



**A Better Way**  
INNOVATIONS, LLC

## Privacy Statement

### Acknowledgement of Our Privacy Statement

By using this Site, you acknowledge that you have reviewed the terms of our Privacy Statement and Consent to Use of Data (the “Privacy Statement and Consent”) and agree that we may collect, use and transfer your Personal Data and User Data in accordance therewith. The legal basis for this processing of your data is Article 6(1)(b) of the GDPR for the Personal Data we process that forms the basis of a contract. If you do not agree with these terms, you may choose not to use our Site, and please do not provide any Personal Data through this Site. You can always revoke this consent at any time. After you have expressed such a revocation to us, it will influence the permissibility of processing your personal data and may impact the services that we can provide to you.

Provided that we are basing the processing of your personal data on the need to balance interests, you can raise an objection to this processing of your data. This is the case if the processing is not required (in particular to) fulfil a contract with you. When exercising such a right of objection, we request that you outline the reasons why we should not process your personal data in the manner we have described. If you present to us your reasons, we shall check the circumstances and either stop and/or adjust the processing of the data, or present compelling counterarguments for continuing with the data processing.

You can of course object to the processing of your personal data for purposes of advertising and data analysis at any time. You can inform us of your objection to the use of your data for advertising through the contact details given at the bottom of this Privacy Policy.

This Privacy Statement and Consent forms part of our Site [Terms of Use](#) and such shall be governed by and construed in accordance with the laws of the State of Hawaii, United States of America. You agree to submit any dispute arising out of your use of this web site to the exclusive jurisdiction of the State of Hawaii. Please note that this Privacy Statement and Consent does not apply to the providing or use of Personal Data other than through the Site, nor to the providing or use of Personal Data of past or present employees of, or consultants engaged by, ABW Corporation and/or its subsidiaries, for employment or benefits administration purposes, both of which are governed by ABW Policies designed for those respective purposes (the “Other Policies”).

What follows is a table of contents listing the areas covered by our Privacy Statement and Consent. Please read our entire Privacy Statement and Consent carefully. Should you have any questions about this Statement or about our data collection, storage and use practices, please contact us as provided below.

### **Changes to ABW's Privacy Statement and Consent**

This Site and our business change constantly. As a result, at times it may be necessary for ABW to make changes to this Privacy Statement and Consent. ABW reserves the right to update or modify this Privacy Statement and Consent at any time and from time to time without prior notice. Please review this Statement periodically, and especially before you provide any Personal Data. This Privacy Statement and Consent was last updated on November 4, 2020. Your continued use of the Site after any changes or revisions to this Privacy Statement and Consent shall indicate your agreement with the terms of such revised Privacy Statement and Consent.

### **Welcome**

Welcome to [www.ABW.com](http://www.ABW.com) (the "Site"). This Site is operated by ABW-A BETTER WAY INNOVATIONS LLC ("ABW" or "we" or "us") and has been created to provide our customers the information, products and other initiatives developed and/or offered by ABW and its subsidiaries and affiliates (collectively, the "ABW Services"). You are important to ABW and, as described in this Privacy Statement and Consent, we will take appropriate measures to protect your privacy as you use this Site. This Privacy Statement and Consent sets forth ABW's approach with respect to information that is collected from users of this Site. This Site is intended for users in the United States.

### **Note About Children**

**If you are under the age of eighteen, please do not provide us any personal information on this Site.**

This Site is not directed at children and most of the services offered on this Site are designed for individuals who are 18 years of age or older. We recognize the need to provide additional privacy protections for children who use the Internet. Consistent with the United States Children's Online Privacy Protection Act which applies to information of children under 13 years of age, should an individual whom we know to be under 18 send personal information to us, we will not retain such information except that, in certain instances, we will use that information to satisfy our obligations to follow up on product comments or complaints and we will respond directly to the individual to inform him or her that we do not accept personal information from persons under 18. In addition, although again not required by the Act, If you are aware that a person under 18 has provided personal information to us, please contact us as provided below.

### **Definitions**

"Aggregated Data" includes customer demographics, interests and behavior based on Personal Data and other information provided to us which is compiled and analyzed on an aggregate and anonymous basis.

"Personal Data" includes all information that enables an individual to be identified, including, by way of example, the individual's name and e-mail address.

"Public Information" includes information posted to any public areas of the Site, such as bulletin boards, chat rooms and comment areas. Please refer to our discussion of "Public and Unsolicited Information" contained in our [Terms and Conditions](#).

"Unsolicited Information" includes any ideas for new products or modifications to existing products and other unsolicited communications. Personal Data included in Unsolicited Information will be handled in the manner set forth in this Privacy Statement and Consent; however please refer to our discussion of "Public and Unsolicited Information" contained in our [Terms and Conditions](#).

"User Data" includes all information passively collected from users of the Site that does not identify a particular individual, including, by way of example, statistical information on Site usage. The terms "you", "your" and "yours" when used in this Privacy Statement and Consent means any user of this Site.

### **What Information Do We Collect?**

**Information That You Give Us:** We collect Personal Data such as your name, e-mail, or mailing address from you when you voluntarily choose to register for or use certain ABW Services at this Site. We use the Personal Data that we collect in an effort to provide you with a superior customer experience on the Site and to improve and market ABW Services. ABW may store such Personal Data itself or it may be stored in databases owned and maintained by ABW's affiliates, agents or service providers. ABW retains its rights to these databases and the information contained in them.

If you register with ABW or use certain other of the personalized options we offer, we will create a profile that includes your name, mailing address, e-mail address, and other information that you provide that is pertinent to your specific situation. We may combine such information with data gathered from other sources. For instance, if incorrect postal codes are received, we may use third party software to correct them. We also may collect e-mail or other addresses from prospect lists of other companies, for example, in connection with a joint marketing effort. When we do so, (1) we acknowledge in our correspondence how the recipient was added to our list and (2) we provide a means for recipients to opt out of further communications from us. When you contact ABW we may keep a record of that correspondence and may occasionally ask you to complete surveys for sales and research purposes.

In some instances, we contract with outside parties to collect and maintain our information collection servers and to perform technology and related services. We seek to provide any such third parties with only the information they need to perform their specific function and we require them to protect your Personal Data in accordance with this Privacy Statement and Consent. Wherever ABW collects Personal Data we will provide a link to this Privacy Statement and Consent.

### **Personally Non-Identifiable Information:**

**Passively Collected User Data:** When you interact with ABW through this Site, we receive and store certain "User Data". Such User Data, which is collected passively using various technologies, is not used to specifically identify you. ABW may store such User Data itself or it may be stored in databases owned and maintained by ABW's affiliates, agents or service providers. ABW retains all rights to these databases and the information contained in them.

This Site will use such User Data together with data provided by other parties and pool it with other information to track, for example, the total number of visitors to our Site, the number of visitors to each page of our Site, the keywords visitors used to find our Site and the domain names of our visitors' Internet service providers. We also may disclose User Data in order to describe our services to current and prospective business partners, and to other third parties for other lawful purposes. It is important to note that no Personal Data is available or used in this process.

**Cookies:** In operating this Site, we may use a technology called "cookies." A cookie is a piece of information that the computer that hosts our Site gives to your computer (actually to your browser) when you access a Web site. Our cookies help provide additional functionality to the Site and allow us to analyze Site usage more accurately. For instance, our Site may set a cookie on your browser that eliminates any need for you to remember and then enter a password more than once during a visit to the Site. In all cases in which we use cookies, we will not collect Personal Data through the use of such technology. On most web browsers, you will find a "help" section on the toolbar. Please refer to this section for information on how to receive notification when you are receiving a new cookie and how you may turn cookies off. We recommend that you leave cookies turned on because they allow you to take advantage of some of the Site's features.

### **Transfer of Your Data Abroad**

**By voluntarily providing us with your Personal Data, you are consenting to our use of it in accordance with this Privacy Statement and Consent. Due to the nature of the Internet if you are visiting this Site from a country other than the United States, your communications will inevitably result in the transfer of information across international boundaries. By visiting this web site, you consent to these transfers. If you provide Personal Data to this Site, you acknowledge and agree that such Personal Data may be transferred from your current location to the offices and servers of ABW and the affiliates, agents and service providers referred to herein located in the United States and in other countries.**

### **What are Your Choices?**

You can use this Site without providing your Personal Data, although doing so may limit your ability to obtain certain information or to use other valuable ABW Services, including, for example, informational newsletters and responses to specific inquiries you may have. Where no Personal Data is legally required or is necessary for a particular

service (for example, to contact you in response to your request), the use of a pseudonym is accepted.

We keep your Personal Data only for as long as reasonably necessary for the purposes for which it was collected or to comply with any applicable legal reporting or document retention requirements. We will take reasonable steps to update, correct or, upon your request, delete your Personal Data in our possession that you have previously submitted via this Site. In order to request an update, with respect to your Personal Data, please contact us as provided below. If at any time you wish not to receive further communications, you may also follow the unsubscribe procedure included in our communication.

**Access.** ABW permits a reasonable right of access and review of Personal Data held by ABW by the individual to whom the Personal Data relates; however, to guard against fraudulent requests for access, ABW will require information which it determines is sufficient to allow it to confirm the identity of the person making the request before granting access or making corrections. ABW will endeavor to provide the information in question within a reasonable time and may charge an appropriate cost (e.g. photocopying, mail charges) to the individual making the request. ABW reserves the right not to change any Personal Data but will append alternative text the individual concerned believes is appropriate.

In addition, in certain circumstances, ABW may decline to provide access to Personal Data, including where ABW determines that the information requested:

(a) May disclose:

a. The Personal Data of another individual or of a deceased individual; or

b. Trade secrets or other business confidential information;

(b) Is subject to attorney-client or litigation privilege or a professional privilege or obligation;

(c) Does not exist, is not held, or cannot be found by ABW;

(d) Could reasonably result in serious harm to the treatment or recovery of the individual concerned, serious emotional harm to the individual or another individual, or serious bodily harm to another individual; or

(e) May harm or interfere with law enforcement activities or other investigative or regulatory functions of a body authorized by statute to perform such functions.

Please note that although after receiving a request to update, correct or delete information, we will make reasonable efforts to effect such a change promptly, it is not always possible to complete the process before another communication is distributed. We apologize for any inconvenience this may cause. Even if you have requested removal of your Personal Data from our lists, ABW reserves the right to retain it in our files in some limited circumstances such as when such Personal Data may be necessary to honor your request to opt out of further communications, resolve disputes, troubleshoot problems or as provided in our [Terms and Conditions](#). If ABW is required to retain any portion of the Personal Data for such purposes, ABW shall use reasonable

efforts to limit such Personal Data to what is necessary to accomplish the particular purpose. Further, you acknowledge that due to technical constraints and the fact that we back up our systems, Personal Data may continue to reside in our systems even after deletion. Therefore, you should not expect that your Personal Data will be completely removed from our systems in response to your request.

ABW will not respond to repetitious or vexatious requests for access. In determining whether a request is repetitious or vexatious, it will consider such factors as the frequency with which information is updated, the purpose for which the information is used, and the nature of the information.

### **How Do We Use Your Personal Data and Other Information?**

ABW uses the Personal Data you provide for our business purposes in a manner that is consistent with this Privacy Statement and Consent.

- If you provide Personal Data for a certain reason, that Personal Data will be available to us for use in connection with the reason for which it was provided or for a consistent purpose, including, if applicable, processing an order placed by you or informing you that the product is no longer available. For instance, if you contact us by e-mail, we may use the Personal Data you provide to respond to you; or if you contact us about a job listing, the information you provide to us may be used to consider you for the position. We may also combine Personal Data that you have provided to us with information obtained by us from other parties.
- ABW and its affiliates also may use your Personal Data, User Data and other information collected through the Site to help us improve the content and functionality of the Site, to better understand our customers and markets, to improve our products and services and to effect and facilitate sales.
- ABW and its affiliates may use this information to contact you, electronically, through telemarketing or otherwise, in the future to tell you about, and to offer for sale, products or services we believe will be of interest to you. If we do so, each communication we send you will contain instructions permitting you to "opt out" of receiving future communications.

If at any time you wish not to receive any future communications or to have your name deleted from our mailing lists, you may follow the "unsubscribe" procedure included with our communication. In addition, you may e-mail us at [privacy@ABW.com](mailto:privacy@ABW.com). See How to Contact ABW below.

### **Do We Share the Information that We Receive?**

ABW considers your information to be a vital part of our relationship with you. ABW will share information including Personal Data with its subsidiaries and affiliates that have also agreed to be bound by this Privacy Statement and Consent. In addition, ABW, like many businesses, sometimes hires other companies to perform certain business-related functions. Examples include mailing information, maintaining databases and processing payments. When we retain another non-affiliated company to perform a function of this nature, we seek to provide them with only the information that they need to perform their

specific functions, and we require them to protect your Personal Data in accordance with this Privacy Statement and Consent and ABW 's restrictions.

In addition, if you input Personal Data on a co-branded registration page, relating, for example, to a contest co-sponsored by both ABW and a partner company, then your Personal Data will be available both to ABW and to such partner company. While ABW will only use such Personal Data in accordance with this Privacy Statement and Consent, such partner company's use of your Personal Data will be subject to the privacy policy of that company and ABW cannot be responsible for their use of your information. We encourage you to review the privacy policy of such partner company before providing information on any such co-sponsored page or promotion.

There are also a limited number of circumstances in which we may share your Personal Data and other information in our possession with certain additional third parties without further notice to you, as set forth below:

**Legal Requirements:** ABW may disclose your Personal Data, User Data and other information if required to do so by law or in the good faith belief that such action is necessary to (a) comply with a legal obligation, (b) protect and defend the rights or property of ABW or its affiliates, (c) act in urgent circumstances to protect the personal safety of users of the Site or the public, or (d) protect against legal liability.

**Business Transfers, Combinations and Related Activities:** As we develop our business, we might sell, buy, restructure or reorganize businesses or assets. In the event of any sale, merger, reorganization, restructuring, dissolution or similar event involving our business or assets, Personal Data may be part of the transferred assets.

### **Public and Unsolicited Information**

This Privacy Statement and Consent shall not apply to Public Information you provide to ABW through this Site or through any other means. If you include Personal Data in such Public Information, we will use such Personal Data only as provided herein, but we caution you that, because such information (including your Personal Data) was made available in a forum accessible by the public, the use and disclosure of information by others accessing the Site is not monitored or controlled in any way by ABW nor are their activities governed by this Privacy Statement and Consent.

In addition, if you submit unsolicited Personal Data we will use it as provided herein, however, the other information included in such unsolicited submission is not covered by this Privacy Statement and Consent. Please refer to our discussion of "Public and Unsolicited Information" contained in our Site [Terms and Conditions](#).

Please note that, as set forth above, this Privacy Statement and Consent does not apply to the providing or use of certain Personal Data other than through the Site nor to the providing or use of Personal Data of past or present employees of, or consultants engaged by, ABW Corporation and/or its subsidiaries, for employment or benefits administration purposes, both of which are governed by ABW Policies designed for those respective purposes.

## **California Consumer Privacy Act**

If you are a resident of California you have specific rights granted by the California Consumer Privacy Act. These rights include the right to request the Personal information ABW has collected about you and the right to request ABW to delete personally identifiable information, among other rights. To reach ABW to exercise these rights, please submit a request to [info@ABW.com](mailto:info@ABW.com) or call 801-561-5555

## **Links to Other Websites**

This Privacy Statement and Consent applies only to this Site. This Site may frame or contain references or links to other ABW web sites as well as other web sites not operated or controlled by ABW (the “Third Party Sites”) none of which sites are governed by the policies and procedures we describe here. The links from this Site do not imply ABW’s review or endorsement of the Third Party Sites. We suggest that you contact those sites directly for information on their privacy, security, data collection and distribution policies.

## **Security**

ABW takes reasonable steps to protect any Personal Data you provide to us and to protect such information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Unless otherwise stated on the relevant page of the Site, ABW uses general security standards but has not taken additional action to secure data provided to its sites, and such transmissions are subject to normal Internet security risks. As noted, no Internet or e-mail transmission is ever fully secure or error free. In particular, e-mail sent to or from this Site may not be secure, and you should therefore take special care in deciding what information you send to us. Please keep this in mind when disclosing any Personal Data to ABW or to any other party via the Internet. Moreover, when you use passwords, ID numbers, or other special access features on this Site, it is your responsibility to safeguard them, in this respect please refer to the [Terms and Conditions](#) of Site Use.

## **How to Contact ABW**

Please also feel free to contact us if you have any questions about ABW’s Privacy Statement and Consent or the information practices of this Site.

## **You may contact us as follows:**

ABW Corporation  
145 Kualapa Place  
Lahaina, HI 96761

[info@abw-innovations.com](mailto:info@abw-innovations.com)