

1-800 Contacts and our affiliates are committed to working to protect the privacy of information we collect from or about our customers. This Supplemental Privacy Notice for Residents of Certain States ("Supplemental Privacy Notice") supplements our **Online Privacy Notice**. This Supplemental Privacy Notice applies only if you are a resident of any of the following states: California, Colorado, Connecticut, Montana, Oregon, Texas, Utah and Virginia ("Applicable States") and describes how 1-800 Contacts and our affiliates that link to this Supplemental Privacy Notice ("1-800 Contacts," "we," "us," or "our") treat information we collect from you when you use our digital platforms (e.g., our "Website," mobile applications, or any other digital platform that links to this Supplemental Privacy Notice) (collectively, the "Site"), or that we collect from you in connection with our services (e.g., customer support, marketing events, sponsored programs, etc.) ("Services"). This Supplemental Privacy Notice does not apply to your protected health information, as defined under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). For information on how we treat your protected health information, please refer to our **Notice of Privacy Practices**.

We do not sell, rent, or loan any information that identifies you to any third party for monetary or other valuable consideration.

## 1-800 Contacts Supplemental Privacy Notice for Residents of Certain States

**Effective Date:** November 07, 2024

1-800 Contacts provides this Supplemental Privacy Notice to supplement the information contained in the **1-800 Contacts Online Privacy Notice**. This Supplemental Privacy Notice sets forth our privacy practices as required by the personal information privacy laws in the Applicable States in those circumstances where we collect your information that is not considered protected health information subject to HIPAA.

This Supplemental Privacy Notice applies only when we collect your "Personal Information" (as such terms are defined by the Applicable States' privacy laws, and collectively referred to herein as "Personal Information"). If you are an employee, employee applicant, or contractor, please refer to the **1-800 Contacts Privacy Notice for California Consumers (Company Employees)**.

## Notice of information we collect

We collect and have collected your Personal Information as described below in a variety of different situations, including, but not limited to, when you use our Site and Services. More specifically, we collect the following categories of Personal Information from you, depending on the particular Processing or Business Purpose (described in the "How We Use Personal Information" section below) for which we collect it. This table also sets out the Personal Information we have collected over the last twelve (12) months:

| Category  | Examples of Personal Information We May Collect   | Processing Purpose                          | Retention Period (minimum)                          |
|---|---|---|---|
| A. Identifiers.   | A real name, postal address, Internet Protocol address, email address<br>unique personal identifier, device identifier, online identifier, account name   | See "How we use Personal Information" below | Length of customer relationship, plus six (6) years |
| B. Personal Information categories listed in the California Customer Records statute (California only) (Cal. Civ. Code § 1798.80(e)). | This information comprises any Personal Information that identifies, relates to, describes or is capable of being associated with you or your household in our records. Some Personal Information in this category may overlap with other categories. | See "How we use Personal Information" below | Length of customer relationship, plus six (6) years |
| C. Protected classification   | Sex or Age.   | See "How we use Personal Information" below | Length of customer relationship, plus six (6) years |

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| characteristics under applicable state or federal law.   |   | Information" below                          | relationship, plus six (6) years  |
| D. Commercial information.   | Records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies. | See "How we use Personal Information" below | Length of customer relationship, plus six (6) years   |
| E. Biometric information.  | None  |   |   |
| F. Internet or other similar network activity information. This includes information we automatically collect as you browse, search, and interact with the Site, including through the use of first and third party cookies. | Information on a consumer's interaction with a website, application, or advertisement.  | See "How we use Personal Information" below | Generally for as long as one (1) year, although under certain circumstances the retention may be for a longer time. |
| G. Geolocation data.   | Physical location.  | See "How we use Personal Information" below | Generally for as long as one (1) year, although under certain circumstances the retention may be for a longer time. |
| H. Sensory data.   | None.   |   |   |

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| <p>I. Professional or employment-related information.</p>                                    | <p>1-800 Contacts<br/>Privacy Notice for California Consumers (Company Employees).</p>  | <p>To manage employment-related activities, including recruitment, hiring, performance, evaluation, payroll, benefits administration, and compliance with legal obligations.</p> | <p>See <b>Privacy Notice for Employees</b></p>             |
| <p>J. Education information, as defined by the Family Educational Rights and Privacy Act</p> | <p>None.</p>  |  |  |
| <p>K. Sensitive Personal Information</p>   | <p>Geographic data in certain states, financial information, sex. We do not collect sensitive Personal Information for purposes of inferring characteristics.</p> | <p>See "How we use Personal Information" below</p>   |  |
| <p>L. Inferences drawn from other Personal Information.</p>                                  | <p>Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and</p>       | <p>See "How we use Personal Information" below</p>   | <p>Length of customer relationship, plus six (6) years</p> |

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|  | aptitudes, such as inferences related to your website visit. |  |  |
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Personal Information does not include deidentified, aggregated or publicly available consumer information, or information that is outside the scope of applicable law (such as protected health information).

## Categories of sources of Personal Information

1-800 Contacts obtains the categories of Personal Information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or information you provide to us when you interact with us.
- Indirectly from you. We collect certain information and usage data from your device, if the device is configured to allow such collection, whenever you interact with us on the Site. This data may include which websites you visit, what you click on, and when you performed those actions. These activities may be performed by us or a third party acting on our behalf.
- Third parties. For example, we may receive information about you from our affiliates or other third parties we work with to market or provide you our products and services.
- Service Providers. We may receive information from service providers who are providing services to us or to you on our behalf.

## How we use Personal Information

We use the necessary and relevant Personal Information for one or more of the following business purposes, but will not use Personal Information for any other purpose other than as set forth in the Online Privacy Policy Notice and this Supplemental Privacy Notice:

- *Customer Inquiries:* To fulfill or meet the purpose for which you provided the information. For example, if you disclose your name and contact information to ask us a question or inquire about our products or services, we will use that Personal Information to respond to your inquiry.
- *Customer Outreach and Promotions:* To contact you and to inform you about products, services, promotions, special offers, and/or events that may interest you.
- *Site and Service Improvements:* To provide, support, personalize, and develop our Site, products, and services.

- *Manage Accounts:* To create, maintain, customize, and secure your account with us.
- *Inquiry and Fraud Management:* To process your requests and prevent transactional fraud.
- *Customer Support:* To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- *Employment Inquiries:* If you provide your information in the context of an employment application or your employment, we will use your information to serve those purposes.
- *Personalized Experience and Marketing:* To personalize your Site and Service experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through the Site, third-party sites, and via email or text message (with your consent, where required by law).
- *Security:* To help maintain the safety, security, and integrity of our Site, products and services, databases and other technology assets, and business.
- *Research:* For research, analysis, and business development, including to develop and improve our Site, products, and services.
- *Compliance:* To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations, and for other legal compliance purposes.
- *Mergers and Divestitures:* To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of 1-800 Contacts assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by 1-800 Contacts about our Consumers is among the assets transferred.
- *Specific Use Cases:* As specifically described to you when collecting certain specific Personal Information or subsequently agreed to by you in connection with a unique Site or Service engagement.

## How we disclose your information

1-800 Contacts may disclose your information to a third party for a business purpose, including with the following categories of third parties:

- *Service providers:* Service providers who support our business;
- *Affiliates:* Entities that are controlled by or under common control with 1-800 Contacts;

- *Marketing partners:* Third party marketing partners and service providers in connection with marketing activities;
- *Embedded tools:* With third party providers that provide embedded features and functions managed and maintained by these third parties (e.g., online chat);
- *Mergers and acquisitions:* With third parties in connection with a sale or merger of the business associated with this information;
- *Law enforcement:* With law enforcement as required by applicable law; and
- *Customer request:* With third parties whom you direct us to disclose your information.

### Disclosures of Personal Information for a business purpose

During the twelve (12) month period prior to the Last Update of this Supplemental Privacy Notice, we may have disclosed your information for a business or commercial purpose as described in the "How we use Personal Information" section to certain categories of third parties described in the "How we disclose your information" section of this Supplemental Privacy Notice, and disclosed in the following chart. As described above, examples of business purposes include site and service improvements, personalized experience and marketing, security and compliance.

| <b>Categories of Personal Information</b>                           | <b>Categories of Third Parties</b>  |
|---|---|
| <b>Category A: Identifiers</b>                                      | See "How we disclose your information" section, including, for example, Service Providers; Affiliates; Marketing Partners |
| <b>Category B: California Customer Records Personal Information</b> | See "How we disclose your information" section, including, for example, Service Providers; Affiliates; Marketing Partners |
| <b>Category F: Internet or other similar network activity</b>       | See "How we disclose your information" section, including, for example, Service Providers; Affiliates; Marketing Partners |

### Sales or Sharing of Personal Information

During the twelve (12) month period prior to the Last Updated date of this Supplemental Privacy Notice, we have (i) not sold Personal Information for monetary or other valuable consideration, and (ii) have shared Category A (Identifiers) and Category F (Internet activity) for cross-context behavioral advertising or targeted advertising to marketing partners and/or affiliates as referenced in the "How we disclose your information" section above. We do use third party cookies and other online usage technologies for advertising. For information on the types of usage technologies and the reasons why we use them, see our [Online Privacy Notice](#). If you wish to opt out of such sharing, please read the sections below concerning opt-out rights.

## **Your rights and choices**

Subject to certain exceptions and depending on the Applicable State, you may have specific rights regarding your Personal Information. This section describes these relevant rights and explains how you can exercise them.

### **Right to know and access specific information**

You have the right to request that 1-800 Contacts disclose certain information to you about our collection and use of your Personal Information. You also have the right to access such Personal Information and, in certain instances and to the extent technically feasible and subject to the applicable time period for the Applicable States, obtain it in a portable and readily usable format that you can transmit without hinderance. After receipt of a verifiable consumer request (see the "Exercising rights" section, below), you may receive, as applicable:

- The categories of Personal Information we collected about you.
- The categories of sources for the Personal Information we collected about you.
- Our business or commercial purpose for collecting, selling, or sharing that Personal Information.
- The third parties or categories of third parties, other than natural persons, to which we have disclosed (including for cross-context behavioral advertising) your personal data, or a list identifying the Personal Information categories that each category of third party obtained.
- The specific pieces of Personal Information we collected about you.
- If we disclosed your Personal Information for a business purpose, a list disclosing the disclosures for a business purpose, identifying the Personal Information categories that each category of recipient obtained.

### **Right to correct**



You have the right to request that we correct inaccuracies in your Personal Information, taking into account the nature of the Personal Information and the purposes of the processing of the Personal Information.

### **Right to delete**

You have the right to request that 1-800 Contacts delete any of your Personal Information that we have, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see the "Exercising rights" section, below), we will delete (and direct our service providers and third parties (with which we have disclosed your Personal Information) to delete) your Personal Information from our records, unless an exception applies.

In accordance with the law of the Applicable State, we may deny your deletion request under certain circumstances, and will inform you of the basis for the denial, which may include, but is not limited to, if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction or service for which we collected the Personal Information, provide a good or service that you requested, fulfill the terms of the written warranty, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Ensure the security and integrity of your Personal Information is reasonably necessary and proportionate for those purposes.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us and compatible with the context in which you provide the information.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

### **Right to opt-out**

You have the right to opt-out of the processing of your Personal Information for cross-context behavioral advertising or targeted advertising. We process opt-out preference signals in a frictionless manner. You can implement an opt-out preference signal for us to process in a frictionless manner by [selecting the appropriate settings on your internet browser or browser extension. Please review your browser setting for more details]. You can also submit a request to opt-out of sharing your Personal Information for cross-context behavioral advertising or targeted advertising through the contact methods below.

## Right to appeal

You have the right to appeal our decision with regard to your request to exercise any rights described herein.

## Right of non-discrimination

You have the right not to receive discriminatory treatment for the exercise of any of these rights. We will not discriminate or retaliate against you because you have exercised your rights.

## Exercising rights

To exercise the rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 1-800-266-8228
- Emailing [privacydepartment@1800contacts.com](mailto:privacydepartment@1800contacts.com)
- Writing to us at the postal address stated below

Only you, a person, or your authorized representative that you authorize to act on your behalf, may make a verifiable consumer request related to your Personal Information.

You may only make a verifiable consumer request for access or data portability, or to know what Personal Information shared, twice within the applicable reportable time period for the Applicable States. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot fully verify your identity or authority to make the request and confirm the Personal Information relates to you.

Making a verifiable consumer request does not require you to create an account with us. However, we do consider requests made through your password protected account sufficiently verified when the request relates to Personal Information associated with that specific account. We will use Personal Information that is provided to verify your identity or the requestor's identity or authority to make the request.

## **Response timing and format**

We will confirm receipt of requests to know, data portability, to correct inaccurate information or to delete within 10 business days of receiving the request and provide information concerning how we will process the request.

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional forty-five (45) days), we will inform you of the reason and extension period in writing.

We will deliver our written response by mail or electronically, at your option.

Your request may pertain to the Personal Information collected about you. If your request covers a time period beyond the applicable time period for the Applicable States, then we may deny your request as to that time period where it would be impossible for us to provide you with the information or involve disproportionate effort. The response we provide will also explain the reasons we cannot comply with a request, if applicable.

If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

## **Children's Privacy**

The Site and any of our Services that link to this Supplemental Privacy Notice is not directed at or intended for use by children under 16 years old. We do not knowingly collect or solicit any information from anyone under the age of 16. If you believe we have such Personal Information relating to your child, please contact us immediately so that we can delete such information.

## **Other California privacy rights**

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. We do not disclose your Personal Information to third parties for their direct marketing purposes.

## **Changes to our Supplemental Privacy Notice**

1-800 Contacts reserves the right to amend this Supplemental Privacy Notice at our discretion and at any time. When we make material changes to this Supplemental Privacy Notice, we will post the updated notice on the Site and update the notice's last modified date below. Your continued use of any of the

Services or interaction with us through other methods following the posting of changes and/or our directing you to an updated version of this Supplemental Privacy Notice constitutes your acceptance of such changes.

### **Access by Persons with Disabilities**

Persons with disabilities who need assistance accessing this Supplemental Privacy Notice may contact us as provided for above, and depending on your individual needs, the Company will grant reasonable requests to furnish this Supplemental Privacy Notice in an alternative format. See [Accessibility](#).

### **Notice of Financial Incentive**

We may, at times, offer you various financial incentives such as loyalty programs, discounts, and special offers when you provide us with your contact Personal Information such as your name and email address. When you sign-up for our loyalty program, email list or other discounts and special offers, you are also opting-in to this financial incentive as consideration for our use of your Personal Information for the purposes described in this Supplemental Privacy Notice. You may withdraw from a financial incentive at any time, for example by opting out from our email or closing your loyalty member account. Generally, we do not assign monetary or other value to Personal Information, however, California law requires that we assign such value in the context of financial incentives. In such context, the value of the Personal Information is related to the estimated cost of providing the associated financial incentive(s) for which the information was collected.

### **Contact information**

If you have any questions or comments about this notice, the ways in which 1-800 Contacts collects and uses your information described above and in the [Online Privacy Notice](#), your choices and rights regarding such use, or wish to exercise your rights, please do not hesitate to contact us at the below, or as stated in the "Exercising rights" section above:

Phone: 1-800-266-8228

Email: [privacydepartment@1800contacts.com](mailto:privacydepartment@1800contacts.com)

Postal Address:

ATTN: Privacy Department

261 Data Dr.

Draper, UT 84020

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