

# PRIVACY POLICY

## INTRODUCTION

AirX Climate Solutions and Divisions/Brands (collectively, the “**ACS**”) respect your concerns about the security of your personal data and your privacy.

This Privacy Policy (“**Policy**”) provides you with important information about how and why ACS Companies based in North America collect, process, and share personal information, about your rights, and how to contact us if you have a question, concern, or complaint. The ACS Companies doing business in North America are: Marvair®, Industrial Climate Engineering™ (ICE), Eubank® and Suburban Applied Products . When we reference “**ACS**”, “**we**”, “**our**”, or “**us**”, we are referring to the specific ACS Brand which is collecting and/or processing your information.

## 1. HOW THIS POLICY APPLIES

This Policy applies to personal information we collect through our products and services, which include recreational vehicles (and their features, components, and systems, some of which may collect and transmit data), our websites, our social media pages which reference this Policy, online portals, and mobile applications. This Policy also applies to personal information we collect through interactions with you, through offline sources (such as sales and marketing efforts), and from third parties.

**Note:** You have a choice as to whether you want to share personal information with us. If you choose not to provide us with certain personal information, we may not be able to offer you products and services which utilize that information and/or the functionality and features of those products and services may be limited or inoperable.

## 2. WHEN THIS PRIVACY POLICY DOES NOT APPLY

This Policy does not apply to any ACS Brand, product, or service which provides a separate privacy policy (except to the extent that separate policy incorporates this Policy). For example, the Togo Group companies have distinct privacy policies and are not subject to this Policy. This Policy also does not apply to any third-party cookies, products, services, or communications (including websites, platform features, app stores, and applications). We are not responsible for third-party privacy practices. Please consult each third party’s privacy policy for details about how that party collects and processes your personal information.

**Note:** We sell recreational vehicles through independent dealers which we do not own, operate, or control. Dealers are third parties and their privacy practices are subject to their own respective policies. We encourage dealers to comply with applicable privacy laws, but, to the extent allowed by law, we are not responsible for their privacy practices.

### 3. PERSONAL INFORMATION WE COLLECT AND PROCESS

We may collect and process the following types of personal information:

**Information you provide to us.** The personal information we collect directly from you depends on how you interact with us and our products and services, any may include:

- Contact information for you and others in your business (such as your name, address, email address, title, and phone numbers);
- Your gender, date of birth, job title and/or position, marital status, and spouse, dependent, and other family information;
- Information in emails, messages, and other communications;
- Social Security Numbers, driver's license numbers, and other governmental identifiers;
- Information you submit through online forms, chat, or portals we provide;
- Information you provide when registering an account, product, or subscription with us;
- Financial, insurance, billing, and payment information, including name, shipping information, payment method information, payment and billing history;
- User generated content, comments, posts, reviews, profile information, images, videos and other recordings, survey responses, and information you provide about third parties; and
- Information you provide to us when participating in sweepstakes, contests, or other promotions conducted by us or our partners.

**Information we collect when providing products and services.** This information may include vehicle information, information concerning warranty and product registrations, warranty claims, repair services, technical assistance, and parts orders.

**Information relating to your use of our products and services.** Some of our products and services may collect information about you and how you and your device interact with the product or service. This information may include

- Information about your vehicle, your device, third parties with whom you interact through the products and services, product and service usage information, vehicle telematics, search queries initiated through or within our products and services, and preferences;
- Information obtained across our products and services and third-party websites about your online activities, usage, browsing actions, and devices collected via

cookies and similar technologies (see the next section for more information about these technologies);

- Non-specific location information inferred from data such as your area code from information such as your zip code, country, IP address, wi-fi access points, and cell towers;
- Your actual or approximate location and that of your device or recreational vehicle (for example, addresses and GPS coordinates) collected and processed when products and services are equipped with GPS or similar technologies;

**Note about location services:** Location information collection is turned on by default in some products and services, some of which may track your location even when you are not using the product or service. For example, location information collection may continue after you have closed a mobile application, your recreational vehicle is stationary, or whenever your recreational vehicle has power. The specific terms of use for the applicable product or service provide more details about location tracking and how to disable it. Disabling location tracking may prevent or limit you from using certain products and services. Also see Your Choices Concerning Your Information below.

**Information you authorize us to collect.** This includes personal information we may obtain from social media platforms you use with our products and services (including sharing to or from social media platforms and using social media accounts to log into our products and services).

**Public information.** We may also collect personal information from public sources (such as newspapers, social media, public records, and databases) and third parties.

#### **4. AUTOMATIC DATA COLLECTION, ANALYTICS, AND THIRD-PARTY TRACKING TECHNOLOGIES**

We do not collect personal information automatically. We may, however, tie automatically gathered information to personal information about you which we collect from other sources or which you provide to us.

We do not control third-party tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

Please see our Cookie Policy for more information.

## 5. USING YOUR INFORMATION

We use the information we collect for the following purposes:

- To provide, administer, protect, and enhance our products and services, to enhance user experiences, and to develop new products and services.
- To process, fulfill, and facilitate transactions in connection with our products and services.
- To register your account(s) and purchased products, subscriptions, and services, respond to your inquiries, help you solve problems, provide customer support, and to facilitate and administer requests for repair or service.
- To communicate about, promote, and administer our products, services, events, programs, and promotions (including sending marketing communications, promotional materials, notices, alerts, newsletters, and conducting sweepstakes and contests).
- To conduct marketing and sales activities (including lead generation, providing information about potential customers to dealers, pursuit of marketing prospects, market research, managing and evaluating the effectiveness of advertising and marketing efforts, and managing our brands).
- To provide you with information and ads about third-party offers, merchants, attractions, locations, and products and services which may be nearby or which otherwise may be of interest to you.
- To provide information to investors.
- To maintain and promote the safety and security of our products and services, our IT network, and our employees.
- To verify your identity and to protect against unauthorized transactions, fraud, and other unlawful activity, claims and other liabilities, and to manage risk exposure and quality.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us (including for billing and collection and product warranties); to conduct investigations; to comply with and enforce applicable legal obligations, relevant industry standards, other contractual obligations, and our terms, policies and procedures.
- To fulfill any other purpose for which you provide it or for which you give consent.

**Note:** Where required by applicable law, we will obtain your consent for the processing of your personal information for direct marketing purposes. See also Your Choices Concerning Your Information below.

## 6. SHARING PERSONAL INFORMATION

We do not disclose or sell personal information except as described in this Policy or at the time of collection. We may disclose or share your personal information:

- To fulfill the purpose for which you provided the information
- Among the ACS Brands and their personnel for the purposes set out in this Policy;
- Within our network of independent recreational vehicle dealers to provide you with information about our products and services, for advertising and marketing purposes, to assist you with the purchase of our products and services, to register your products and services, to administer warranty claims, and to assist in the service or repair of products and services.
- With certain third parties who are contractually bound to keep personal information confidential, to maintain adequate safeguards, and to use personal information only for the purposes for which we disclose the information, namely:
  - o affiliates, contractors, service providers, and other third parties we use to support our business (including for payment processing, order fulfillment, customer support, professional and administrative services, and data analytics);
  - o joint marketing partners and other third parties for the purposes described in this Policy; and
  - o third-party business partners with whom we may jointly offer products, engage in cross-promotional efforts, whose products we offer, or who offer products we believe may be of interest to you.
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request; to establish, exercise, or defend our legal rights; in connection with an investigation of fraud or other unlawful activity; and/or if, in our belief, we must disclose the information for our protection or that of others, including to prevent physical harm, property damage, financial loss or otherwise;
- To relevant third parties any information we have about you in the event of a potential or actual sale or transfer of all or some of our business or assets (for example, in connection with a merger, acquisition, joint venture, reorganization, divestiture, liquidation, bankruptcy, or any other similar event, transaction, or business combination). In such an instance, we will require relevant third parties to provide comparable levels of confidentiality and protection as we provide with respect to the information we have.

- To one or more financial institutions in order to fulfill and carry out the sale, purchase, or provision of goods and services you may request with respect to certain products, services, or promotions.
- With your consent.

**Note:** We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

**Note:** For more information, see [Your Choices Concerning Your Information](#).

## 7. DATA TRANSFERS

Your information may be transferred to, and maintained on, computers located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. We may transfer personal information to the United States or elsewhere and process it there, in accordance with applicable law and regulation and using appropriate safeguards when necessary.

## 8. YOUR CHOICES CONCERNING YOUR INFORMATION

We strive to provide you with choices regarding the personal information you provide to us.

Contact us as provided in the [How to Contact Us](#) section of this Policy to submit requests to us, including: (1) update your preferences; (2) limit the communications you receive from us; (3) request access to, correct, or delete any personal information that you have provided to us; (4) request us not to share your personal information with unaffiliated or non-agent third parties for promotional purposes. This includes [“Do-Not-Sell-My-Personal-Information”](#) requests; (5) request that we limit or disable location tracking; and (6) request that we not use information that we collect to deliver advertisements according to our advertisers' target-audience preferences.

**Note:** We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

The products and services do not respond to “do not track” signals from web browsers. Some products and services, however, may provide ways to review and change your information and/or to adjust privacy settings directly from the product or service.

Please refer to our [Cookie Policy](#) for additional information about how you may manage cookies and similar technologies and how to exercise choice over how your information is used by ad networks.

We provide methods to opt in and opt out of commercial electronic messages when required by applicable law and/or regulation. Opt out requests may be sent via the email address or physical address provided in the How to Contact Us section below or via the means provided in the specific communication, product, or service.

To the extent provided by the law of your jurisdiction, including the California Consumer Privacy Act or other state privacy laws, you may have the right to direct or ask any ACS Brand subject to this Policy:

- To delete any personal information about you
- To not sell personal information about you
- To tell you:
  - o The categories of personal information it has collected about you.
  - o The categories of sources from which the personal information is collected.
  - o The business or commercial purpose for collecting or selling personal information.
  - o The categories of third parties with whom it shares personal information.
  - o The specific pieces of personal information it has collected about you.
  - o The categories of personal information about you that it has sold, the categories of third parties to whom it sold the personal information, and which category (ies) of personal information were sold to each third party.
  - o The categories of personal information disclosed about you for a business purpose.

**Note:** You have a choice as to whether you want to share personal information with us. We will not discriminate against a consumer for exercising these rights. If you choose not to provide us with certain information, we may not be able to offer you certain products and services and/or the functionality and features of certain products and services may be limited or inoperable.

## 9. DATA SECURITY

We maintain physical, technical, and administrative safeguards consistent with legal requirements and designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us online is stored on our secure servers behind firewalls.

Unfortunately, the transmission of information via the Internet and other technologies is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted via our products and services. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained within or used with the products, services, or any channels you use to communicate with us.

## **10. RETENTION OF PERSONAL INFORMATION**

To the extent permitted or required by applicable law, we retain personal information we obtain about you as long as: (a) we need the information for the purpose(s) for which we obtained it, in accordance with this Policy; or (b) we have another lawful basis, as stated in this Policy or at the point of collection, for retaining the information beyond the period for which it is necessary to serve the initial purpose for collecting the personal information.

## **11. CALIFORNIA PRIVACY RIGHTS**

Subject to certain limits, California Civil Code Section § 1798.83 permits California residents to ask us to provide them with certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please contact us as provided in the How to Contact Us section of this Policy. Additionally, unless stated otherwise, the ACS Brands' websites do not respond to "do not track" signals.

## **12. CHILDREN UNDER THE AGE OF 16**

Our services are not intended for children under 16 years of age. We do not knowingly collect or solicit personal information from children under 16.

## **13. CHANGES TO OUR PRIVACY POLICY**

We may update this Policy periodically and without prior notice to you in order to reflect changes in our information practices. Continue use of any of our products, services, or other channels constitutes acceptance of any changes to the extent permitted by applicable law. The date of the last revision of the Policy will be shown at the top of the page. Please periodically review Policy to check for any changes.

## **14. HOW TO CONTACT US**

If you have a request, question, concern, or complaint about our privacy practices or communications you are receiving from us, please use the following contacts:

For consumers exercising their rights, under US State Privacy Laws:

[marvairsales@airxcs.com](mailto:marvairsales@airxcs.com)

-or-

Call us at:

+1 (229) 273-3636

**Data Protection Officer:**

Marcel Vince

+1 (229)-947-6390

[mvince@airxcs.com](mailto:mvince@airxcs.com)

-or-

Marvair,,

ATTN: IT Department,

156 Seedling Drive

Cordele, GA 31015