

## **FONTELIER PRIVACY AND COOKIE POLICY**

LAST UPDATED: May 1, 2019

Morisawa USA, Inc. (“Morisawa,” “we,” or “us”) is concerned about privacy issues and wants you to be familiar with how we collect, use and disclose information. This Privacy Policy describes our practices in connection with information that we collect through the website located at <https://fontelier.com/> (the “Site”) as well as through (HTML-formatted) email messages that we send to or receive from you (collectively, the “Services”).

### **1. PERSONAL INFORMATION**

“Personal Information” is information that identifies you as an individual or relates to an identifiable individual, such as:

- Name
- Postal address (including billing and shipping addresses)
- Telephone number
- Email address
- Information relating to your business
- Profile picture
- Social media account ID

#### **(1) Collection of Personal Information**

We and our service providers collect Personal Information in a variety of ways, including:

##### **Through the Services**

- We collect Personal Information through the Services, for example, when you sign up for a newsletter, register an account, make a purchase or make an inquiry.

##### **From Other Sources**

- We receive your Personal Information from other sources, such as
  - publically available databases;
  - joint marketing partners;
  - social media platforms; and
  - other third parties.
- If you sign in using your social media account, you will share certain Personal

Information from your social media account with us, for example, your name, email address, photo, list of social media contacts, and any other information that may be or you make accessible to us when you use your social media account to login.

We need to collect Personal Information in order to provide the requested Services to you. If you do not provide some of the information requested, we may not be able to provide the Services. If you disclose any Personal Information relating to other people to us or to our service providers in connection with the Services, you represent that you have the authority to do so and to permit us to use the information in accordance with this Privacy Policy.

## (2) Use of Personal Information

(a) We and our service providers use Personal Information for legitimate business purposes including:

### **Providing the functionality of the Services and fulfilling your requests.**

- To provide the Services' functionality to you, such as arranging access to your registered account, and providing you with related customer service.
- To respond to your inquiries and fulfill your requests, when you contact us via one of our online contact forms or otherwise, for example, when you send us questions, suggestions, compliments or complaints, or when you request a quote for or other information about our Services.
- To complete your transactions and purchases, and provide you with related customer service.
- To send administrative information to you, such as changes to our terms, conditions and policies.

We will engage in these activities to manage our contractual relationship with you and/or to comply with a legal obligation.

### **Providing you with our newsletter and/or other marketing materials and facilitating social login and sharing.**

- To send you marketing related emails, with information about our services, new products and other news about our company.
- To facilitate social sharing functionality that you choose to use.

(b) We will engage in this activity with your consent or where we have a legitimate interest.

### **Analysis of Personal Information for business reporting and providing personalized services.**

- To analyze or predict our users' preferences in order to prepare aggregated trend reports on how our digital content is used, so we can improve our Services.
- To better understand you, so that we can personalize our interactions with you and provide you with information and/or offers tailored to your interests.
- To better understand your preferences so that we can deliver content via our Services that we believe will be relevant and interesting to you.

We will provide personalized services either with your consent or because we have a legitimate interest.

### **Allowing you to participate in sweepstakes, contests or other promotions.**

- We may offer you the opportunity to participate in a sweepstakes, contest or other promotion.
- Some of these promotions have additional rules containing information about how we will use and disclose your Personal Information.

We use this information to manage our contractual relationship with you.

### **Aggregating and/or anonymizing Personal Information.**

- We may aggregate and/or anonymize Personal Information so that it will no longer be considered Personal Information. We do so to generate other data for our use, which we may use and disclose for any purpose.

### **Accomplishing our business purposes.**

- For data analysis, for example, to improve the efficiency of our Services;
- For audits, to verify that our internal processes function as intended and are compliant with legal, regulatory or contractual requirements;
- For fraud and security monitoring and prevention purposes, for example, to detect and prevent cyberattacks or attempts to commit identity theft;
- For ensuring compliance with our End User License Agreement;
- For developing new products and services;
- For enhancing, improving, or modifying our current products and services;
- For identifying usage trends, for example, understanding which parts of our Services are of most interest to users;
- For determining the effectiveness of our promotional campaigns, so that we can adapt our campaigns to the needs and interests of our users; and

- For operating and expanding our business activities, for example, understanding which parts of our Services are of most interest to our users so we can focus our energies on meeting our users' interests;

We engage in these activities to manage our contractual relationship with you, to comply with a legal obligation, and/or because we have a legitimate interest.

### **(3) Disclosure of Personal Information**

We disclose Personal Information:

**To our affiliate, [Morisawa Inc.](#) for the purposes described in this Privacy Policy and for the purposes of providing service (e.g., website development and maintenance) and customer support.**

**To our third party service providers, to facilitate services they provide to us.**

- These can include providers of services such as website hosting, data analysis, payment processing, order fulfillment, information technology and related infrastructure provision, customer service, email delivery, credit card processing, auditing, and other services.

**To third parties, to permit them to.**

- Respond to inquiries regarding the licenses they grant, including contacting you directly.
- Provide customer support when Morisawa is unable to.
- Take measures to prevent piracy and other unauthorized use.
- Conduct customer analysis.

**By using the Services, you may elect to disclose Personal Information**

- To social media networks and on message boards, chat, profile pages, blogs and other services to which you are able to post information and content (including, without limitation, our Social Media Pages). Please note that any information you post or disclose through these services will become public and may be available to other users and the general public. Please carefully read through the privacy policy of the social media network you choose to use.

#### **(4) Other Uses and Disclosures**

We also use and disclose your Personal Information as necessary or appropriate, especially when we have a legal obligation or legitimate interest to do so:

**To comply with applicable law and regulations.**

- This can include laws outside your country of residence.

**To cooperate with public and government authorities.**

- To respond to a request or to provide information we believe is important
- These can include authorities outside your country of residence.

**To cooperate with law enforcement.**

- For example, when we respond to law enforcement requests and orders or provide information we believe is important.

**For other legal reasons.**

- To enforce our terms and conditions; and
- To protect our rights, privacy, safety or property, and/or that of our affiliates, you or others.

**In connection with a sale or business transaction.**

- We have a legitimate interest in disclosing or transferring your Personal Information to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings). Such third parties may include, for example, an acquiring entity and its advisors.

## **2. OTHER INFORMATION**

“Other Information” is any information that does not reveal your specific identity or does not directly relate to an identifiable individual, such as

- Browser and device information
- Information collected through cookies, pixel tags and other technologies
- Demographic information and other information provided by you that does not reveal your specific identity
- Information that has been aggregated in a manner such that it no longer reveals your

specific identity

If we are required to treat Other Information as Personal Information under applicable law, then we may use and disclose it for the purposes for which we use and disclose Personal Information as detailed in this Policy.

### **(1) Collection of Other Information**

We and our service providers may collect Other Information in a variety of ways, including:

#### **Through your browser or device:**

- Certain information is collected by most browsers or automatically through your device, such as your Media Access Control (MAC) address, computer type (Windows or Mac), screen resolution, operating system name and version, device manufacturer and model, language, Internet browser type and version and the name and version of the Services you are using. We use this information to ensure that the Services function properly.
- IP Address. Your IP address is automatically assigned to your computer by your Internet Service Provider. An IP address may be identified and logged automatically in our server log files whenever a user accesses the Services, along with the time of the visit and the page(s) that were visited. Collecting IP addresses is standard practice and is done automatically by many websites, applications and other services. We use IP addresses for purposes such as calculating usage levels, diagnosing server problems and administering the Services. We may also derive your approximate location from your IP address.

### **(2) Uses and Disclosures of Other Information**

We may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable law. In some instances, we may combine Other Information with Personal Information. If we do, we will treat the combined information as Personal Information as long as it is combined.

## **3. COOKIES**

### **(1) What Are Cookies And Similar Technologies?**

- Cookies are a standard feature of websites that allow us to store small amounts of data on your computer about your visit to the Site. Cookies help us learn which areas

of the Site are useful and which areas need improvement. For this purpose, we also use technologies similar to cookies, such as Flash Local Shared Objects (also known as Flash cookies) or pixel tags.

- Cookies further allow us to select which of our ads are most likely to appeal to you and display them while you are on the Site. We may also use cookies and other technologies in online advertising to track responses to our ads. We do not currently respond to browser do-not-track signals.
- You can choose whether to accept the use of cookies and similar technologies via the cookie consent mechanism (cookie banner) implemented on the website. When you choose to accept (certain categories of) cookies, you can always withdraw your consent by contacting us by email to [Info@morisawa-usa.com](mailto:Info@morisawa-usa.com). In addition to the options provided above, you can refuse or accept cookies from the Site at any time by activating the settings on your browser. Information about the procedure to follow in order to enable or disable cookies can be found on your Internet browser provider's website via your help screen. Please refer to <http://www.allaboutcookies.org/manage-cookies/index.html> for information on commonly used browsers. Please be aware that if cookies are disabled, not all features of the Site may operate as intended.  
If you want to clear all cookies left behind by the websites you have visited, here are links where you can download three programs that clean out tracking cookies:
  - [http://www.lavasoftusa.com/products/ad-aware\\_se\\_personal.php](http://www.lavasoftusa.com/products/ad-aware_se_personal.php)
  - <http://www.spybot.info/en/download/index.html>
  - <http://www.webroot.com/consumer/products/spysweeper/>
- If you choose to not accept (certain categories of) cookies and similar technologies, your experience on the Site may be diminished and some features may not work as intended.

## **(2) What Cookies And Similar Technologies Do We Use?**

- Below we list the different categories of cookies and similar technologies that are used or may be used on the Site.
  - Essential Cookies. Essential cookies enable you to navigate the Site and to use its services and features. We use cookies to implement payment settlement services and for PCI/DSS security and fraud prevention.
  - Without these absolutely necessary cookies, the Site will not perform as smoothly for you as we would like it to and we may not be able to provide the Site or certain services or features.
  - Preference Cookies. Preference cookies collect information about your choices

and preferences, and allow us to remember language or other local settings and customize the Site accordingly.

- Social Media Cookies. Social media cookies collect information about social media usage and facilitate the social media sign-on functionality provided on the website.
- Advertising Cookies. Advertising cookies are set to display targeted promotions or advertisements based upon your interests on the Site or to manage our advertising. These cookies collect information about your activities on this Site and other sites to provide you with targeted advertising.
- Google Analytics. We use Google Analytics, which uses cookies and similar technologies to collect and analyze information about use of the Services and report on activities and trends. This service may also collect information regarding the use of other websites, apps and online resources. You can learn about Google's practices by going to <https://www.google.com/policies/privacy/partners/>, and opt out of them by downloading the Google Analytics opt-out browser add-on, available at <https://tools.google.com/dlpage/gaoptout>.
- Pixel tags. Pixel tags (also known as web beacons and clear GIFs) may be used to, among other things, track the actions of users of the Services (including email recipients), measure the success of our marketing campaigns, and compile statistics about usage of the Services and response rates.

#### **4. THIRD PARTY ADVERTISERS**

We may use third-party advertising companies to serve ads regarding goods and services that may be of interest to you when you access and use the Services, based on information relating to your access to and use of the Services, on any of your devices, as well as information received from third parties. To do so, these companies may place or recognize a unique cookie on your browser (including through use of pixel tags). They may also use these technologies, along with information they collect about your online use, to recognize you across the devices you use, such as a mobile phone and a laptop. If you would like more information about this practice and to learn how to opt out of it in desktop and mobile browsers on the particular device on which you are accessing this Privacy Policy, please visit

[http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp) and <http://www.aboutads.info/>.

## 5. SECURITY

We seek to use reasonable organizational, technical and administrative measures to protect Personal Information within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us in accordance with the “Contacting Us” section below.

## 6. CHOICES AND ACCESS

### (1) Your choices regarding our use and disclosure of your Personal Information

We give you choices regarding our use and disclosure of your Personal Information for marketing purposes. You may opt-out from:

- Receiving electronic communications from us or our affiliate Morisawa Inc.: If you no longer want to receive marketing-related emails from us or our affiliate Morisawa Inc. on a going-forward basis, you may opt-out by selecting through your account page (“Dashboard”) at <https://fontelier.com/dashboard>.
- Our sharing of your Personal Information with affiliates: If you would prefer that we not share your Personal Information on a going-forward basis with affiliates for their direct marketing purposes, you may opt-out of this sharing by contacting us by email to [Info@morisawa-usa.com](mailto:Info@morisawa-usa.com).
- Our sharing of your Personal Information with unaffiliated third parties: If you would prefer that we not share your Personal Information on a going-forward basis with unaffiliated third parties for their direct marketing purposes, you may opt-out of this sharing by contacting us by email to [Info@morisawa-usa.com](mailto:Info@morisawa-usa.com).
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We will try to comply with your request(s) as soon as reasonably practicable. Please note that if you opt-out of receiving marketing-related emails, we and Morisawa Inc. may still send you important administrative messages, from which you cannot opt-out.

### (2) How you can access, change or delete your Personal Information

If you would like to request to review, correct, update, suppress, restrict or delete Personal Information, object to the processing of Personal Information, or if you would like to request to receive an electronic copy of your Personal Information for purposes of transmitting it to another company (to the extent these rights are provided to you by applicable law), you may contact us by e-mail to [Info@morisawa-usa.com](mailto:Info@morisawa-usa.com). We will respond to your request consistent

with applicable law.

In your request, please make clear what Personal Information you would like to have changed, whether you would like to have your Personal Information suppressed from our database. For your protection, we may only implement requests with respect to the Personal Information associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We will try to comply with your request as soon as reasonably practicable.

Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting a change or deletion (e.g., when you make a purchase or enter a promotion, you may not be able to change or delete the Personal Information provided until after the completion of such purchase or promotion).

## **7. RETENTION PERIOD**

We retain Personal Information for as long as needed or permitted in light of the purpose(s) for which it was obtained and consistent with applicable law.

The criteria used to determine our retention periods include:

- The length of time we have an ongoing relationship with you and provide the Services to you (for example, for as long as you have an account with us or keep using the Services);
- Whether there is a legal obligation to which we are subject (for example, certain laws require us to keep records of your transactions for a certain period of time before we can delete them); or
- Whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, litigation or regulatory investigations).

## **8. THIRD PARTY SERVICES**

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including any third party operating any website or service to which the Services link. The inclusion of a link on the Services does not imply endorsement of the linked site or service by us or by our affiliates.

In addition, we are not responsible for the information collection, use, disclosure or security

policies or practices of other organizations, such as Facebook, Google, or any other social media platform provider, operating system provider, or third-party cookie provider, including with respect to any Personal Information you disclose to other organizations through or in connection with the Site or our Social Media Pages.

## **9. USE OF SERVICES BY MINORS**

The Services are not directed to individuals under the age of thirteen (13), and we do not knowingly collect Personal Information from individuals under 13.

## **10. JURISDICTION AND CROSS-BORDER TRANSFER**

Your Personal Information may be stored and processed in any country where we have facilities or in which we engage service providers, and by using the Services you understand that your information will be transferred to countries outside of your country of residence, including the United States, which may have data protection rules that are different from those of your country. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your Personal Information.

We will only transfer Personal Information of customers in the European Economic Area (EEA) to countries outside the EEA if these countries are recognized by the European Commission to provide an adequate level of data protection according to EEA standards (the full list of these countries is available [here](#)) or if we have put in place adequate measures, such as standard contractual clauses adopted by the European Commission to protect your Personal Information. Please note that our affiliate Morisawa Inc is located in Japan, which is a country considered by the European Commission to provide an adequate level of data protection. You may obtain a copy of any other adequate measures we have put in place by contacting us at the contact details provided below (under “Contacting Us”).

## **11. SENSITIVE INFORMATION**

Unless we request it, we ask that you not send us, and you not disclose, any sensitive Personal Information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) on or through the Services or otherwise to us.

## 12. THIRD PARTY PAYMENT SERVICE

We may use a third-party payment service to process payments made through the Services (such third-party includes Stripe). If you wish to make a payment through the Services, your Personal Information will be collected by such third party and not by us, and will be subject to the third party's privacy policy, rather than this Privacy Policy. You can learn about Stripe's practices by going to <https://stripe.com/cookies-policy/legal>. We have no control over, and are not responsible for, this third party's collection, use and disclosure of your Personal Information.

## 13. UPDATES TO THIS PRIVACY POLICY

The "LAST UPDATED" legend at the top of this Privacy Policy indicates when this Privacy Policy was last revised. Any changes will become effective when we post the revised Privacy Policy on the Services. Your use of the Services following these changes means that you accept the revised Privacy Policy.

## 14. CONTACTING US

Morisawa USA Inc., located at 795 Folsom St. 1F, San Francisco CA 94107, USA, is the company responsible for collection, use and disclosure of your Personal Information under this Privacy Policy. Third parties and affiliates who receive your Personal Information – either from us or directly from you – are responsible for their own processing. Morisawa USA Inc. is not responsible for those processing activities.

If you have any questions about this Privacy Policy, please contact us at [Info@morisawa-usa.com](mailto:Info@morisawa-usa.com), or send us a letter at:

795 Folsom St. 1F  
San Francisco, CA 94107  
United States of America

If you are an individual who resides in the EEA, you may also lodge a complaint with a data protection authority for your country or region or where an alleged infringement of applicable data protection law occurs. A list of data protection authorities is available [here](#).

Because email communications are not always secure, please do not include credit card or other sensitive information in your emails to us.