provide, support, personalize, and develop our Website, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.



- To personalize your Website experience and to deliver content and product and service offerings relevant to your interests.
- To help maintain the safety, security, and integrity of our Website, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Website and products
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about you is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

**Disclosing Personal Information**

We may disclose your personal information to a third party for a business purpose. We only make these business purpose disclosures under written contracts that describe the purposes, require the recipient to keep the personal information confidential, and prohibit using the disclosed information for any purpose except performing the contract.

In the preceding twelve (12) months, we have disclosed personal information for a business purpose to the categories of third parties indicated in the chart below.

**We do not sell personal information. We do not share your personal information to a third party for cross-context behavioral advertising**

<b>Personal Information Category</b>	<b>Category of Third-Party Recipients</b>	<b>Business Purpose Disclosures</b>
A: Identifiers.	<ul style="list-style-type: none"> <li>• Our affiliates.</li> <li>• Service providers.</li> <li>• Third parties to whom you or your agents authorize us to disclose your personal</li> </ul>	<ul style="list-style-type: none"> <li>• To fulfill or meet the reason you provided the information.</li> <li>• To process your requests, purchases, transactions, and payments and</li> </ul>

	<p>information in connection with products or services we provide to you.</p>	<p>prevent transactional fraud.</p> <ul style="list-style-type: none"> <li>• To create, maintain, customize, and secure your account with us.</li> </ul>
<p>B: California Customer Records personal information categories.</p>	<ul style="list-style-type: none"> <li>• Our affiliates.</li> <li>• Service providers.</li> <li>• Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.</li> </ul>	<ul style="list-style-type: none"> <li>• To fulfill or meet the reason you provided the information.</li> <li>• To process your requests, purchases, transactions, and payments and prevent transactional fraud.</li> <li>• To create, maintain, customize, and secure your account with us.</li> </ul>
<p>D: Commercial information.</p>	<ul style="list-style-type: none"> <li>• Our affiliates.</li> <li>• Service providers.</li> <li>• Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.</li> </ul>	<ul style="list-style-type: none"> <li>• To fulfill or meet the reason you provided the information.</li> <li>• To process your requests, purchases, transactions, and payments and prevent transactional fraud.</li> <li>• To create, maintain, customize, and secure your account with us.</li> </ul>
<p>F: Internet or other similar network activity.</p>	<ul style="list-style-type: none"> <li>• Our affiliates.</li> <li>• Service providers.</li> <li>• Third parties to whom you or your agents authorize us to disclose your personal information in connection with products</li> </ul>	<ul style="list-style-type: none"> <li>• To personalize your Website experience and to deliver content and product and service offerings relevant to your interests.</li> <li>• To help maintain the safety, security, and integrity of our Website, products and services,</li> </ul>



	or services we provide to you.	databases and other technology assets, and business.  <ul style="list-style-type: none"> <li>• For testing, research, analysis, and product development, including to develop and improve our Website and products.</li> </ul>
I: Professional or employment-related information.	<ul style="list-style-type: none"> <li>• Our affiliates.</li> <li>• Service providers.</li> <li>• Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.</li> </ul>	<ul style="list-style-type: none"> <li>• To fulfill or meet the reason you provided the information.</li> </ul>

### **Your Rights and Choices**

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

#### ***Right to Know and Data Portability***

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months (the “right to know”). Once we receive your request and confirm your identity (see [Exercising Your Rights to Know or Delete](#)), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:



- sales, identifying the personal information categories that each category of recipient purchased; and
- disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.
- The specific pieces of personal information we collected about you (also called a data portability request).

We do not provide a right to know or data portability disclosure for B2B personal information.

### ***Right to Delete***

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions (the “right to delete”). Once we receive your request and confirm your identity (see [Exercising Your Rights to Know or Delete](#)), we will review your request to see if an exception allowing us to retain the information applies. We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We will delete or deidentify personal information not subject to one of these exceptions from our records and will direct our service providers to take similar action.





We do not provide these deletion rights for B2B personal information.

***Exercising Your Rights to Know or Delete***

To exercise your rights to know or delete described above, please submit a request by either:

- Emailing us at [info@landmarkceramics.com](mailto:info@landmarkceramics.com).
- Calling us at (931) 325-5700

Only you, or someone legally authorized to act on your behalf, may make a request to know or delete related to your personal information.

You may only submit a request to know twice within a 12-month period. Your request to know or delete 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.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

You do not need to create an account with us to submit a request to know or delete.

We will only use personal information provided in the request to verify the requestor's identity or authority to make it.

***Response Timing and Format***

We will confirm receipt of your request within ten (10) business days. If you do not receive confirmation within the 10-day timeframe, please call (931) 325-5700.

We endeavor to substantively respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to another 45 days), we will inform you of the reason and extension period in writing.

Any disclosures we provide will only cover the 12-month period preceding our receipt of your verifiable request. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer 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.



### **Non-Discrimination**

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

### **Other California Privacy Rights**

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [info@landmarkceramics.com](mailto:info@landmarkceramics.com).

### **Changes to Our Privacy Policy**

We reserve the right to amend this privacy policy at our discretion and at any time. When we make changes to this privacy policy, we will post the updated notice on the Website and update the notice's effective date. **Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.**

### **Contact Information**

If you have any questions or comments about this notice, the ways in which we collect and use your information described here and in the [Website Privacy Policy](#), your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** (931) 325-5700

**Email:** [info@landmarkceramics.com](mailto:info@landmarkceramics.com)

If you need to access this Policy in an alternative format due to having a disability, please contact [info@landmarkceramics.com](mailto:info@landmarkceramics.com) or (931) 325-5700.