

PRIVACY POLICY

Introduction

Spirit of '76, L.L.C.(collectively the "Company," "us," "we" and words of similar import) operates an e-commerce platform (collectively, the "Service"), which includes the website located at 76fireworks.com (the "Website"). Capitalized terms used herein, which are otherwise undefined, have the meanings attributed thereto in the Company's Terms of Use which can be found under our "Terms of Use", a link to which is provided on this Website.

This Privacy Policy (this "Policy") describes our practices for the collection and use of information we may collect from you in connection with your use of the Service. It does not apply to information collected by us offline or through any other means, including on any other website operated by us or any third party; or by any third party (including our affiliates and subsidiaries).

Please read this Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, do not download, install, register, or use the Service. By registering, or using any part of the Service, you agree to this Policy. We may make changes to this Policy from time to time (see "Changes to our Privacy Policy" below). Your continued use of the Service after we make changes is deemed to be acceptance of those changes, so please check this Policy periodically for updates.

Persons Under the Age of 18

Our Service is not intended for persons under 18 years of age. No one under age 18 may provide any information to or on the Service. We do not knowingly collect personal information from persons under 18. If you are under 18, do not use or provide any information on the Service or on or through any of its features. If we learn we have collected or received personal information from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 18, please contact us at info@76fireworks.com.

Our Privacy Practices

Information We Collect

When you use the Service, we may collect information about you or your use of the Service. Such information includes (but is not limited to):

- **Contact Information:** information by which you may be personally identified, such as name, postal address, email address, telephone number, third party login information, or payment method information ("personal information"); information that is about you but individually does not identify you
- **Location:** information about your Internet connection, the equipment you use to access our Service and usage details; the geo-location of your device (using GPS or other geo-location data), when location services have been enabled for the browser accessing our Service
- **Device:** information about your device, such as the type and model, manufacturer, operating system (e.g. iOS or Android), carrier name, IP address, mobile browser (e.g. Chrome, Safari), and identifiers assigned to your device, such as its iOS Identifier for Advertising (IDFA), Android Advertising ID, or unique device identifier (a number uniquely allocated to your device by your device manufacturer);
- **Log Data:** log information, including the app or website visited, the time and your time zone, network connection type (e.g., WiFi, cellular), and cookie information;
- **Third Party:** non-personally identifying information that third parties have collected and share with us to help better provide the Service.

Information We Collect Directly From You

We collect this information directly from you when you provide it to us, or as we process your transactions, for example:

- Information that you provide by filling in forms on our Service, including information provided at the time of registering to use our Service or requesting further services relating to the Service or your use of the Service
- Records and copies of your correspondence (including email addresses), if you contact us
- Details of transactions you carry out through our Service.

Information We Collect From Third Party Data

As you interact with our service, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions and patterns, including use of our service i.e. including traffic data, location data, logs and other communication data and the resources that you access and use on the Service; and information about your device and Internet connection.

The information we collect automatically is statistical data and does not include personal information. It helps us to improve our Service and to deliver a better and more personalized service, including by enabling us to:

- estimate our audience size and usage patterns

- store information about your preferences, allowing us to customize our Service according to your individual interests; and
- recognize you each time you use the Service.

We may use third party analytics services to provide us with analytic data collection and reporting. We will not provide any personally identifiable information to such third parties.

How We Use the Information We Collect

We use the information we collect to provide and improve our Service. For example, we use such information to optimize and improve our technologies and delivery of our Service. We use information that we collect about you or that you provide to us, including any personal information:

- To present our Service and its contents to you, including your performance history and other data.
- To provide you with information, products or services that you request from us.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you, us and our payment processor, including for billing and collection.
- To notify you about changes to our Service or any products or services we offer or provide through it.
- To allow you to participate in interactive features on our Service.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may also use your information to contact you about goods and services that may be of interest to you. If we have sent you a promotional email, you may select the "unsubscribe" link at the bottom of the email and follow the opt-out instructions.

SMS/Text Messaging

If you choose to enroll in our SMS/text messaging program, we will use your information to send transactional messages (such as order updates) and/or marketing text messages, depending on the preferences you select. By opting in, you consent to receive recurring automated promotional and personalized marketing text messages from Spirit of '76 at the mobile number you provided. Consent is not a condition of purchase. Message frequency may vary.

Message and data rates may apply. Carriers are not liable for delayed or undelivered messages.

You may opt out of marketing texts at any time by replying STOP, and you may reply HELP for customer support. Spirit of '76 will not sell or share any information collected via our SMS/MMS campaigns to any third parties for marketing purposes. Additionally, Spirit of '76 automatically collects information when visiting our website, which may include cookies, third-party tracking

technologies, and server logs. You can read more about how we utilize cookies within this [privacy policy page](#)

Accessing and Correcting Your Information

You can review and change your personal information by logging into the Service and visiting your account profile page. You may also send us an email to request access to, correct or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

General Provisions

Data Collection Technologies

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Service. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Service.
- **Other Technologies.** The Service, including certain web pages on our Website, and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags and single-pixel gifs) that permit us, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).
- **Stored Information and Files.** The Service also may access metadata and other information associated with other files stored on your device. This may include, for example, photographs, audio and video clips, personal contacts and address book information.

Third-party Use of Cookies

Some content or applications, including advertisements, on our Service or on other websites or mobile applications are served by third-parties, including advertisers, ad networks and servers, content providers and application providers. Your phone manufacturer and network service providers may also collect information about your use of their devices or services. These third parties may use cookies alone or in conjunction with other tracking technologies to collect information about you when you use our website. The information they collect may be associated with your personal information or they may collect information, including personal

information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

Disclosure of Your Information

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction and information you post to publicly available areas of the Service.

We may disclose personal information that we collect or you provide as described in this Policy:

- to fulfill the purpose for which you provide it;
- to our subsidiaries and affiliates;
- to contractors, service providers and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them;
- to a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of the Company's assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding, in which personal information held by the Company about end users or our Service users is among the assets transferred;
- for any other purpose disclosed by us when you provide the information; or with your consent.

We may also disclose your personal information:

- to comply with any court order, law or legal process, including to respond to any government or regulatory request;
- to enforce or apply our Terms of Use and other agreements, including for billing and collection purposes; or
- if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Company, our customers or others.

Choices About Tracking Technologies and Advertising

You can set your device or browser to refuse all or some cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of the Website may then be inaccessible or not function properly.

Your California Privacy Rights

California Civil Code Section 1798.83 permits users of the Service 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@76fireworks.com. The rest of this section provides additional details about the personal information we collect about California consumers as well as the rights of California consumers under the California Consumer Privacy Act (CCPA).

- **How We Collect, Use, and Disclose your Personal Information.** The Information We Collect section describes the personal information we may have collected over the last 12 months, including the categories of sources of that information. We collect this information for the purposes described in the How We Use the Information We Collect section. We share this information as described in the Disclosure of Your Information section. We use cookies, including advertising cookies, as described in our Data Collection Technologies and Third-party Use of Cookies.

- **Your CCPA Rights and Choices.** As a California consumer and subject to certain limitations under the CCPA, you have choices regarding our use and disclosure of your personal information:
 - **Exercising the right to know.** You may request, up to twice in a 12-month period, the following information about the personal information we have collected about you during the past 12 months:
 - the categories and specific pieces of personal information we have collected about you;
 - the categories of sources from which we collected the personal information;
 - the business or commercial purpose for which we collected the personal information;
 - the categories of third parties with whom we shared the personal information;
 - the categories of personal information about you that we disclosed for a business purpose, and the categories of third parties to whom we disclosed that information for a business purpose.
 - **Exercising the right to delete.** You may request that we delete the personal information we have collected from you, subject to certain limitations under applicable law.
 - **Exercising the right to opt-out from a sale.** You may request to opt out of any “sale” of your personal information that may take place. We do not use, share, rent or sell the personal data of our users’ customers for interest-based advertising. We do not sell or rent the personal data of our users, their customers or our site visitors.
 - **Non-discrimination.** The CCPA provides that you may not be discriminated against for exercising these rights.

To submit a request to exercise any of the rights described above, you may contact us at

info@76fireworks.com. We may need to verify your identity before responding to your request, such as verifying that the email address from which you send the request matches your email address that we have on file. Authentication based on a government-issued and valid identification document may be required. If you are a customer of a Pyro Shop user, please direct your requests directly to the Pyro Shop user with whom you shared your personal information.

Data Security

We have implemented measures designed to provide confidentiality, integrity, and security of your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. We will use commercially reasonable efforts to safeguard the information that you submit to us.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Service, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We are not responsible for circumvention of any privacy settings or security measures contained on the Service.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Service. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Service.

Legal Process, Safety and Terms Enforcement

We may disclose personal information to governmental regulatory authorities in response to their requests for such information or to assist in investigations. We may also disclose personal information to third parties in connection with claims, disputes or litigation, when otherwise required by law, or if it is determined its disclosure is necessary to protect the health and safety of the User or the Company, to protect against fraud or credit risk, or to enforce legal rights or contractual obligations.

Processing and Retaining Data

We process all personal information in line with User's rights in each case to the extent required by and in accordance with applicable laws, time limits, and fee requirements. We retain personal information only for as long as necessary to perform business services and thereafter for a variety of legitimate legal or business purposes. These might include retention periods:

- Mandated by law, contract or similar obligations applicable to business operations.
- For preserving, resolving, defending or enforcing legal and/or contractual rights.
- Needed to maintain adequate and accurate business and financial records.

Changes to Our Privacy Policy

We will post any changes we make to this Policy on this page. If we make what we believe is a material change to this Policy, we will notify our registered Service users by email to the email address specified in each User's account or through a notice on the Service home page. The date this Policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this Policy to check for any changes.

Contact Information

To ask questions or comment about this Policy and our privacy practices, contact us at info@76fireworks.com.