

Privacy Policy for Text Message Marketing

Effective date February 1, 2023

This Privacy Policy describes the privacy practices of (“Lukas Nursery” “we”, “us” or “our”) and how we handle personal information that we collect through our websites that link to this Privacy Policy and our direct marketing activities (collectively, the “Service”). This Privacy Policy also describes your choices with respect to your personal information.

Personal information we collect

Information you provide to us. Personal information you may provide to us through the Service or otherwise includes:

- Contact details that you provide, such as your email address or phone number
- Account data that you provide to create an account on the Service, including your name, email address and password.
- Profile data that you choose to add to your profile on the Service.
- Transaction data, such as your participation in our offers, rewards or promotional programs.
- Communications that we exchange with you, including when you contact us with questions or feedback, through social media, or otherwise.
- Marketing data, such as your preferences for receiving our marketing communications and details about your engagement with them.
- Other data not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.

Automatic data collection. We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and your interaction over time with the Service, our communications and other online services, such as:

- **Device data**, such as your computer’s or mobile device’s operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers, time zone, language settings, and general location information such as city, state or geographic area.
- **Online activity data**, such as clicks, scrolling information, pages you viewed, how long you spent on a page, the website you visited before browsing to the Service, navigation paths between pages, information about your activity on a page, access times, and duration of access, whether you have opened our marketing emails or clicked links within emails or text messages, and diagnostic data (such as crash logs, launch time, hang rate and energy use).

Cookies and similar technologies. Some of the data we collect automatically is collected through cookies, which are small data files that are placed on your computer or mobile device when you visit a website. Cookies serve different purposes, like helping us understand how a site is being used, letting you navigate between pages efficiently, remembering your preferences and generally improving your browsing experience. Our sites may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer or mobile device until you delete them).

The Service uses two broad categories of cookies: (1) first party cookies, served directly by us to your computer or mobile device, which we use to recognize your computer or mobile device when it revisits our websites; and (2) third party cookies, which are served by service providers or business partners on our websites, and can be used by these parties to recognize your computer or mobile device when it visits other websites. Third party cookies can be used for a variety of purposes, including site analytics, advertising and social media features.

Our websites may employ the following types of cookies and other tracking technologies:

- **Advertising cookies.** These cookies are used by advertising companies to collect information about how you use the Service and other websites over time. These companies use this information to show you ads they believe will be relevant to you within our services and elsewhere, and to measure how the ads perform.
- **Analytics cookies.** These cookies help us understand how our services are performing and being used. These cookies may work with web beacons included in emails we send to track which emails are opened and which links are clicked by recipients. For example, we use Google Analytics to help us understand how our customers use the Service. You can read more about how Google uses your personal information here: <https://www.google.com/intl/en/policies/privacy/>. You can also opt-out of Google Analytics here: <https://tools.google.com/dlpage/gaoptout>.
- **Essential cookies.** These cookies are necessary to allow the technical operation of our services (e.g., they enable you to move around on a website and to use its features).

Web Beacons. We may also use web beacons (which are also known as pixel tags and clear GIFs) on our sites and in our HTML formatted emails to track the actions of users on our sites and interactions with our emails. Unlike cookies, which are stored on the hard drive of your computer or mobile device by a website, pixel tags are embedded invisibly on webpages or within HTML formatted emails. Pixel tags are used to demonstrate that a webpage was accessed or that certain content was viewed, typically to measure the success of our marketing campaigns or engagement with our emails and to compile statistics about usage of our websites, so that we can manage our content more effectively.

For information regarding your choices regarding the use of cookies and similar technologies on the Service, see the “Your Choices” section below.

How we use your personal information

We use your personal information for the following purposes or as otherwise described at the time of collection:

Service delivery. We use your personal information to:

- provide, operate and improve the Service and our business;
- communicate with you about the Service, including by sending announcements, updates, security alerts, and support and administrative messages;
- understand your needs and interests, and personalize your experience with the Service and our communications; and
- provide support for the Service, and respond to your requests, questions and feedback.

Research and development. We may use your personal information for research and development purposes, including to analyze user behavior, understand the effectiveness of existing features, plan new features, measure audience size or characteristics and otherwise analyze and improve the Service and our business.

Create anonymized data. We may create aggregated, de-identified or other anonymous data from personal information we collect. We make personal information into anonymous data by removing information that makes the data personally identifiable to you. We may use this anonymous data and share it with third parties to analyze and improve the Service, promote our business or for any lawful business purpose.

Marketing and advertising. We, our service providers and our third-party advertising partners may collect and use your personal information for the following marketing and advertising purposes:

- **Direct marketing.** We may send you recurring direct marketing communications about our products and services and other products and services that may interest you as permitted by law. You may opt-out of our direct marketing communications as described in the “Opt-out of marketing” section below.

- **Interest-based advertising.** We may engage third-party advertisers or advertising companies to display ads on our Service and other online services. These companies may use cookies and similar technologies to collect information about your interaction (including the data described in the automatic data collection section above) over time across the Service, our communications and other online services, and use that information to serve online ads that they think will interest you. This is called interest-based advertising. We may also share names, email addresses and device identifiers about our users with these companies to facilitate interest-based advertising to those or similar users on other online platforms. You can learn more about your choices for limiting interest-based advertising in the “Your choices” section below.

Compliance and protection. We may use your personal information to:

- comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities;
- protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
- audit our internal processes for compliance with legal and contractual requirements and internal policies;
- enforce the terms and conditions that govern the Service; and
- prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

How we share your personal information

We may share your personal information with the parties below and as otherwise described in this Privacy Policy or at the time of collection.

Affiliates. Our corporate parent, subsidiaries, and affiliates, for purposes consistent with this Privacy Policy.

Service providers. Companies and individuals that provide services on our behalf or help us operate the Service or our business (such as hosting, information technology, customer support, email and text message delivery, marketing, customer relationship management, business software and website analytics) to facilitate the provision of such services. For example, our online store is powered by Shopify, which describes how it uses your personal information here: <https://www.shopify.com/legal/privacy>. [Note to draft: Delete preceding sentence if you don't use Shopify]

Advertising partners. Third party advertisers and advertising companies for the purposes described in the "Interest-based advertising" section above.

Professional advisors. Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.

Authorities and others. Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the purposes described in the "Compliance and protection" section above.

Business transferees. Acquirers and other relevant participants in business transactions (or negotiations for such transactions) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale or other disposition of all or any portion of our or our affiliates' business or assets (including, in connection with a bankruptcy or similar proceedings).

Your choices

You have the following choices with respect to your personal information.

Access or update your information. If you have registered for a Service account with us, you may review and update account information by logging into the account.

Opt-out of marketing communications. You may opt-out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email. You may continue to receive service-related and other non-marketing emails. You may opt-out of text messages by replying with the word STOP.

Blocking cookies in your browser. Most browsers let you remove or reject cookies. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. Please note that if you set your browser to disable cookies, our websites may not work properly. For more information about cookies, including how to see what cookies have been set on your device and how to manage and delete them, visit www.allaboutcookies.org. If you do not accept our cookies, you may experience some inconvenience in your use of our websites. For example, we may not be able to recognize your computer or device and you may need to log in every time you visit our websites.

Limit interest-based advertising. You may opt out of receiving interest-based advertising on websites through members of the Network Advertising Initiative by clicking [here](#) or the Digital Advertising Alliance by clicking [here](#). Please note that we also may work with companies that offer their own opt-out mechanisms and may not participate in the opt-out mechanisms linked above. If you choose to opt-out of interest-based ads, you will still see advertisements online but they may not be relevant to you. Even if you do choose to opt out, you may still receive some cookies and tailored advertisements from companies that do not participate in the programs listed above.

Do Not Track. Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” or similar signals. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Linked third-party platforms. If you choose to connect to the Service through your social media account or other third-party platform, you may be able to use your settings in your account with that platform to limit the information we receive from it. If you revoke our ability to access information from a third-party platform, that choice will not apply to information that we have already received from that third party.

Other sites and services

The Service may contain links to or embedded content from websites, mobile applications, and other online services operated by third parties. In addition, our content may be integrated into web pages or other online services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any third party. We do not control websites, mobile applications or online services operated by third parties, and we are not responsible for their actions.

Security

We employ a number of technical, organizational and physical safeguards designed to protect the personal information we collect. However, security risk is inherent in all internet and information technologies, and we cannot guarantee the security of your personal information.

International data transfer

We are headquartered in the United States and may use service providers that operate in other countries. Your personal information may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Children

The Service is not intended for use by children under 16 years of age. If we learn that we have collected personal information through the Service from a child under 16 without the consent of the child's parent or guardian as required by law, we will delete it.

Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Service. If required by law we will also provide notification of changes in another way that we believe is reasonably likely to reach you, such as via email or another manner through the Service. Any modifications to this Privacy Policy will be effective upon our posting the modified version (or as otherwise indicated at the time of posting). In all cases, your use of the Service after the effective date of any modified Privacy Policy indicates your acceptance of the modified Privacy Policy.

How to contact us

info@lukasnursery.com

Published: February 1, 2023 (Updated)