



## **PRIVACY NOTICE**

**Last Updated: February 14, 2022**

Thank you for choosing to be part of our community at Cherry Creek North BID ("Company," "we," "us," or "our"). We are committed to being transparent about how your personal information will be used related to your use of our website. By using our website, you agree to this Privacy Policy. If you have any questions or concerns about this privacy notice or our practices with regard to your personal information, please contact us at [info@cherrycreeknorth.com](mailto:info@cherrycreeknorth.com).

This privacy notice describes how we might use your information if you:

- Visit our website at <https://cherrycreeknorth.com>
- Engage with us in other related ways — including any sales, marketing, or events

In this privacy notice, if we refer to:

- "**Website**," we are referring to any website of ours that references or links to this policy
- "**Services**," we are referring to our Website, and other related services, including any sales, marketing, or events

The purpose of this privacy notice is to explain to you in the clearest way possible what information we collect, how we use it, and what rights you have in relation to it. If there are any terms in this privacy notice that you do not agree with, please discontinue use of our Services immediately.

**Please read this privacy notice carefully, as it will help you understand what we do with the information that we collect.**

## **TABLE OF CONTENTS**

- 1. WHAT INFORMATION DO WE COLLECT?**
- 2. HOW DO WE USE YOUR INFORMATION?**
- 3. WILL YOUR INFORMATION BE SHARED WITH ANYONE?**
- 4. WHO WILL YOUR INFORMATION BE SHARED WITH?**
- 5. HOW LONG DO WE KEEP YOUR INFORMATION?**
- 6. HOW DO WE KEEP YOUR INFORMATION SAFE?**
- 7. WHAT ARE YOUR PRIVACY RIGHTS?**
- 8. CONTROLS FOR DO-NOT-TRACK FEATURES**
- 9. DO CALIFORNIA RESIDENTS HAVE SPECIFIC PRIVACY RIGHTS?**
- 10. DO WE MAKE UPDATES TO THIS NOTICE?**
- 11. HOW CAN YOU CONTACT US ABOUT THIS NOTICE?**
- 12. HOW CAN YOU REVIEW, UPDATE OR DELETE THE DATA WE COLLECT FROM YOU?**

### **1. WHAT INFORMATION DO WE COLLECT?**

**Personal information you disclose to us**



***In Short:*** We collect personal information that you provide to us.

We collect personal information that you voluntarily provide to us when you register on the Website, express an interest in obtaining information about us or our products and Services, when you participate in activities on the Website or otherwise when you contact us.

The personal information that we collect depends on the context of your interactions with us and the Website, the choices you make and the products and features you use. The personal information we collect may include the following:

**Personal Information Provided by You.** Other than the information we automatically collect (described below), we also collect the personal information that you provide. Such information may include but not be limited to your name, address, email address, shopping preferences, and other similar information that you may provide to us.

All personal information that you provide to us must be true, complete and accurate, and you must notify us of any changes to such personal information.

## **Information automatically collected**

***In Short:*** Some information — such as your Internet Protocol (IP) address and/or browser and device characteristics — is collected automatically when you visit our Website.

We automatically collect certain information when you visit, use or navigate the Website. This information does not reveal your specific identity (like your name or contact information) but may include device and usage information, such as your IP address, browser and device characteristics, operating system, language preferences, referring URLs, device name, country, location, information about how and when you use our Website and other technical information. This information is primarily needed to maintain the security and operation of our Website, and for our internal analytics and reporting purposes.

The information we collect includes:

- **Log and Usage Data.** Log and usage data is service-related, diagnostic, usage and performance information our servers automatically collect when you access or use our Website and which we record in log files. Depending on how you interact with us, this log data may include your IP address, device information, browser type and settings and information about your activity in the Website (such as the date/time stamps associated with your usage, pages and files viewed, searches and other actions you take such as which features you use), device event information (such as system activity, error reports (sometimes called 'crash dumps') and hardware settings).
- **Device Data.** We collect device data such as information about your computer, phone, tablet or other device you use to access the Website. Depending on the device used, this device data may include information such as your IP address (or proxy server), device and application identification numbers,



location, browser type, hardware model, Internet service provider and/or mobile carrier, operating system and system configuration information.

- *Location Data.* We collect location data such as information about your device's location, which can be either precise or imprecise. How much information we collect depends on the type and settings of the device you use to access the Website. For example, we may use GPS and other technologies to collect geolocation data that tells us your current location (based on your IP address). If your device allows, you can opt out of allowing us to collect this information either by refusing access to the information or by disabling your Location setting on your device. Note however, if you choose to opt out, you may not be able to use certain aspects of the Services. Additionally, note that some devices may not allow you to disable location settings.
- *Personal Information About Users Under 18 Years of Age Not Collected.* The Site is meant for adults and those who have reached the age of majority as defined by the laws of their domicile. This Site is not meant for individuals under the age of eighteen (18) or those defined by the laws of their domicile as minors. Nonetheless, this Privacy Policy is still designed to comply with the Children's Online Privacy Protection Act ("COPPA") to the extent COPPA applies. Accordingly, we do not knowingly collect or retain any personal information about users under the age of thirteen (13). If we obtain actual knowledge that we collected or retained personal information about a child under the age of thirteen (13), that information will be promptly deleted from our database, servers, and all other media. Since we do not collect information from users under thirteen (13) years old, no such information is disclosed to third parties.

## 2. HOW DO WE USE YOUR INFORMATION?

*In Short: We process your information for purposes based on legitimate business interests, the fulfillment of our contract with you, compliance with our legal obligations, and/or your consent.*

We use personal information collected via our Website for a variety of business purposes described below. We process your personal information for these purposes in reliance on our legitimate business interests, in order to enter into or perform a contract with you, with your consent, and/or for compliance with our legal obligations. We indicate the specific processing grounds we rely on next to each purpose listed below.

We use the information we collect or receive:

- **To send administrative information to you.** We may use your personal information to send you product, service and new feature information and/or information about changes to our terms, conditions, and policies.
- **To protect our Services.** We may use your information as part of our efforts to keep our Website safe and secure (for example, for fraud monitoring and prevention).
- **To enforce our terms, conditions and policies for business purposes, to comply with legal and regulatory requirements or in connection with our contract.**
- **To respond to legal requests and prevent harm.** If we receive a subpoena or other legal request, we may need to inspect the data we hold to determine how to respond.
- **Fulfill and manage your orders.** We may use your information to fulfill and manage your orders, payments, returns, and exchanges made through the Website.



- **Administer prize draws and competitions.** We may use your information to administer prize draws and competitions when you elect to participate in our competitions.
- **To deliver and facilitate delivery of services to the user.** We may use your information to provide you with the requested service.
- **To respond to user inquiries/offer support to users.** We may use your information to respond to your inquiries and solve any potential issues you might have with the use of our Services.
- **To send you marketing and promotional communications.** We and/or our third-party marketing partners may use the personal information you send to us for our marketing purposes, if this is in accordance with your marketing preferences. For example, when expressing an interest in obtaining information about us or our Website, subscribing to marketing or otherwise contacting us, we will collect personal information from you. You can opt-out of our marketing emails at any time (see the "WHAT ARE YOUR PRIVACY RIGHTS?" below).
- **Deliver targeted advertising to you.** We may use your information to develop and display personalized content and advertising (and work with third parties who do so) tailored to your interests and/or location and to measure its effectiveness.

### 3. WILL YOUR INFORMATION BE SHARED WITH ANYONE?

*In Short: We only share information with your consent, to comply with laws, to provide you with services, to protect your rights, or to fulfill business obligations.*

We may process or share your data that we hold based on the following legal basis:

- **Consent:** We may process your data if you have given us specific consent to use your personal information for a specific purpose.
- **Legitimate Interests:** We may process your data when it is reasonably necessary to achieve our legitimate business interests.
- **Legal Obligations:** We may disclose your information where we are legally required to do so in order to comply with applicable law, governmental requests, a judicial proceeding, court order, or legal process, such as in response to a court order or a subpoena (including in response to public authorities to meet national security or law enforcement requirements).
- **Vital Interests:** We may disclose your information where we believe it is reasonably necessary to investigate, prevent, or take action regarding potential violations of our policies, suspected fraud, situations involving potential threats to the safety of any person and illegal activities, or as evidence in litigation in which we are involved.
- **Sale.** We may disclose, transfer or assign your information if it relates to a sale of all or some of our assets to a third party.

More specifically, we may need to process your data or share your personal information in the following situations:



- **Business Transfers.** We may share or transfer your information in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company.
- **Vendors, Consultants and Other Third-Party Service Providers.** We may share your data with third-party vendors, service providers, contractors or agents who perform services for us or on our behalf and require access to such information to do that work. Examples include: payment processing, data analysis, email delivery, hosting services, customer service and marketing efforts. We may allow selected third parties to use tracking technology on the Website, which will enable them to collect data on our behalf about how you interact with our Website over time. This information may be used to, among other things, analyze and track data, determine the popularity of certain content, pages or features, and better understand online activity. Unless described in this notice, we do not share, sell, rent or trade any of your information with third parties for their promotional purposes. We have contracts in place with our data processors, which are designed to help safeguard your personal information. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will also not share your personal information with any organization apart from us. They also commit to protect the data they hold on our behalf and to retain it for the period we instruct.
- **Affiliates.** We may share your information with our affiliates, in which case we will require those affiliates to honor this privacy notice. Affiliates include our parent company and any subsidiaries, joint venture partners or other companies that we control or that are under common control with us.

#### **4. WHO WILL YOUR INFORMATION BE SHARED WITH?**

*In Short: We only share information with the following categories of third parties.*

We only share and disclose your information with the following categories of third parties. If we have processed your data based on your consent and you wish to revoke your consent, please contact us using the contact details provided in the section below titled "HOW CAN YOU CONTACT US ABOUT THIS NOTICE?".

- Ad Networks
- Affiliate Marketing Programs
- Communication & Collaboration Tools
- Data Storage Service Providers
- Retargeting Platforms
- Sales & Marketing Tools
- Social Networks
- Performance Monitoring Tools Government Entities

#### **5. HOW LONG DO WE KEEP YOUR INFORMATION?**

*In Short: We keep your information for as long as necessary to fulfill the purposes outlined in this privacy notice unless otherwise required by law.*



We will maintain your personal information consistent with the terms of this privacy notice and with our internal data storage and destruction policies. Your information may be stored for greater than one year. We may update this and our other policies from time to time, which may impact our treatment and storage of your data.

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize such information, or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

## **6. HOW DO WE KEEP YOUR INFORMATION SAFE?**

***In Short:** We aim to protect your personal information through a system of organizational and technical security measures.*

We have implemented appropriate technical and organizational security measures designed to protect the security of any personal information we process. However, despite our safeguards and efforts to secure your information, no electronic transmission over the Internet or information storage technology can be guaranteed to be 100% secure, so we cannot promise or guarantee that hackers, cybercriminals, or other unauthorized third parties will not be able to defeat our security, and improperly collect, access, steal, or modify your information. Although we will take commercially reasonable methods to protect your personal information, transmission of personal information to and from our Website and your provision of personal information to us occurs at your own risk. You should only access the Website within a secure environment.

## **7. WHAT ARE YOUR PRIVACY RIGHTS?**

***In Short:** In some regions, you have rights that allow you greater access to and control over your personal information.*

In some regions, you may have certain rights under applicable data protection laws that are different than our general policies. If you are from such region, we will take reasonable steps to honor your rights even though your use of this website is controlled under Colorado and United States. To make a request, please use the contact details provided below. We will consider and act upon any request in a reasonable manner.

If we are relying on your consent to process your personal information, you have the right to withdraw your consent at any time as applicable law may provide. Please note, however, that this will not affect the lawfulness of the processing before its withdrawal, nor will it affect the processing of your personal information conducted in reliance on lawful processing grounds other than consent.

### **Account Information**

If you would at any time like to review or change the information in your account or terminate your account, you can:





- Contact us using the contact information provided.

Upon your request to terminate your account, we may retain some information in our files to prevent fraud, troubleshoot problems, assist with any investigations, enforce our Terms of Use and/or comply with applicable legal requirements.

**Opting out of email marketing:** You can unsubscribe from our marketing email list at any time by clicking on the unsubscribe link in the emails that we send or by contacting us using the details provided below. You will then be removed from the marketing email list — however, we may still communicate with you, for example to send you service-related emails that are necessary for the administration and use of your account, to respond to service requests, or for other non-marketing purposes. To otherwise opt-out, you may:

- Contact us using the contact information provided.

## 8. CONTROLS FOR DO-NOT-TRACK FEATURES

Most web browsers and some mobile operating systems and mobile applications include a Do-Not-Track ("DNT") feature or setting you can activate to signal your privacy preference not to have data about your online browsing activities monitored and collected. At this stage no uniform technology standard for recognizing and implementing DNT signals has been finalized. However, in some states, users may be entitled to know how we respond to "Do Not Track" browser settings. There is little consensus in the industry about what "Do Not Track" means; however, we recognize "Do Not Track" signals as an opt-out for the sharing of your data with third parties. We take good faith efforts to comply with this request; however, you may still need to contact any third-party companies (including those who may have cookies or beacons on our Site) to direct them to not share your data with third parties. To learn more or opt-out from these companies you can visit: <http://www.networkadvertising.org/choices> or [www.aboutads.info/choices/](http://www.aboutads.info/choices/)

## 9. DO CALIFORNIA OR OTHER RESIDENTS HAVE SPECIFIC PRIVACY RIGHTS?

***In Short:** Yes, if you are a resident of California, you may be granted specific rights regarding access to your personal information. Residents of other jurisdictions may also have other rights. While your visiting this website confirms that you agree that Colorado law applies, we will take good faith steps to honor reasonable requests that you may make.*

California Civil Code Section 1798.83, also known as the "Shine The Light" law, permits our users who are California residents to request and obtain from us, once a year and free of charge, information about categories of personal information (if any) we disclosed to third parties for direct marketing purposes and the names and addresses of all third parties with which we shared personal information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to us using the contact information provided below. To be valid, requests must be submitted to us at [info@cherrycreeknorth.com](mailto:info@cherrycreeknorth.com) and have "California resident information request" written in the "subject" line of the e-mail. Within thirty (30) days of receiving this request, we will provide a list of the categories of personal



information disclosed for direct marketing purposes during the immediately preceding calendar year, along with the names and addresses of the third-parties.

If you are under 18 years of age, reside in California, and have a registered account with the Website, you have the right to request removal of unwanted data that you publicly post on the Website. To request removal of such data, please contact us using the contact information provided below, and include the email address associated with your account and a statement that you reside in California. We will make sure the data is not publicly displayed on the Website, but please be aware that the data may not be completely or comprehensively removed from all our systems (e.g. backups, etc.). To be valid, requests must be submitted to us at [info@cherrycreeknorth.com](mailto:info@cherrycreeknorth.com) and have "California Minor Deletion Request" written in the "subject" line of the e-mail. Within thirty (30) days of receiving this request, we will attempt to respond to all such requests.

If you are a Nevada resident, you may opt-out of the sale of your personal information. To do so, please contact us at [info@cherrycreeknorth.com](mailto:info@cherrycreeknorth.com) and title the subject of your email "Nevada Privacy Rights Opt-Out Request". In response, we will request information from you to verify your identity. We will attempt to respond to your request, once verified, within sixty (60) calendar days.

If you are a resident of a state that has laws regarding the collection of social security numbers, we do not ask for social security numbers nor collect them. By using our website, you agree that you will not provide us with your social security number. If we come into possession of a social security number and have knowledge of the same, we will take steps to delete such information unless the information is necessary for us to comply with our legal obligations (e.g. payroll processing, tax withholdings, etc.).

#### *Visitors Outside the United States*

This Privacy Policy is intended to cover collection of information on our website from residents of the United States. The laws in other countries may or may not be as comprehensive as those in the United States. If you are a resident of another country and/or are visiting our website from outside the United States, you acknowledge and agree that your information may be transferred to, stored, and processed in the United States where our servers are located and our central database is operated. You also acknowledge that your use of website and our services shall be governed exclusively by the laws of Colorado and as if all transactions take place within Colorado. By using our website, you acknowledge and agree that your information may be transferred to our facilities and those third parties with whom we share it as described in this Privacy Policy. If you are unwilling to accept these terms, then you agree that you will not use or access the website or our services.

## **10. DO WE MAKE UPDATES TO THIS NOTICE?**

***In Short:** Yes, we will update this notice as necessary to stay compliant with relevant laws.*

We may update this privacy notice from time to time. The updated version will be indicated by an updated "Revised" date and the updated version will be effective as soon as it is accessible. If we make material changes to this privacy notice, we may notify you either by prominently posting a notice of such changes or by directly sending you a notification. We encourage you to review this privacy notice frequently to be informed of how we are protecting your information. Your continued use of our website or services shall be deemed an acceptance of the then-current Privacy Policy.





## **11. HOW CAN YOU CONTACT US ABOUT THIS NOTICE?**

If you have questions or comments about this notice, you may email us at [info@cherrycreeknorth.com](mailto:info@cherrycreeknorth.com) or by post to:

Cherry Creek North BID 2401 E. 2nd Avenue Suite 150  
Denver, CO 80206 United States

## **12. HOW CAN YOU REVIEW, UPDATE, OR DELETE THE DATA WE COLLECT FROM YOU?**

Based on the applicable laws of your country, you may have the right to request access to the personal information we collect from you, change that information, or delete it in some circumstances. To request to review, update, or delete your personal information, please submit a request form by clicking [here](#).

### **Limitations**

The adoption or publication of this Privacy Policy does not subject us to any stricter duty in its collection, handling, storage and disclosure of nonpublic information than otherwise applies to us under applicable law. No person or entity shall have any right or recourse against us, our affiliates, agents, sponsors, or other related parties based on any alleged violation or noncompliance with this Privacy Policy.

In certain situations, our vendors or clients may dictate how their personal information is used, stored, and processed. If such a situation applies, you may provide written instructions to us about how you wish for your personal information to be treated.