

## PRIVACY POLICY

Salon Sélavy, LLC, a Delaware limited liability company ("Salon Sélavy," "we," "us," or "our") respects the privacy of visitors to our website, accessible at the domain: [www.selavy.com](http://www.selavy.com) ("Website" or "Site"), and to our galleries, events, and art fairs (collectively, the "Services"). This Privacy Policy is intended to inform you of our policies and practices regarding the collection, retention, use, and disclosure of any Personal Information through our Site and through our Services.

By submitting any information through our Site or in connection with our Services, you acknowledge and agree that we may process (i.e., collect, use, etc.) your Personal Information as described in this Privacy Policy.

### THE INFORMATION THAT SALON SÉLAVY COLLECTS, AND HOW IT IS COLLECTED:

Salon Sélavy collects Personal Information and Anonymous Information from you when you visit the Site, submit a request or support ticket, place an order, or in connection with our Services. "Personal Information" means information that can be used to identify a particular individual or Site user, including, for example, your name, address, telephone number, e-mail address, user name, and any information about you that is associated with or linked to any of the foregoing information, such as your IP address or geographic location information. "Anonymous Information" means information that is not associated with or linked to your Personal Information and which cannot be used to identify an individual. Salon Sélavy collects and uses Personal Information and Anonymous Information as described in this Privacy Policy.

#### • USER PROVIDED INFORMATION

You may voluntarily provide Personal Information such as your name, email address, postal address, phone number, and credit card information when placing orders, when requesting additional information about products, or participating in various activities on the Site or in connection with our Services. Salon Sélavy may also collect your email address if you choose to sign up for email communications or newsletters from Salon Sélavy.

#### • INFORMATION COLLECTED BY COOKIES

In addition to the information that you choose to voluntarily provide, when you visit the Site, Salon Sélavy sends cookies to your computer to collect information from you regarding your web-browsing activities, browser specifications, and device specifications.

"Cookies" are small lines of text that a website sends to your computer's hard drive while you are viewing a website. Salon Sélavy uses both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer until they expire or until you delete them) to provide you with a more personal and interactive experience on the Site. Persistent cookies can be removed by following the help file directions on your internet browser.

Salon Sélavy uses cookies for many purposes, including: to ensure proper functioning of the Site and Site features; to monitor and maintain the security of the Site; and, to deliver content, including product offers, specific to your interests.

Salon Sélavy also uses cookies to collect and track your IP address. An "IP address" is a number that is automatically assigned to your computer when you use the Internet. In some cases, your IP address stays the same from browser session to browser session. However, if you use a consumer internet access provider, your IP address probably varies from session to session. Salon Sélavy tracks IP addresses in conjunction with session cookies to analyze our web page flow, for fraud detection purposes, and to maintain the security of the Site.

Your browser has options to accept, reject, or provide you with notice when a cookie is sent. Please note, however, that if you choose to disable cookies, some areas of the Site may lose certain functionalities or cease to work properly.

#### • SERVER LOGS

Salon Sélavy's servers automatically record certain information from your web browser whenever you visit the Site. These server logs include information such as your Internet Protocol ("IP") address, browser type, browser language,

referring pages (including URLs), platform type, number of clicks, domain names, landing pages, pages viewed and the order of those pages, the amount of time spent on particular pages, and the date and time of any requests you make while navigating the Site. Salon Sélavy uses this information to optimize the Site for your particular browser environment, monitor and analyze Site traffic and Site flow in order to improve Site organization and functionality, and to maintain Site security.

The information collected in the server logs is not personal information and cannot be used to personally identify you. While the server logs are associated with your IP address in order to track specific browsing sessions on the Site, Salon Sélavy does not store or associate the information in the server logs—including your IP address—with your contact information.

## **HOW SALON SÉLAVY USES THE INFORMATION IT COLLECTS:**

Salon Sélavy uses your Personal Information to process and fulfill any orders you place and to complete any requests you make—including requests to receive email communications regarding products and newsletters. As part of processing and fulfilling your orders, Salon Sélavy will use your Personal Information to process your payment, as authorized by you during the checkout process, and to communicate with you regarding the status of your order and delivery details.

Salon Sélavy also uses the information it collects from you via cookies and other technological means to track and implement your preferences from session to session. Salon Sélavy may also use the information it collects to determine your purchase preferences, identify content that may be of specific interest to you, and deliver product offers or other content specific to your interests.

If you receive direct marketing from Salon Sélavy, you can opt out at any time by following the instructions included in every email sent to you via the “Unsubscribe” link, or by sending a request to opt out of promotional email communications to [bonjour@selavy.com](mailto:bonjour@selavy.com). Salon Sélavy respects your choice and will stop sending you promotional emails once you unsubscribe. Please note, however, that you may not opt out of non-promotional communications from Salon Sélavy, including communications confirming successful order placements, communications sent for customer service purposes, notifications regarding important Site or policy changes, communications providing important security or data breach information, and communications containing other significant information related to your Personal Information for as long as it is retained by Salon Sélavy.

Salon Sélavy may create Anonymous Information records from Personal Information by excluding information (such as your name and/or IP address) that would allow someone to identify a specific individual. Salon Sélavy may use this Anonymous Information to analyze request patterns and improve the Site and our performance of services offered through the Site. In addition, Salon Sélavy may create and use aggregate or statistical information that is not traceable to any particular individual (such as anonymous user usage data, cookies, IP addresses, browser type, clickstream data, etc.) to improve the quality and design of the Website and to create new features, promotions, functionality, and services by storing, tracking, and analyzing user preferences and trends. Salon Sélavy reserves the right to use and disclose anonymous or aggregate information to third parties in its discretion.

We will not perform any automated decision-making processes on the information that we collect.

While Salon Sélavy will sometimes request your consent before using your Personal Information, there are many additional legitimate and lawful purposes for which Salon Sélavy may collect and use your Personal Information without your consent. For more information, please see the section titled “Notice Regarding Requested Consents,” below.

Salon Sélavy will only retain the Personal Information we collect about you for as long as required for the purposes set out in this Privacy Policy or as required to comply with our legal obligations. Where we are permitted to engage in direct marketing, we may retain your Personal Information for that purpose and for as long as you do not unsubscribe from receiving such direct marketing from us. If you opt out of marketing, we will retain only as much information as is required for us to respect your wishes to not be contacted for marketing purposes.

## **THE CONDITIONS UNDER WHICH SALON SÉLAVY WILL SHARE YOUR INFORMATION WITH OTHERS:**

Salon Sélavy may share Anonymous Information for any legitimate business purpose allowed under the applicable laws and regulations without notification or consent.

It is currently Salon Sélavy's policy not to sell your personal information. In the event this policy changes, we will contact you in advance of the change to obtain your consent to the sale of your personal information.

Salon Sélavy will share your Personal Information with employees, consultants, affiliates, or other third party businesses or persons for the purpose of processing your information on Salon Sélavy's behalf, including processing relating to fulfilling your orders, processing payments relating to your orders, shipping your orders to you, and maintaining and securing Salon Sélavy's business records. Salon Sélavy may also share your Personal Information with our affiliates for their commercial or marketing use. Salon Sélavy has taken certain organizational and technological security measures to secure your personal information, described in the "How Your Information Is Secured" section below, and requires at least the same degree of organizational and technological security to be used by our employees, consultants, affiliates, and third party businesses or persons involved in processing Personal Information. If Salon Sélavy discloses your Personal Information as identified in this section, Salon Sélavy agrees to be liable for violations of your privacy rights by the third parties to which your Personal Information was disclosed.

If Salon Sélavy or its assets are acquired by another company, or Salon Sélavy undergoes a re-organization that results in the creation of or transference of assets to a new entity, that company will possess your Personal Information and it will assume the rights and obligations regarding your Personal Information as described in this Privacy Policy.

Salon Sélavy will not share your Personal Information with other, third-party companies for their commercial or marketing use without your consent or except as part of a specific program or feature for which you have the ability to opt-in or opt-out.

Some of Salon Sélavy's third party partners or contractors may be international organizations or organizations that were formed in the United States. If Salon Sélavy shares your Personal Information with such parties, Salon Sélavy will use appropriate methods to transmit your information in accordance with all applicable laws and regulations. Such methods may include, but are not limited to, model contract clauses or binding corporate bylaws.

In certain circumstances, Salon Sélavy may be required to disclose your Personal Information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

While Salon Sélavy may request your consent to use or share your Personal Information to fulfill or perform services regarding your orders and requests, Salon Sélavy may also use or share your Personal Information without your consent for any legitimate purpose as allowed under the applicable laws and regulations (see section titled "Notice Regarding Requested Consents," below), including fulfilling contractual obligations to you, enforcing the Terms of Service, or bringing or defending against legal claims.

## **HOW YOUR INFORMATION IS SECURED:**

Salon Sélavy takes reasonable technical and organizational precautions, in addition to following industry best practices, to protect your information against loss, misuse, alteration, disclosure, unauthorized access, or destruction.

Salon Sélavy makes use of Secure Sockets Layer (SSL) technology and keeps sensitive details stored in an encrypted format in the Salon Sélavy database. If you provide your credit card information, the information is encrypted using secure socket layer technology (SSL) and stored with AES-256 encryption. Although no method of transmission over the Internet or electronic storage is 100% secure, Salon Sélavy and its payment processing vendors follow all PCI-DSS requirements and implement additional generally accepted industry standards.

Salon Sélavy has implemented other industry-standard electronic means of protecting your Personal Information including storing your Personal Information behind a computer firewall, which is a barrier designed to prevent outsiders from accessing our servers. Except as provided elsewhere in this Privacy Policy, Salon Sélavy limits access to your Personal Information, regardless of if it is stored electronically or in physical form, to those persons (including employees and contractors) in Salon Sélavy's organization who have a business need for such access.

Even though Salon Sélavy has taken significant steps to ensure that your Personal Information is not intercepted, accessed, used, or disclosed to or by unauthorized persons, you should know that Salon Sélavy cannot eliminate

security risks associated with Personal Information. 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 Site.

## **YOUR RIGHTS REGARDING YOUR INFORMATION:**

Salon Sélavy respects your privacy and wants you to be informed of, and in control of, how your Personal Information is used. To exercise any of the rights described in this section, please contact Salon Sélavy's privacy officer at [privacy@selavy.com](mailto:privacy@selavy.com) using the procedure described in the "Personal Information Request Submissions" section below.

Subject to local law, you can control your Personal Information in the following ways:

- You can request access to your Personal Information and obtain a copy of all Personal Information about you in Salon Sélavy's possession;
- You can correct any errors in your Personal Information, or notify Salon Sélavy of any changes to your Personal Information;
- In certain situations, you can request that Salon Sélavy erase, block, or restrict access to your Personal Information;
- In certain situations, you can object to the particular ways in which Salon Sélavy is using your Personal Information; and
- In certain situations, you can also request that Salon Sélavy send your Personal Information to a third party.

Salon Sélavy will take all reasonable steps to ensure that your Personal Information is handled according to your wishes.

## **NOTICE REGARDING REQUESTED CONSENTS:**

If you use the Site or the Services, you may be asked to consent to certain collection and use of your Personal Information. While you will not be penalized or prejudiced for refusing to consent to the collection, retention, and use of your information as described in this Privacy Policy, failure to provide consent may interfere with or disrupt certain features of the Site or prevent Salon Sélavy from fulfilling your orders.

You are entitled to withdraw that consent at any time. If you revoke your consent, you will not be penalized or prejudiced for that revocation.

However, even if you refuse or revoke your consent, Salon Sélavy may continue to collect, retain, and use your Personal Information or sensitive Personal Information so long as such retention and use is consistent with the purposes described in this Privacy Policy and that collection, retention, and use is lawful and allowed without need for your consent under the applicable laws and regulations.

These uses, among others, may include:

1. Complying with legal obligations, for example, tax, employment, and other laws or regulations;
2. Fulfilling Salon Sélavy's contractual obligations to you;
3. Fulfilling Salon Sélavy's legitimate business interests and purposes, whether performed by Salon Sélavy or a third party, so long as that purpose does not override your fundamental rights and freedoms;
4. Preventing fraud;
5. For internal administrative purposes, whether your data is maintained internally or shared with Salon Sélavy's subsidiaries and affiliates, franchisees, or third-party contractors for this purpose;
6. Ensuring network and information security;
7. Establishing, exercising, or defending against any legal claims;
8. Complying with legal obligations; or
9. Using your Personal Information in accordance with any valid consents you have given.

If Salon Sélavy collects, retains, or uses your Personal Information based on a legitimate interest or the public interest, as described above, you may have the right to object at any time to that use of your Personal Information if your local law gives you that right.

## **NOTICE REGARDING CHILDREN:**

Salon Sélavy does not intentionally gather Personal Information about visitors who are under the age of 13, and you must be at least 13 years or older to use the Site. If you believe that we might have any Personal Information from a child under 13, please contact us using the information in the "Contact Us" section, below.

## **NOTICE REGARDING CALIFORNIA PRIVACY RIGHTS:**

California Civil Code Section 1798.83 permits users of the Website who are California residents to request certain information regarding its disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail with "California Privacy Rights" in the subject line to [privacy@selavy.com](mailto:privacy@selavy.com) or contact Salon Sélavy via the information provided in the "Contact Us" section, below.

## **LINKS TO OTHER SITES:**

If Salon Sélavy provides a link to any other website or location, it is for your convenience and does not signify Salon Sélavy's endorsement of such other website or location or its contents. Salon Sélavy has no control over, does not review, and cannot be responsible for these outside websites or their content. Please be aware that this Privacy Policy does not apply to such third-party websites. Salon Sélavy is not responsible for the privacy practices of other sites and encourage you to read their privacy statements.

## **PRIVACY POLICY UPDATES**

Salon Sélavy may, at its sole discretion, modify this Privacy Policy at any time by posting an updated Privacy Policy on this page. If you object to any modifications to this Privacy Policy, you must cease using the Site. Continued use of the Site following any modifications to this Privacy Policy shall indicate your acknowledgement of, and agreement to be bound by, the modified Privacy Policy.

## **CONTACT US**

If you have any general questions about this Privacy Policy or how Salon Sélavy collects, uses, or shares your Personal Information, or if you would like to manage your Personal Information as permitted under the various privacy or data security laws that may be applicable where you reside, please contact our Privacy Officer at the below email or mailing address:

Email: [privacy@selavy.com](mailto:privacy@selavy.com)

Salon Sélavy Privacy Rights  
Salon Selavy, LLC  
c/o Di Donna Galleries, LLC  
744 Madison Avenue  
New York, NY 10065  
ATTN: Privacy Officer

Effective Date: July 27, 2020

Privacy Policy Location: [www.selavy.com/privacy-policy/](http://www.selavy.com/privacy-policy/)

## **RIGHTS AND CHOICES FOR NEVADA CONSUMERS**

If you are a resident of the State of Nevada, you have the right to request that Salon Sélavy not sell the Personal Information we currently have about you or that we might collect about you in the future. Although it is currently Salon Sélavy' policy not to sell our consumers' Personal Information, if you would like to register an email address with Salon Sélavy to request that we not sell your Personal Information now or in the future, please send an e-mail with "Nevada Privacy Rights" in the subject line to [privacy@selavy.com](mailto:privacy@selavy.com) or contact Salon Sélavy via the information provided in the "Contact Us" section, above.

Following our receipt of your request, we will make reasonable efforts to verify your identity and that the request is authentic. When we have verified your request, we will confirm that your Personal Information will not be sold by Salon Sélavy. If you change your email address in the future, please note that you will need to re-register the new

email address with us so we can continue to ensure that we do not sell your Personal Information.

Salon Sélavy will only use the information you provide in connection with your request to process that request. Because of the on-going nature of your right not to have your Personal Information sold under Nevada law, we will retain the information provided in this request until you withdraw the request.

## **RIGHTS AND CHOICES FOR EU/EEA (AND UK) CONSUMERS**

The GDPR provides individuals (residents of the European Union (EU) and European Economic Area (EEA)) with specific rights regarding their Personal Information. As of the effective date of this Privacy Policy, the UK is covered by the GDPR but has taken steps to adopt laws that mirror the GDPR that are intended to go into effect following the UK's departure from the EU. References to the GDPR in this Privacy Policy are intended to cover the UK's replacement laws.

This section describes your GDPR rights and explains how to exercise those rights.

The GDPR extends a number of rights to residents of the EU, EEA, and, through mirrored laws adopted by the UK intended to go into effect following the UK's departure from the EU, the UK. These rights include the rights of/to: access, rectification, erasure ("the right to be forgotten"), restrict processing, data portability, and objection to profiling and automated decision-making. Individuals subject to the GDPR also have the right not to be discriminated against for exercising these rights.

## **EXERCISING YOUR GDPR RIGHTS**

You have the right to control your Personal Information as described below. In order to request access to, correct, object to our use and retention of your Personal Information, or to exercise any of your rights related to your Personal Information as described in your local law, please send a request by email to [privacy@selavy.com](mailto:privacy@selavy.com) or by mail using the contact information listing in the "Contact Us" section above. Please include "Personal Information Request" in the subject line of your email.

You can control your Personal Information in the following ways:

- You can request access to your Personal Information and obtain a copy of all Personal Information about you in Salon Sélavy's possession;
- You can correct any errors in your Personal Information, or notify Salon Sélavy of any changes to your Personal Information;
- In certain situations, you can request that Salon Sélavy erase, block, or restrict access to your Personal Information;
- In certain situations, you can object to the particular ways in which Salon Sélavy is using your Personal Information; and
- In certain situations, you can also request that Salon Sélavy send your Personal Information to a third party.

When you contact Salon Sélavy to exercise any of the privacy rights described above, please provide the following information:

- 1) Your first and last name;
- 2) Your email address;
- 3) Your phone number; and
- 4) A brief description of your request, which can be based on the list of rights described above.

Salon Sélavy will make a reasonable effort to confirm your identity before processing your request in order to protect against disclosure of your information to a third party. This identity confirmation effort may come directly from us or from a trusted vendor.

The Personal Information you submit with your request will only be used to process your request, though Salon Sélavy may store information relating to your request for up to 60 days in case you have additional inquiries. Any contact information provided in connection with a request to exercise your rights related to your Personal Information will not be used for direct marketing purposes and will not be shared with others unless necessary to verify your identity and complete your request.

Salon Sélavy will do its best to respond to your request as soon as possible, and, in any event, no later than 30 days after receiving your request. Please note that making multiple requests at one time may delay the processing of your request. If additional time is required to complete your request, Salon Sélavy will contact you within information regarding the delay.

In certain circumstances, some requests may need to be fulfilled in a logical order. For example, if you request to see what information Salon Sélavy has about you and at the same time request that Salon Sélavy erase your Personal Information, Salon Sélavy will first provide you with access to your Personal Information, before asking you to confirm your request to delete that information.

In some circumstances, Salon Sélavy may not be able to comply with your requests relating to your Personal Information. In those cases, Salon Sélavy will respond as soon as possible, explain why we are not able to comply, and provide information about how you can object to the relevant Supervisory Authorities if you think our continued use is improper.

If you have a concern about Salon Sélavy's handling of your Personal Information or your request, please contact us using the contact information in this Privacy Policy so we can try to resolve your concerns. Salon Sélavy is committed to working with you to obtain a fair resolution to any complaint or concern you may have about your Personal Information. In certain circumstances, you may have the right to lodge a complaint with the data protection authority in your country (if one exists in your country) or supervisory authority. You may also have a right to a judicial remedy if it is determined your Personal Information is being used illegally.