



## **Terminal Warehouse Website Privacy Policy**

This Privacy Policy describes how your personal information is collected, used and disclosed by Terminal Warehouse when you use the terminalwarehouse.nyc website ("Website"). This Privacy Notice is set out in two parts: i) general provisions; and ii) specific provisions that will apply in addition to the general provisions where EU data protection laws apply.

The following definitions shall apply to this Privacy Policy:

"Terminal Warehouse", "we" or "us" means Terminal Fee Owner LP. "Personal Information" means information that relates to an identified or identifiable individual, i.e. who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual.

### **Collection and Use of Personal Information on terminalwarehouse.nyc**

When you visit the Website, we will collect and process the following Personal Information about you from the following places:

- directly from you;
- from other sources; and
- when we generate it ourselves.

Such information may include (by way of non-exhaustive list):

- technical information collected by cookies about the services that you use, and how you use them which may include device-specific information, your navigation throughout the Website, and other technical and browsing preferences including your location and entry point to the Website; and
- information submitted as part of completing online forms on the Website.

Your Personal Information may be stored and processed by Terminal Warehouse in any of the following ways and for the following purposes:

- for ongoing review and improvement of the information, content and services provided on the Website to ensure they are user friendly and to prevent any potential disruptions such as cyber attacks;
- analyze and report on Website traffic, marketing and usage trends;
- to allow you to use and access the functionality provided by the Website;
- to conduct analysis required to detect malicious data and understand how this may affect your IT system;
- for statistical monitoring and analysis of current attacks on devices and systems and for the on-going adaptation of the solutions provided to secure devices and systems against current attacks;
- to communicate with you in response to queries submitted via online forms on the Website;



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- verify your information, including information submitted via online forms on the Website;
- for in-depth threat analysis;
- to understand your needs and interests;
- for the management and administration of our business;
- in order to comply with and in order to assess compliance with applicable laws, rules and regulations, and internal policies and procedures, including the Terms of Use; or
- for the administration and maintenance of databases storing Personal Information.

When we use Personal Information we make sure that the usage complies with law, and the law allows us and requires us to use Personal Information for a variety of reasons. These include:

- we need to do so in order to perform our contractual obligations under the Terms of Use;
- we have obtained your consent;
- we have legal and regulatory obligations that we have to discharge;
- we may need to do so in order to establish, exercise or defend our legal rights or for the purpose of legal proceedings; and
- the use of your Personal Information as described is necessary for our legitimate business interests, such as:
  - allowing us to effectively and efficiently manage and administer the operation of our business;
  - maintaining compliance with internal policies and procedures;
  - monitoring the use of our copyrighted materials; and
  - offering optimal, up-to-date security solutions for mobile devices and IT systems.

### **Disclosure of Personal Information obtained through our Website**

Terminal Warehouse shares Personal Information among its affiliates and business units when it believes that it will enhance the services it provides, but only in circumstances where such sharing conforms to law, any applicable confidentiality agreements, and Terminal Warehouse's policies and practices. In addition, Terminal Warehouse may disclose your Personal Information in the circumstances outlined below:

- with third party agents, service providers and contractors for the purposes of providing services to us (for example, service providers who design, maintain or host the Website or any entity we reasonably consider necessary for the purposes outlined above). These third parties will be subject to confidentiality requirements (either by contract, professional obligation or otherwise) and they will only use your Personal Information as described in this Privacy Policy;
- to the extent required by law (for example, if Terminal Warehouse is compelled by an obligation or a duty to disclose your Personal Information in order to comply with any legal obligation, including (without limitation) in order to investigate unauthorized attempts to modify the Website, install harmful files or cause damage to the Website or Terminal Warehouse), or to establish, exercise or defend its legal rights;



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- as part of a transaction, financing, or for other business needs (for example, if Terminal Warehouse sells any of its businesses or assets, applies for a loan, or opens bank accounts, in which case Terminal Warehouse may need to disclose your Personal Information to the prospective buyer, lender or bank, as the case may be, as part of certain due diligence processes); or
- if Terminal Warehouse or any of its affiliates, divisions or other segments is acquired by a third party, in which case the Personal Information held by Terminal Warehouse about you will be accessible to the third party buyer.

### **Links to other Websites**

The Website may contain links to other party websites that are not governed by this Privacy Policy. Linked sites may have their own privacy notices or policies which you should review. Terminal Warehouse is not responsible for the content of links or third party websites and your use of such third party websites is at your own risk.

### **Accessing Personal Information**

On your written request, we will use reasonable efforts to provide you with access to Personal Information about you in Terminal Warehouse's possession. However, given the nature of the information collected through the Website as described above, Terminal Warehouse may not be able to associate information in its possession with you personally.

### **Respecting and Responding to Your Privacy Concerns**

- You have the option to refuse or withdraw consent to the collection, use and disclosure of Personal Information through the Website, and we will respect your choices. In some cases, when you withdraw consent to the collection or use of personal information on the Website, you may notice reduced Website functionality or need to use alternative means of contacting Terminal Warehouse.
- We will investigate and respond to questions or concerns about any aspect of our handling of Personal Information involving the Website.

### **EU Data Protection Laws**

- Where EU data protection laws apply, the provisions in this section will apply in addition to the general provisions set out above.
- Pursuant to EU data protection laws Terminal Warehouse is the controller of your Personal Information collected and processed via the Website.

For how long Terminal Warehouse will hold your Personal Information will vary and will be determined by the following criteria:

- The purpose for which Terminal Warehouse is using it: Terminal Warehouse is required to retain the Personal Information for as long as is necessary to satisfy or meet the purpose for which it was obtained or any other legal purpose.
- Legal Obligations: Laws or regulations may set a minimum period for which Terminal Warehouse must retain your Personal Information.



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Where we transfer your Personal Information to another country outside the European Economic Area, we will ensure that it is protected and transferred in a manner consistent with legal requirements. In relation to data being transferred outside of Europe, for example, this may be done in one of the following ways:

- the country that we send the data to might be approved by the European Commission as offering an adequate level of protection for Personal Information;
- the recipient might have signed up to a contract based on "model contractual clauses" approved by the European Commission, obliging them to protect your Personal Information;
- where the recipient is located in the US, it might be a certified member of the EU-US Privacy Shield scheme; or
- in other circumstances the law may permit us to otherwise transfer your Personal Information outside Europe.
- You can obtain more details of the protection given to your Personal Information when it is transferred outside Europe (including a copy of the standard data protection clauses which we have entered into with recipients of your Personal Information) by contacting us using the details below.
- In all the above cases in which we collect, use or store your Personal Information, you may have the following rights and, in most cases, you can exercise them free of charge. These rights include:
  - the right to obtain information regarding the processing of your Personal Information and access to the Personal Information which we hold about you;
  - the right to withdraw your consent to the processing of your Personal Information at any time. Please note, however, that we may still be entitled to process your Personal Information if we have another legitimate reason for doing so. For example, we may need to retain Personal Information to comply with a legal obligation;
  - in some circumstances, the right to receive some Personal Information in a structured, commonly used and machine-readable format and/or request that we transmit those data to a third party where this is technically feasible. Please note that this right only applies to Personal Information which you have provided directly to Terminal Warehouse;
  - the right to request that we rectify your Personal Information if it is inaccurate or incomplete;
  - the right to request that we erase your Personal Information in certain circumstances. Please note that there may be circumstances where you ask us to erase your Personal Information but we are legally entitled to retain it;
  - the right to object to, or request that we restrict, our processing of your Personal Information in certain circumstances. Again, there may be circumstances where you object to, or ask us to restrict, our processing of your Personal Information but we are legally entitled to refuse that request; and
  - the right to lodge a complaint with the relevant data protection regulator if you think that any of your rights have been infringed by us.
- You can exercise your rights by contacting us at [info@terminalwarehouse.nyc](mailto:info@terminalwarehouse.nyc)