



# Privacy Policy

Get the Gallery LLC. knows that you care how information about you is used and shared, and we appreciate your trust that we will do so carefully and sensibly. This Privacy Policy (“Privacy Policy”) describes how we collect, store and use information from and about users who visit [www.GettheGallery.com](http://www.GettheGallery.com) (the “Site”) and/or use any of the services that are part of, enabled by or available on the Site (the “Services”).

The terms “Get the Gallery,” “we,” “us” and “our” refer to Get the Gallery, Inc., a Delaware corporation, and its subsidiaries. “You” refers to you, as a user of the Site or the Services. This Privacy Policy is subject to the Terms of Service, please refer to the Terms of Service published on the site, (the “Terms”) posted on the Site. By visiting the Site or using the Services, you expressly consent to Get the Gallery’s collection, storage, use and disclosure of your information as described in this Privacy Policy. If you disagree with anything in this Privacy Policy, you may not use the Site or the Services.

The Site and the Services are controlled and operated by Get the Gallery from the United States. The terms of this Privacy Policy may not comply with European data retention and usage requirements, and we recommend that you not access the Site or use the Services from a location within the European Economic Area. If, despite this recommendation, you use the Site or Services from jurisdictions outside the United States, the data that we collect from you in accordance with this Privacy Policy will be transferred to, and stored at, a destination outside your country of residence, including to and in the United States, where applicable law may not be as protective of your data as the local law of your country of residence.

If you have questions or concerns regarding this statement, you should contact us at [info@GettheGallery.com](mailto:info@GettheGallery.com), or by writing: Get the Gallery, LLC., 1515 Wynkoop St, Suite 360, Denver CO 80202.

This Privacy Policy covers only information that is collected by and through the Site and does not apply to any information that may be collected through any software downloaded or otherwise accessed through the Site or the Services.

## 1. General Use of Information

Our primary purpose in collecting personal information is to provide you with a safe, smooth, efficient, and customized experience. This allows us to provide services and features that most likely meet your needs, and to customize our service to make your experience safer and easier. We only collect personal information about you that we consider necessary for achieving this purpose.



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In general, you can browse the Site without telling us who you are or revealing any personal information about yourself. Once you give us your personal information, you are no longer anonymous to us.

## 2. Information We Collect and How We Use It

We automatically track certain information based upon your behavior on the Site. We use this information to do internal research on our users' demographics, interests, and behavior to better understand, protect and serve you and our community. We store information that we collect through log files, cookies and clear gifs, as described below, to create a "profile" of your preferences. We do not share this profile with any third parties.

We typically do not link this automatically collected data, including the profile that we have constructed of your preferences, to personally identifiable information ("PII"). We will only link such automatically-collected data or profile with your PII with your consent and in order to offer you the best user experience possible, including to provide tailored promotions and marketing offers. By registering with the Site, you consent to us linking such automatically-collected data and such profile to any PII we possess regarding you. We use a third-party tracking service that uses log files and cookies to track aggregated non-PII about visitors to the Site. This service captures usage and volume statistics.

- a. **Log Files.** Like many websites, we automatically gather certain information about Site traffic and store it in log files. This information may include such data as your Internet protocol (IP) address, browser type, Internet service provider (ISP), operating system and access time, as well as any referring website and clickstream data.

We use this information, which does not identify individual users, to analyze trends, to administer the Site, to track users' movements around the Site and to make inventory purchasing decisions that will best serve our customer base.

- b. **Cookies.** A cookie is a small text file containing an anonymous unique identifier that is stored on a user's computer for record-keeping purposes. We use cookies on this site. As noted above, we do not link the information we store in cookies to any PII you submit while on our site unless you have given us your consent to do so.

The Site and Services use both session ID and persistent cookies. A session cookie expires when you close your browser. We use session cookies to make it easier for you to navigate our site. A persistent cookie remains on your hard drive for an extended period of time. You can remove persistent cookies by following directions provided in your Internet browser's "help" file.

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Most web browsers are set up to accept cookies by default but allow you to disable the browser's ability to accept cookies. If you choose to disable your browser's ability to accept cookies, you may still use the Site, but your ability to use some areas of the Site may be limited.

- c. **Clear Gifs (Web Beacons).** We employ a software technology called clear gifs, also referred to as web beacons, that help manage content on the Site by tracking what content is effective. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies, and are used to track the online movements of Web users. In contrast to cookies, which are stored on a user's computer hard drive, clear gifs are embedded invisibly on webpages and are about the size of the period at the end of this sentence.

We use clear gifs in our HTML-based emails to let us know which emails have been opened by recipients. This allows us to gauge the effectiveness of certain communications and marketing campaigns. If you would like to opt-out of these emails, please see Section 5 ("Choice and Opt-Out").

- d. **Third Party Collection.** This Privacy Policy applies only to the use of cookies, web beacons and other related technologies by Get the Gallery and the Site. Some of our business partners, such as advertisers, may gather anonymous information from users of the Site through automated means such as cookies and web beacons.

We have no access to or control over, and the terms and conditions of this Privacy Policy do not apply to, any third party's use of cookies, web beacons or other technologies or any information they gather about you through such technologies. Note that you may go to [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp) to opt out of a wide selection of third party tracking.

### 3. Information You Volunteer

- a. **Registration.** In order to use some features of the Site and the Services, including without limitation to rent any products offered for rental or purchase on the Site or through the Services ("Products"), you must first register with us and create a user-name and password. During registration you are required to provide contact and demographic information, such as your name, email address and zip code. Any information you provide must be true and accurate, in accordance with our Terms, please refer to the Terms of Service published on the site. We use this information to contact you about the Services and Products in which you have expressed interest. By registering with us, using the Services,

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renting or purchasing any Products, sending us an email or sharing any personal information

with us in any other way, you are authorizing us to collect, store and use such information in accordance with this Privacy Policy.

- b. **Orders.** In order to rent or purchase a Product from us, you must provide us with certain PII, including contact information (such as your name, email, and shipping address) and financial information (such as a credit card number and expiration date). We use this information for billing purposes and to fill your order. If we have trouble processing an order, we will use this information to contact you. We may collect information about your behavior on the Site, such as Products you have marked as favorites, Products you have rented or purchased, Products you have clicked on, your responses to any surveys you complete, and similar commercial behaviors.
- c. **Social Networking Sites.** You may choose to authenticate your identity while using the Site or Services through your profile or user account on a social networking site ("SNS"), such as Facebook, Twitter, Instagram or any similar service. If you choose to do so, you allow us to access and share certain information from your profile or account ("Profile") for that SNS. The information you allow us to access and share varies by SNS, and it is affected by the privacy settings you establish at that SNS. You can control and find out more about these settings at the SNS where you engage in SNS-related Activities. To manage the information we receive about you from any SNS, you will need to follow the instructions at that SNS for updating your information and changing your privacy settings.  
By choosing to authenticate your identity using your Profile on any SNS, you are authorizing us to collect, store and use in accordance with this Privacy Policy any and all information that you agreed that such SNS could provide to us through the SNS's application programming interface. Your agreement takes place when you authenticate your identity or log in to the Site using your Profile with any SNS. You may revoke our access to any SNS at any time by amending the appropriate settings on your Profile, if permitted by such SNS's terms and settings. You acknowledge that we do not control the privacy settings or other terms that any SNS makes available to its users, and we refer you to the privacy policies for such SNSs to learn what options they make available to their users.
- d. **Tell-A-Friend.** If you choose to use our referral service to tell a friend about our site, we will ask you to provide your friend's name and email address. We will automatically send your friend a one-time email inviting him or her to visit the site.

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Get the Gallery stores this information for the sole purpose of sending this one-time email and tracking the success of our referral program.

Your friend may contact us at [info@GettheGallery.com](mailto:info@GettheGallery.com) to request that we remove this information from our database.

- e. **Chat Rooms/Discussion Boards.** Any information, data, text, comments, feedback, messages or other content (“Content”) you provide in or on any chat rooms, discussion boards or other public message areas on the Site or in connection with any Products or Services, including but not limited to reviews of Products, will be publicly available and may be viewed, stored and used by anyone, including us. You acknowledge and agree that Get the Gallery has no responsibility for how any such Content is used by others.
- f. **Personal Correspondence.** If you send us personal correspondence, such as emails or letters, or if other users or third parties send us any correspondence about your activities or any Content you provide on the Site, we may store any such correspondences in connection with your account. We reserve the right to terminate the account of any user who uses the Site or the Services in a manner that is inconsistent with the Terms.

#### 4. Conditions Under Which We Share Your Information

- a. **Aggregated Information (Non-Personally Identifiable).** We share aggregated demographic information about our users with our Partners. We do not link any aggregate user data with PII and any such information we share with third parties does not identify individual users. Our “Partners” are parties with which we have agreed to share or exchange information and may include business partners, advertisers, other websites, or companies with whom Get the Gallery feels its users would benefit from having a special relationship. From time to time, Partners may be provided demographic information about the users of the Site, their buying behaviors, and opportunities to market to select segments of our users indirectly. This Privacy Policy does not limit in any way our use or disclosure of Anonymous Information and we reserve the right to use and disclose such Anonymous Information to our Partners, advertisers and other third parties at our discretion.
- b. **Personally Identifiable Information.** Except as specified below or as otherwise stated in this Privacy Policy, we do not sell, trade, rent or otherwise share your PII with third parties without your consent. If you give us permission to do so, we

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may share your PII with our Partners, who might send you marketing and promotional information.

- i. **Service Providers.** Your PII may be transferred to vendors who are performing services for Get the Gallery and other third parties who are helping us make the Site and Services available and functional, such as technical agents, payment processing vendors, shipping and logistics companies, other subcontractors, and our affiliates and consultants, including companies providing marketing, public relations, live chat and other web services on the Site or in connection with the Services. Such vendors use your PII only at our discretion and in accordance with our Privacy Policy.
  - ii. **Credit Card Companies.** If you provide your credit card information to us in connection with any Services or to order Products, your credit card company will be provided with all relevant information about us, item(s) purchased, cost and other information necessary to process the transaction. We do not store credit card information and by providing your credit card information to us you acknowledge and agree that we are not liable for any disclosure of your credit card information or other related information arising from or relating in any way to your use of the Site or Services.
  - iii. **Address Verification.** We use third party software to verify your identity and address, in order to ensure proper shipping and billing procedures for your rental. Your PII is not stored by this software.
  - iv. **Co-branded Sites.** This Privacy Policy does not apply to any third party websites, including any websites linked to from the Site that include Get the Gallery branding. We advise you to carefully read the privacy and other policies on any such third party website.
  - v. **Co-Marketing.** We may co-market our Products or our Partners' products by sending you e-mails, where you have previously evidenced interest in such products. We do not provide your e-mail address or other PII to those partners except as stated in this Privacy Policy.
- c. **Legal Disclaimer.** We reserve the right to access, preserve and disclose your PII as required by law and when we believe that access, preservation or disclosure is necessary to avoid liability; to comply with legal process, such as a search warrant, subpoena, statute, or court order; or to protect our rights and property, or that of our affiliates, business partners, users or the public. We are not required to question or contest the validity of any search warrant, subpoena or other similar governmental request that we receive. In the event we undergo a

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business transaction such as a merger, acquisition by another company or sale of all or a portion of our assets, your PII may be among the assets transferred. You acknowledge and consent that such transfers may occur and are permitted by this

Privacy Policy, and that any acquirer of our assets may continue to store and use your PII as set forth in this Privacy Policy.

### 5. Communication from Us or the Website

- a. **Special Offers and Newsletters.** We may occasionally send you information on products, services, special deals, and promotions. In connection with such promotions, we may provide you with a promotion code that you can enter at the time of checkout. You may also subscribe to our newsletter(s), which we will send to the email address you provide to us. Out of respect for your privacy, we present the option not to receive these types of communications. Please see Section 5 (“Choice and Opt-Out”) for information on how to opt out of such emails.
- b. **Service-Related Announcements.** On rare occasion, we may send an email to you at the email address you have provided to us to inform you of certain service-related announcements. For instance, we may send you such an email if our service is temporarily suspended for maintenance. Generally, you may not opt out of these communications, which are not promotional in nature. If you do not wish to receive such emails, you may deactivate your account.
- c. **Customer Service.** When you register for the Site and Services, we may send you a welcome email to verify your email address, username and/or password. We may also communicate with you at the email address you provide in response to your inquiries, to provide certain Services you request, to manage your account, and to provide the best customer service possible.

### 6. Choice and Opt-Out

If you do not wish to receive certain forms of marketing information, please send an email to [info@GettheGallery.com](mailto:info@GettheGallery.com) identifying the particular marketing materials you do not wish to receive. All promotional and marketing emails will also contain a link which will allow you to unsubscribe from such marketing materials.



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## 7. Links to Other Websites

The Site contains links to other websites that are not owned or controlled by Get the Gallery. This Privacy Policy does not apply to such websites. We encourage you to read the privacy and other policies of all websites you visit that collect PII. This Privacy Policy applies only to information accessed, collected, stored and used by Get the Gallery through the Site and Services.

## 8. Access to Personally Identifiable Information

You may correct, update or modify the PII associated with your account, and you may delete or deactivate such account, through the account management part of the Site or by emailing [info@GettheGallery.com](mailto:info@GettheGallery.com).

## 9. Security

The security of your personal information is important to us. When you enter sensitive information (such as a credit card number) on our registration or order forms, we encrypt that information using secure socket layer technology (SSL). We follow generally accepted industry standards to protect all PII submitted to us, both during transmission and once we receive it. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while we strive to use commercially acceptable means to protect your PII, we cannot guarantee its absolute security and you provide any such information at your own risk. By visiting the Site or using the Services, you acknowledge that you understand and agree to assume these risks. If you have any questions about security on our Website, please email us at [info@GettheGallery.com](mailto:info@GettheGallery.com).

## 10. Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time and will post any changes to this Privacy Policy on the Site. If we make changes that materially affect our policies regarding the collection, use or disclosure of PII that we have previously collected, we will notify you by posting such changes on the Site and may also provide you with notice via email at the email address you have provided to us. Any changes to the Privacy Policy will apply to all current and past users of the Site and Services. We suggest that you check the Site and this Privacy Policy periodically for updates.

## 11. Children Under 13

The Site is not intended for children under age 13. The Site includes unmonitored content posted by users and sourced from other third parties and such content may be unsuitable for



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children. We do not knowingly collect or distribute information from or about children under 13 or knowingly allow such children to register. If you are under 13, please do not attempt to register for the Site or Services or send any information about you to us, including your name, address, telephone number or email address.

## 12. Dispute Resolution

This Privacy Policy is governed by the federal laws of the United States and the laws of the State of Colorado, excluding its choice of laws principles. You agree that any action or suit brought by you to enforce or adjudicate your rights under this Privacy Policy shall be brought in the federal or state courts located in Denver, Colorado. By accepting this Privacy Policy, to the extent permitted by applicable law, you and Get the Gallery are waiving the right to a trial by jury.

## 13. California Privacy Rights

Under California Civil Code sections 1798.83-1798.84, California residents are entitled to ask us for a notice describing what categories of personal customer information we share with third parties or corporate affiliates for those third parties or corporate affiliates' direct marketing purposes. That notice will identify the categories of information shared and will include a list of such third parties and affiliates. If you are a California resident and would like a copy of this notice, please submit a written request to the following address: Get the Gallery, Inc., Attn: Privacy Policy, 1515 Wynkoop St, Suite 360, Denver CO 80202. In your request, please specify that you want a "California Privacy Rights Notice." Please allow at least thirty days for a response.

## 14. Contact Us

If you have any questions or suggestions regarding our privacy policy, please contact us at [info@GettheGallery.com](mailto:info@GettheGallery.com)

Effective Date: January 1, 2019