

## **PRIVACY POLICY**

This version in effect since July 8, 2013.

Protecting your personal information is important to us. This Privacy Policy (the "Policy") explains how Hapa Izakaya ("Hapa") collects, uses and discloses the personal information you provide us while using our website, [www.Hapalzakaya.com](http://www.Hapalzakaya.com) (the "Website"), or any communication or interaction you have with us. Any personal information you provide will be treated with care and will not be collected, used or disclosed except as to provide for by this Policy or as otherwise permitted by law.

### **1. Acceptance of Policy**

Your access to and use of the Website is subject to the Website's Terms of Use, of which the Policy forms a part, and all applicable laws. By accessing and using the Website, you accept the Policy and consent to its terms. We may at any time and without any notice to you, revise or amend the terms and conditions of the Policy by posting an amended Policy on the Website. By continuing to access and use the Website, you agree to the terms of the then current Policy, as amended.

### **2. Consent**

Your consent to the collection, use or disclosure of your personal information must be manifest, free and enlightened. Generally, Hapa will seek your consent for the collection, use or disclosure of your personal information at the time of collection, except as required or authorized by law. Your consent can be withdrawn at any time, subject to legal and contractual restrictions and reasonable notice. Please note that if you choose to withdraw your consent, Hapa may not be able to provide you with certain products or services.

### **3. What Information is Collected?**

#### **a. Non Personal Information**

Hapa collects certain non-personal information, which is recorded by the standard operation of our Internet servers on an anonymous basis, such as your operating system, the sections of the Website you visit, the Website pages read and images viewed, and any content you post to or download from the Website. This non-identifiable information is used on an aggregate basis and in a non-personally identifiable form, including:

- for Website and system administration purposes
- to improve the Website
- to conduct internal reviews of the number of visitors to the Website
- to help us better understand visitors' use of our Website
- to respond to specific requests from our visitors
- to protect the security or integrity of our Website when necessary

### **Tracking Information**

Hapa may use non-personal information to create aggregate tracking information reports regarding Website traffic patterns and uses. None of the tracking

information in the reports can be connected to the identities or other personal information of individual users. We may link tracking information with personal information provided by the Website users; once such a link is made, all of the linked information is treated as personal information and will be used and disclosed only in accordance with the Policy.

#### Cookies

When you view the Website, we store some information on your computer. This information is stored in a "Cookie," (a file created on your computer's hard drive), and will help us in many ways. For example, Cookies allow us to tailor the Website to better match your interests and preferences. With most Internet browsers, you can erase Cookies from your computer hard drive, block the creation of Cookies, or receive a warning before a Cookie is stored, although doing so may affect your use of the Website and your ability to access certain features of the Website. Please refer to your browser instructions or the help section of your browser to learn more about these functions. Advertisements displayed on the Website may also contain Cookies or other technologies.

#### b. Personal Information

Hapa only collects personal information about you that is necessary for the purposes of establishing, managing and maintaining our relationship with you. For example, you provide to us your e-mail address and other personally identifiable information, such as first and last name, birthdate, postal address (shipping and billing) and telephone number when you submit such information via registration on the Website, in person or by telephone, by providing us feedback in any manner, submission or suggestions, or participation in any other available on-line, or other interactive activities. We also collect your IP address, which we treat as personal information under the Policy. We also collect personal information from you regarding your gift card purchases, when you complete and submit the online gift card order form.

Generally, we will obtain your personal information directly from you. However, we may also collect personal information about you from outside sources with your consent or without your consent if the law so authorizes, notably when the collection from a third person is necessary to ensure the accuracy of the information (e.g. to confirm your identity, to prevent errors or fraud, etc.), if the third person is authorized to communicate such information.

#### 4. Use of Your Personal Information

We may use your personal information to contact and correspond with you, to respond to your communications, fulfill your reservations, and to facilitate and enhance your use of the Website. We may also use your personal information in establishing, maintaining and/or fulfilling relationships with our business partners, third-party vendors of products and/or services, as well as our corporate and business customers, conducting operating, administering and otherwise managing our business, to satisfy legal,

regulatory, security, audit, financial and processing requirements, or as otherwise permitted or required by law. We also use the personal information you submit via the online gift card order form to service your purchase request. In certain instances, we may use your personal information to obtain parental consent from visitors under 13 years of age, and where necessary, to provide any necessary notices to our visitors or their parent or guardians. We may keep a record of all communications with you.

Hapa may also use your personal information to compile statistics. However, these statistics will not allow you to be identified. Your personal information shall not be used for purposes other than those described above except with your consent or as required or authorized by law.

#### 5. Disclosure of Your Personal Information

Hapa does not sell, transfer or otherwise disclose your personal information without your consent except in the cases and under the conditions described hereinafter:

- Disclosure to third party services providers. Hapa may also share your personal information, without your consent, with outside agents, consultants, data processors, service providers and other parties who require such information in connection with Hapa's activities or to assist Hapa with administering our business relationship (fulfilling orders, assisting with promotions, providing technical assistance for the website, etc.). Such agents, consultants, data processors, service providers and other parties will contractually guarantee to Hapa that they will use your personal information conveyed by Hapa exclusively to provide specific services and that they will keep it confidential in accordance with this policy and return it to Hapa once the service has been provided and without keeping any copy.
- Law Enforcement and Legal Disclosure. We may disclose your personal information to meet legal, audit, regulatory, insurance, security or related requirements. Such disclosure includes a government institution that has asserted its lawful authority to obtain the information or where we have reasonable grounds to believe the information could be useful in the investigation of unlawful activity, or to comply with a subpoena or warrant or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with court rules regarding the production of records and information, or to our legal counsel, or to protect our respective rights and property.

#### 6. Special Note for Parents

Hapa does not knowingly collect personal information from children under the age of 13. If we learn that we have inadvertently collected personal information on a child under the age of 13, we will delete that information

from our systems. If you are under 13 years of age, do not submit or post any information on the Website.

7. Third Party Websites

Hapa does not control third party websites. When you click on links that take you to third party websites, you will be subject to the privacy policies and terms of use of those third party websites and your use of these websites and their products and services is at your own risk. We have no responsibility or liability for or control over those websites or their collection, use and disclosure of your personal information.

8. Securing Your Information

Hapa has put in place a series of security safeguards to protect your personal information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification, regardless of the format in which the information is held. These security safeguards include physical measures, organizational measures and technological measures that are reasonable given the sensitivity of the information, the purposes for which it is to be used, the quantity and distribution of the information and the medium on which it is stored. Nevertheless, given the nature of the Internet, security and privacy risks cannot be eliminated and you should be aware of this before you send us an email message or other communication through the Website. Hapa also takes the necessary measures to ensure that all its managers and employees are trained on the contents of this Policy and understand that they are required to conform to it at all times. Hapa will destroy, erase or make anonymous your personal information that is no longer required to fulfill the identified purposes, legitimate business purposes or legislative requirements.

9. Accessing Your Personal Information and Contacting Us

You may request:

- access or rectification to your personal information
- information about our collection, use and disclosure of that information
- to have your name/contact information removed from our e-mail mailing list, by contacting our privacy officer as set forth below, who will address your request as soon as reasonably possible

We attempt to keep our records as accurate and complete as possible. You can help us maintain the accuracy of your information by notifying us of any changes to your personal information at the below noted address: [info@hapaizakaya.com](mailto:info@hapaizakaya.com).