

# PRIVACY POLICY

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This Privacy Policy explains how Nationwide Studios, Inc. d/b/a Legacy Studios and d/b/a Teddy Bear Portraits and d/b/a Legacy Yearbook Company (“*Nationwide*”, “*we*”, or “*us*”) collects, uses, and discloses information about its Customers, Studios, and Students (“*Users*”) or “*You*”), as defined below. This Privacy Policy applies when you use our websites, mobile applications and other online products and services that link to this Privacy Policy, contact our customer service team, engage with us on social media, or otherwise interact with us (collectively, our “*Services*”).

On occasion, we receive a request by a school customer to abide by provisions of a privacy policy that it has adopted. We are willing to consider such requests.

We may change this Privacy Policy from time to time. If we make changes, we will notify you by revising the date at the top of this policy and provide additional notice by including a prominent statement on our website advising that our Privacy Policy has been revised. By accessing or otherwise placing an order for our Services or products, you will consent to the terms and provisions of our Privacy Policy and all revisions thereto. We encourage you to review this Privacy Policy regularly to stay informed about our information practices and the choices available to you.

If you are a California resident, please see the “Notice to California Residents” section.  
If you are a Virginia resident, please see the “Notice to Virginia Residents” section.

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## DEFINITION

As used herein, a customer (“*Customer*”) can be either a school or school district that we have entered into an agreement with to provide school photography or yearbook related services that may provide information about a student or photography subject or an individual placing an order

for our services or products (collectively our “Services”) with or through one of our partnering photographers, photography studios, printing labs or publishers/commercial printers utilizing our online sales platforms (collectively, the “*Studio*”) and who may be providing information about a student or photography subject (individually, a “*Student*,” and collectively, “*Students*”).

## **COLLECTION OF INFORMATION**

### **Information provided by School Customers**

We collect personal information and data about individuals received from or on behalf of our school customers to create and promote products and services for the benefit of the school customer and to create promote and customize products and services requested by purchasers. We may use such information for other purposes permitted under this Policy and applicable law except to the extent that the school customer providing such information or data, or the subject of the data, has restricted our right to use such personal information. We will not sell or rent personal information provided by a school customer to any third party.

### **Information You Provide to Us**

We also may receive information that you provide directly to us. For example, you share information directly with you when you create an account, fill out a form, submit or post content through our Services, make a purchase, communicate with us via third-party platforms, participate in a contest or promotion, request customer support, or otherwise communicate with us.

The types of personal information we may collect include:

- Your name
- Your email address
- Your postal address
- Your phone number
- Your credit card or other payment information
- Information relating to a Student or Students associated with the Services, including their image, name, school name, grade, student identification number, homeroom, teacher, and jersey number
- Any other information you choose to provide.

### **Information We Collect Automatically When You Interact with Us**

When you access or use our Services or otherwise transact business with us, we automatically collect certain information, including:

- **Transactional Information:** When you make a purchase or return, we collect information about the transaction, such as product details, purchase price, and the date and location of the transaction.

- **Device and Usage Information:** We collect information about how you access our Services, including data about the device and network you use, such as your hardware model, operating system version, mobile network, IP address, unique device identifies, browser type, and app version. We also collect information about your activity on our Services, such as access times, pages viewed, links clicked, and the page you visited before navigating to our Services.

**Information We Collect by Cookies and Similar Tracing Technologies:** We (and our service providers) use tracing technologies, such as cookies and web beacons, to collect information about you. Cookies are small data files stored on your hard drive or in device memory that help us improve our Services and your experience, see which areas and features of our Services are popular, and count visits. Web beacons (also known as “pixel tags” or “clear GIFs”) are electronic images that we use on our Services and in our emails to help deliver cookies, count visits, and understand usage and campaign effectiveness. For more information about cookies and how to disable them, see the **Your Choices** section below.

### **Information We Collect from Other Sources:**

We use personal information about individuals received from or on behalf of school customers to create and promote products and services for the benefit of the school and to customize products as requested by purchasers, and can use it for other purposes permitted under this Policy except as prohibited by applicable law and except to the extent that the providing party or the data subject has restricted the right to use provided personal information. We will not sell or rent personal information provided to us by schools to any third party except as stated in this Policy.

We may obtain information from other third-party sources. For example, we may collect information about you from identity verification services, credit bureaus, advertising networks, data analytics providers, mailing list providers, financial services providers, operating systems and platforms, and customer management providers.

## **USE OF INFORMATION**

We use the information we collect to provide our Services to you, including to facilitate and fulfill photography, yearbook and other orders with Customers.

We also use the information we collect to:

- Provide, maintain, and improve our products and services;
- Process transactions and send you related information, including confirmations, receipts, invoices, customer experience surveys, and order updates;
- Personalize and improve your experience on our Services; Send you technical notices, security alerts, and support and administrative messages;
- Respond to your comments and questions and provide customer service;
- Communicate with you about products, services, and events offered by Nationwide and others and provide new and information that we think will interest you (see the **Your Choices** section of this Policy below for information about how to opt out of these communications at any time);

- Monitor and analyze trends, usage, and activities in connection with our Services;
- Detect, investigate, and prevent security incidents and other malicious, deceptive, fraudulent, or illegal activity and protect the rights and property of Nationwide and others;
- Debug to identify and repair errors in our Services;
- Comply with our legal and financial obligations; and
- Carry out any other purpose described to you at the time the information was collected.

We retain personal information for as long as necessary to fulfill the educational purpose for which it is collected, such as to provide you with the service or product that you have requested, and for the purpose of satisfying any legal, accounting, contractual or reporting requirements that may apply to us.

## **SHARING OF INFORMATION**

We do not sell license or share the personal information we collect with unaffiliated third parties for their marketing purposes. We may share personal information in the following circumstances or as otherwise described in this policy:

- We share personal information with third party vendors, service providers, and consultants that need access to personal information in order to perform services for us, such as companies that assist us with web hosting, fulfilling and processing orders, photography processing, printing, shipping and delivery, payment processing, fraud prevention, customer service, administrative services and data analytics. We do not authorize these service providers to use, disclose, or otherwise process your personal data except as required to perform services for us.
- We share personal information with our lawyers and other professional advisors where necessary to obtain advice or otherwise protect and manage our business interests.
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- Personal information is shared between and among Nationwide and our current and future parents, affiliates, and subsidiaries and other companies under common control and ownership. In the event that one of our corporate affiliates or a third party acquires all or a part of our business or the business of one or more of our operating divisions through which you have provided personal information, as the result of a sale, merger or other corporate reorganization, ownership of your personal information will be transferred to the acquiring company but the acquiring company's use of your personal information will remain subject to, and be governed by, this Policy as well as the privacy preferences that you have expressed to us.
- We share personal information with your consent or at your direction.

We may also share aggregated or de-identified information that cannot reasonably be used to identify you.

With respect to our support Applications, Nationwide will:

- not collect or use student personally identifiable information or data beyond what is needed for authorized educational/school purposes;
- not sell or rent student personally identifiable information or data;

- not use or share student personally identifiable information or data for advertising or similar commercial purposes, such as behavioral targeting of advertisements to students;
- not build a personal profile of a student, other than for supporting authorized educational or school purposes or as authorized by the parent, guardian, or student of appropriate age;
- not knowingly retain student personally identifiable information or data beyond the time period required to support the authorized educational/school purposes, or as authorized by the parent/student;
- require that our vendors with whom student personal data is shared to deliver the school service, if any, are obligated to implement these same commitments for student personally identifiable information or data.

In accordance with the Federal Children’s Online Privacy Protection Act of 1998 (COPPA, 15 U.S.C. § 6501 et seq.), we will not knowingly solicit, nor will we accept, personally identifiable information from users known to be under thirteen (13) years of age without consent of their educational institution or the child’s parent or guardian.

## **ANALYTICS AND SECURITY**

We allow others to provide analytics services on our behalf across the web and in mobile apps. These entities may use cookies, web beacons, device identifiers, and other technologies to collect information about your use of our Services and other websites and applications, including your IP address, web browser, mobile network information, pages viewed, time spent on pages or in mobile apps, links clicked, and conversion information. This information may be used by Nationwide and others to, among other things, analyze and track data, determine the popularity of certain content, and better understand your online activity.

Our website does not respond to “do not track” signals.

How do we keep your information secure?

Although no website, application, database, or system is completely secure or “hacker proof,” we have safeguards in place to protect against unauthorized access and disclosures of the personal information we control. At the most basic level, we restrict physical access to our system to only those people responsible for their operation. As a matter of process, we provide training to our staff on current security measures and we contract for routine penetration testing by outside experts. And at the deeper technical layer, we utilize current best industry practices in conformance with accepted industry standards to protect against unauthorized access and disclosure of personal information, from coding and encrypted data transport to real-time monitoring of our firewall and intrusion detection systems in conjunction with our cyber/data breach response and recovery plan. Despite these measures, however, we cannot guarantee that our information security safeguards will never be compromised.

Our Sites and Apps may be linked to other websites or may contain links to other websites.

This Privacy Policy only applies to our Sites and Apps, and we are not responsible for the privacy practices, security standards, or content of other sites. You should check the privacy policies of those sites before providing your personal information to them.

## **YOUR CHOICES**

### **Account Information**

You may update and correct certain account information at any time by logging into your account or emailing us at [\\_customercare@legacystudios.com\\_](mailto:_customercare@legacystudios.com_). If you wish to delete your account, please email us at [\\_customercare@legacystudios.com\\_](mailto:_customercare@legacystudios.com_) and we will delete your information within 30 days and send you a written confirmation when your account has been deleted. Please note that we may retain certain information as required by law or for our legitimate business purposes. We may ask for proof of identification in order to complete the request and validate its legitimacy.

### **Cookies**

Most web browsers are set to accept cookies by default. If you prefer, you can usually request your browser settings to remove or reject browser cookies. Please note that removing or rejecting cookies could affect the availability and functionality of our Service.

### **Mobile Push Notifications**

With your consent, we may send push notifications to your mobile device.

A mobile user might opt-in by:

- Entering a phone number online.
- Sending a Mobile Originating (MO) message containing an advertising keyword.
- Filling out a paper form that includes their phone number, or
- Signing up at a point-of-sale location.

You can deactivate these messages at any time by changing the notification settings on your mobile device. You may also opt out by replying “STOP” by text to the communicating number.

### **Communications Preferences**

You may opt out of receiving text messages or promotional emails from Nationwide following the instructions in those communications or by sending us an email at [\\_customercare@legacystudios.com\\_](mailto:_customercare@legacystudios.com_). If you opt out, we may still send you non-promotional emails, such as those about your account or our ongoing business relations.

## **CHILDREN’S PRIVACY**

Nationwide’s services, including websites and mobile apps, are not intended for children under the age of 13, and Nationwide does not knowingly collect information from children under the age of 13. We will delete any personal information collected that we later determine has been submitted by a user younger than the age of 18. If you believe a child under the age of 18 has disclosed personal information to us, please contact us via the information provided in the “CONTACT US” section of this policy.

Children aged 18 or younger should not submit any personal information without the permission of their parents or guardians. By using the Services, you are representing that you are at least 18.

## NOTICE TO CALIFORNIA RESIDENTS

### *California Consumer Privacy Act*

Residents of California are advised that in the preceding 12 months, we have collected the categories of personal information listed in the Category of Personal Information section above. We collect personal information for the business purposes set forth the in USE OF INFORMATION section of this Policy and have shared or disclosed the same to the following categories of recipients:

<i>Category of Personal Information</i>	<i>Categories of Recipients</i>
Identifiers such as a real name, alias, postal address, phone number, unique personal identifier, online identifier, internet protocol address, email address, account name, bank account number, credit card or debit card number, or other similar identifiers; commercial information, including records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	Our third party service providers and subcontractors/consultants.
“Personal Information” as defined in Cal. Civ. Code 1798.80, including any information that identifies, relates to, describes, or is capable of being associated with, a particular individual.	Our third party service providers and subcontractors/consultants.
Commercial information, including records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies	Our third party service providers and subcontractors/consultants.
Internet or other electronic network activity information, including, but not limited to, browsing history, search	Our third party service providers and subcontractors/consultants.

history, and information regarding a customer’s interaction with an internet website, application or advertisement.	
Education information, defined as personally identifiable information that is not publicly available as defined in the Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99).	Our third party service providers and subcontractors/consultants.
Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer reflecting the consumer’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	Not applicable.

Nationwide does not share any personal information with third parties unless: (i) authorized by you in writing; (ii) the third parties are service providers, subcontractors or consultants engaged and authorized by Nationwide to perform services for you on Nationwide’s behalf and for the purposes described in this Privacy Policy, (iii) it is reasonably necessary to comply with a legal process, such as a court order, subpoena or search warrant, government investigation or other legal requirements, including to meet national security or law enforcement requirements; or (iv) necessary for the prevention or detection of crime (subject in each case to applicable law) or to establish or defend a legal claim, or as otherwise disclosed above in the **Sharing of Information** section of this Policy.

Subject to certain limitations, you have the right to (1) request to know more about the categories and specific pieces of personal information we collect use, and disclose, (2) correct inaccuracies in your personal information, (3) request deletion of your personal information, (4) obtain you personal information in portable format, (5) opt out of any “sales” of your personal information that may be occurring, and (6) not be discriminated against for exercising these rights. You may make these requests by calling 716-512-6366 or emailing us at customer@legacystudios.com. We will verify your request by asking you to provide information related to your recent interactions with us, such as your name, school, order number, order date, billing address or email address. We will not discriminate against you if you exercise your rights under the CCPA.

If we receive your request from an authorized agent, we may ask for evidence that you have provided such agent with a power of attorney or that the agent otherwise has valid written authority to submit requests to exercise rights on your behalf. If you are an authorized agent seeking to make a request, please **contact us**.

**NOTICE TO VIRGINIA RESIDENTS**

The Virginia Consumer Data Protection Act (“VCDPA”) provides Virginia residents with the right to receive certain disclosures regarding the personal data we process about them. For purposes of this section, personal data means any information that is linked or reasonably linkable to an



identified or identifiable natural person. Personal data does not include de-identified or publicly available information as the VCDPA defines those terms.

For a discussion of the categories of personal data we process, the purposes for our processing, the categories of personal data that we share with third parties, and the categories of third parties with whom we share personal data, please see above sections.

If you are a Virginia resident, the VCDPA grants you the right to: (i) confirm whether or not we are processing your personal data and to access such personal data; (ii) correct inaccuracies in your personal data; (iii) delete personal data you have provided or we have obtained about you; (iv) obtain a copy of your personal data that you previously provided to us in a portable and, to the extent technically feasible, readily usable format that allows you to transmit the data to another controller without hindrance, where the processing is carried out by automated means; and (v) opt out of the processing of your personal data for purposes of (a) targeted advertising, (b) the sale of personal data, or (c) profiling in furtherance of decisions that produce legal or similarly significant effects concerning you.

We do not sell personal data to third parties as defined in the VCDPA.

## **REVIEWING, UPDATING OR DELETING PERSONAL INFORMATION**

If you would like to review, correct/challenge or delete your personal information, or if you are the parent or legal guardian of a minor and would like to review, correct/ challenge or delete that minor's personal information collected pursuant to the Family Education Rights and Privacy Act, please contact us by U. S. mail or electronic mail pursuant to the "contact us" section of this Policy. If you contact us, we may, for your protection, ask you for additional information to verify your identity. In most cases, we will provide the access you reasonably request and correct inaccurate personal information that you report or delete personal information. We reserve the right, however, to limit or deny your request to the extent permitted by applicable law if the disclosure could lead to a breach of applicable law or regulation, such as in case of any legal obligation to retain certain data, or if you have failed to verify your identity to our satisfaction.

## **CONTACT US**

If you have any questions about this Privacy Policy, please contact us at [\\_customercare@legacystudios.com](mailto:_customercare@legacystudios.com) . You may also communicate with us at our mailing address:

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