

# **PRIVACY POLICY**

Last updated: June 19, 2024

## **INTRODUCTION, SCOPE AND ACCEPTANCE**

PAL Commercial Lighting LLC, dba PAL Architectural Lighting, and its various affiliates and subsidiaries, including but not limited to PAL Lighting LLC (collectively, “PAL Architectural”, “we”, “us”, “Company”), is provides business-to business distribution of wirelessly controlled underwater LED lighting systems and controls for pools, spas, landscapes, water features, and outdoor accent lighting related solutions (“Products and Services”). The purpose of this privacy policy (“Policy”) is to let you know how we handle the information collected through the use of the websites located at pallighting.com, pal-lighting.com, or any website owned, operated, licensed or controlled by PAL Architectural (the “Website”). This Policy applies solely to the information that we collect through the Website. As PAL Architectural provides its Products and Services to businesses, not individual consumers, the Website is intended only for businesses and their representatives; however, individual consumers may use the Website solely to register for a warranty. As used in this Policy, terms such as “we”, “us” or “our” to refer to PAL Architectural.

By using the Website, including registering an account via the Website related in any manner to PAL Architectural, you consent to this Privacy Policy in your capacity as a business or an employee, officer, director, contractor or representative of a business, and if you are registering for a warranty, on behalf of yourself or the purchaser of any Products and Services. If you do not agree to the terms of this Policy, please do not use the Website. Your continued use of the Website following the posting of changes to these terms will mean that you accept those changes. Please review this policy carefully to learn about our practices with respect to information and privacy. By visiting our website and related mobile applications, you acknowledge and confirm that you have read this Policy.

## **COLLECTION OF PERSONAL INFORMATION**

When you access or use our Website and related mobile application, we collect and process information from and about you to provide the Products and Services in a more personalized and relevant way. Some information we collect passively (for example, with our servers, cookies or other similar tracking technologies). Some information we collect directly from different sources, including from you, affiliated entities, business partners, and other independent third-party sources. When you access our Website by “clicking-through” from a third-party website or when you visit third-party websites via our Website, those third-party websites may also share information with us about your use of their service. Any information that we receive from third-party websites may be combined with the information provided by you and processed as detailed in this Statement.

When you access or use our Services, we collect and process information from and about you to provide the Services in a more personalized and relevant way. Some information we collect passively (for example, with our servers, cookies or other similar tracking technologies). Some information we collect directly from different sources, including from you, affiliated entities, business partners, and other independent third-party sources. When you use our Services by

“clicking-through” from a third-party website or when you visit third-party websites via our Services, those third-party websites may also share information with us about your use of their service. Any information that we receive from third-party websites may be combined with the information provided by you and processed as detailed in this Statement.

Information processed may include the following:

- (a) Contact information, including name, phone number, and postal and email addresses (both hashed and unhashed)
- (b) Billing and other payment information (such as your bank account information, credit card number, cardholder name, expiration date, authentication code and billing address)
- (c) Device information, such as when you accessed our Services and information about the device used (for example, IP address, software or internet browser used, preferred languages, unique device identifiers, and advertising identifiers)
- (d) Online activity, including pages you have visited, content reviewed, and apps reviewed
- (e) Other information about yourself that you have voluntarily disclosed
- (f) Any information that you provide in connection with our Products and Services
- (g) Communications with us, such as when you contact our customer service team, including inbound and outbound calls
- (h) Information that you have provided to other third-party companies, for example, for the purposes of logging in to social media. This includes publicly available information, such as name, age range as well as email addresses.

You can browse and access the Website without providing us with any personally identifiable information. If you choose to become a customer of PAL Architectural or register for an account, and choose to provide personally identifiable information through registration through our Website, such as your name, address, telephone number, cell phone number, e-mail address or fax number as related to your business (“Personal Information”), we will use that information and may share it with other companies and/or individuals (*e.g.*, our partners, consultants, and service providers) for the business purpose for which you submitted it to us, such as to respond to your inquiry or to provide you with information that you requested. You are not required to provide us with any Personal Information; however, not providing any Personal Information may limit your ability to use some functions of this Website or to request additional services or information through the Website.

## **USE OF PERSONAL INFORMATION**

PAL Architectural’s primary purpose in collecting Personal Information is to provide you, as a customer, information about our Products and Services, access to our sites, and any requested customer service and other relevant information about your account, and to provide you, as a customer, with a customized and efficient experience which the Company may in its sole discretion enhance in the future with promotions and loyalty programs. If you choose to provide us with your Personal Information through the Website and/or by registering with us as a customer, we may use your Personal Information for a variety of purposes such as:

- To contact you, the customer, about our services and those of our corporate family, delivering targeted marketing, service updates, and promotional offers based on the customer’s communication preferences.
- To measure, customize and improve our products and services, content and advertising.

- To provide you with other products or services requested by you or your business as described when we collect Personal Information or communicate with you.
- To comply with applicable laws, rules, regulations, and legal process.
- To protect our rights, the rights of affiliates or related third parties, or take appropriate legal action.
- To keep a record of our transactions and communications.
- To notify you of any changes to this Policy.
- For any other lawful use as necessary or useful for us to conduct our business, as permitted by law.

## **DISCLOSURE OF PERSONAL INFORMATION**

PAL Architectural does not sell your Personal Information, but we may share data, including Personal Information, as described in this Policy.

Transfers in Connection with Our Business Structure. We may share Personal Information with other business entities in connection with any sale, merger, assignment, dissolution, acquisition, transfer or similar transaction of PAL Architectural's business to another business entity; however, we will require that any such successor business entity honor the terms of this Policy.

Disclosures Under Special Legal Circumstances. We may share information about you in response to a search warrant, court order, subpoena, legal investigation, law or regulation. We may cooperate with law enforcement authorities in connection with an investigation and/or prosecution of activities that violate our rules, are illegal or otherwise violate applicable laws or may be harmful to other visitors. In such circumstances, we will take appropriate measures to ensure that the requester understands the sensitive nature of the Personal Information that they may receive.

Disclosures to Third Parties Assisting In Our Operations. We may also share Personal Information with other third-party companies that we collaborate with or hire to provide products or perform services on our behalf. For example, we may hire a company to manage our emails and information, and we could provide this company with your email address and certain other information so that they can send correspondence to you on our behalf. We may also hire companies to host or operate our websites, computers and software applications. We require that these third-party service providers protect the privacy and security of Personal Information in a manner consistent with this Policy.

## **THIRD PARTY WEBSITES AND SERVICES**

We may provide on the Website links to the sites of some of our partners and their products and services if we think their business may be of interest to our customers. We are not responsible for the privacy practices of those websites, and we recommend that you review the privacy policies of each website that you visit. When you select a link to a third-party website from this Website, you will be leaving the PAL Architectural website. Any information that you disclose on the third-party website will be governed by that website's privacy policy.

## **RESPONSE TO "DO NOT TRACK" SIGNALS**

Some Internet browsers include the ability to transmit “Do Not Track” signals. Since uniform standards for “Do Not Track” signals have not yet been adopted, PAL Architectural does not process or respond to “Do Not Track” signals.

## **INFORMATION CHOICES**

You have options with respect to the processing and use of your information by us. You are not required to provide us with any personal information, but please note that limiting information you share with us may affect the functionality of and your experience with PAL Architectural and our Products and Services. Regarding your information preferences, you may have the opportunity do the following:

- (a) Choose the way in which and whether we communicate with you.
- (b) Choose not to provide us with certain information, although it may be needed to take advantage of certain features offered on our websites.
- (c) Prevent the collection of certain geolocation information (e.g. by switching off location services for our app in the settings of your phone), but note that turning off location sharing may affect certain features of our Services.
- (d) Modify your marketing subscriptions, including email subscription choices, via account settings.
- (e) Unsubscribe from promotional messages, including from emails via any such email we send.

## **INFORMATION DELETION AND RETENTION**

We will retain copies of your information for as long as you maintain your account or as necessary in connection with the purposes set out in this Statement, unless applicable law requires a longer retention period. In addition, we may retain your information for the duration of any period necessary to establish, exercise, or defend any legal rights.

## **CONTACT**

If you have a data privacy request, such as a request to delete or access your data, please contact [legal@pallighting.com](mailto:legal@pallighting.com). For general data privacy inquiries or questions concerning our Privacy Statement, please contact [legal@pallighting.com](mailto:legal@pallighting.com).

## **TERRITORY**

Regardless of where our servers are located, your personal data may be processed by us in the United States, where data protection and privacy regulations may or may not be to the same level of protection as in other parts of the world. BY VISITING THE SITE AND USING THE SERVICE, YOU UNEQUIVOCALLY AND UNAMBIGUOUSLY CONSENT TO THE COLLECTION AND PROCESSING IN THE UNITED STATES OF AMERICA OF ANY INFORMATION COLLECTED OR OBTAINED BY US THROUGH VOLUNTARY SUBMISSIONS, AND THAT THE LAW OF THE UNITED STATES OF AMERICA GOVERNS ANY SUCH COLLECTION AND PROCESSING.

If you are an individual and reside in the United Kingdom, the European Union, Switzerland, or elsewhere in the European Economic Area (collectively, and for the purposes of this Privacy Statement, the “EEA”), then the General Data Protection Regulation (“GDPR”) shall apply to our practices regarding your “Personal Data” and you are considered a “Data Subject” as those terms are defined by the GDPR. For the purposes of the GDPR, we may act as both a data “Controller” and a data “Processor.” Similarly, if you are an individual and reside in California, the California Consumer Privacy Act (“CCPA”) shall apply to our practice regarding your “personal information”, and you are a “consumer”, with certain rights in your personal information and we are a “third party”, as those terms are defined in the CCPA. Personal Data, together with personal information, and all similar information shall be “Personal Information” for the purposes of this Privacy Statement. We will take commercially reasonable steps to maintain compliance with GDPR (including, without limitation, ensuring that all data processing agreements to which we are a party as subject to the appropriate Standard Contractual Clauses) and CCPA requirements.

### **‘EUROPEAN UNION’ PRIVACY RIGHTS**

A. If you currently reside in the EEA, the GDPR applies to your personal information. The GDPR requires that we have a legal basis to process your information and we will process such information under one or more of the following legal bases:

- To perform the contract that we are about to enter with you (e.g. our Terms of Use);
- Processing is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests;
- To comply with a legal obligation; and/or
- If we have your consent to do so, which you may revoke at any time.

B. Under the GDPR, as a Data Subject you have certain rights. They are:

- The right to be informed. This is your right to be informed about what personal information we or our authorized vendors are processing, why, and who else the data may be passed to.
- The right of access. This is your right to see what personal data about you is held by us.
- The right to rectification. This is the right to have your personal data corrected or amended if what is held is incorrect in some way.
- The right to erasure. This is the right to have your personal data to be deleted in the event that such data is no longer required for the purposes it was collected for, your consent for the processing of the data is withdrawn, or the data is being unlawfully processed.
- The right to restrict processing. This is the right to ask for a temporary halt to the processing of your personal data, such as in the case where a dispute or legal case has to be concluded, or the data is being corrected.
- The right to data portability. This is the right to ask for your personal data to be provided to you in a structured, commonly used, and machine-readable format.
- The right to object. This is the right to object to further processing your personal data if such processing is inconsistent with the primary purposes for which it was collected.

- Rights in relation to automated decision making and profiling. This is the right to not be subject to a decision based solely on automated processing. The service does not engage in automated decision making and profiling.

You can find instructions for enforcing some of these rights elsewhere in this Statement. Otherwise, if you wish to find out more about these rights, please contact us at [legal@pallighting.com](mailto:legal@pallighting.com).

## CALIFORNIA PRIVACY RIGHTS

To the extent that the California Consumer Privacy Act (“CCPA”) applies to our practices with respect to personal information and you currently reside in California, the CCPA provides California consumers with certain rights.

### A. Consumers Rights Under the CCPA

- California consumers have the right under the CCPA to request that we disclose personal information we have collected about them in the previous 12 months including, but not limited to, the categories of information collected by us, the source(s) of such information by category, and the purpose for collecting such information. In the previous 12 months, we have collected the following categories of personal information about consumers:
  - Identifiers. “Identifiers” can be your name, unique personal identifiers (device identifier, IP Address, cookies, beacons, pixel tags, mobile ad identifiers), email, phone number, and similar information;
  - Personal Information Under the California Customer Records Law (Cal. Civ. Code §1798.80) (“CCRLPI”), which is similar in nature to Identifiers;
  - Commercial Information. Commercial information includes records of personal property, products or services purchased, obtained or considered, or other purchased or consuming histories or tendencies;
  - Characteristics of Protected Classifications. This category includes race, national origin, age, and gender;
  - Internet/Network Activity. Internet Activity Information includes browsing history, cookies, search history and a consumer’s interaction with a website; and
  - Inferences drawn from any other category of personal information.

We collect personal information in the above categories only from you for the purposes described in this Statement, and as required to comply with applicable law.

As a California consumer, you also have the right to request that we tell you which of your personal information we have disclosed for a business purpose, or sold, in the previous 12 months. With respect to personal information being disclosed for a business purpose, the consumer shall receive the categories of information disclosed and the types of entities they have been disclosed to. This right may not be exercised more than twice in a 12-month period. For personal information being sold, this includes the categories of information being sold and the categories of third parties to whom it is being sold. In the past 12 months, we have disclosed personal information falling under the following categories of personal information:

- Identifiers;
- CCRLPI:
- Characteristics of Protected Classifications;
- Commercial Information; and
- Inferences drawn.

We disclose personal information in the preceding categories to the consumers themselves, to third parties as the consumer may direct, service providers, third parties that we have a business relationship with, potential/actual successors in interest, and government/law enforcement agencies for either the purpose it was provided/provision of Services, to comply with applicable law, or as otherwise described above in this Statement.

IN THE PAST 12 MONTHS WE HAVE NOT SOLD, AND DURING THE PERIOD OF TIME WHICH THIS STATEMENT IS POSTED WE SHALL NOT SELL, THE PERSONAL INFORMATION OF ANY CONSUMER, INCLUDING MINORS UNDER THE AGE OF 16.

Under the CCPA, California consumers have the following rights:

- (a) The right to opt out of the processing, selling and sharing of information;
- (b) The right to opt in (for minors)
- (c) The right to data portability
- (d) The right to non-discrimination in connection with your exercise of rights under CCPA;
- (e) The right to stop us from disclosing your personal data to third parties;
- (f) The right to know what personal data has been collected and is being held;
- (g) The right to access personal data we have collected and stored;
- (h) The right to correct errors in your personal data;
- (i) The right to opt out of automated decision-making with respect to your personal data
- (j) The right to limit the use of sensitive personal information; and
- (k) The right to request deletion of personal data.

The full scope of these rights is set forth under the CCPA and court decisions and regulations interpreting them and may be limited in certain circumstances. For example, the right to deletion may be limited in situations where, for example, only, the data for which deletion is requested is necessary to be maintained for us to comply with applicable laws.

#### B. How Do you Exercise your rights under the CCPA?

Because we offer the Services exclusively online, you may submit your requests to exercise your rights under the CCPA by emailing us at [legal@pallighting.com](mailto:legal@pallighting.com) with “CCPA Request” in the subject line. When submitting a request via email, please indicate which CCPA right you wish to exercise and provide sufficient information to allow us to locate your file.

We will acknowledge receipt of your request within 10 business days of receiving it and will use commercially reasonable efforts to respond within 45 calendar days of receipt of your request, and in no event will our response come more than 90 days after receiving your request. If we are unable to provide our response within the first 45-day window, we shall notify you as soon as we

become aware of the possible delay and provide an explanation of why additional time is needed to respond.

Before we respond to any CCPA based requests relating to your personal information, we will take steps to reasonably verify the identity of the person making the request (“Requestor”) to make sure it’s you, or your authorized agent. We do this to avoid disclosing your information to third parties and bad actors, not to inconvenience you in any way. To do this, we will ask the Requestor to confirm at least two pieces of information that we have in our files. As the sensitivity of the information being requested goes up, we will ask the Requestor to confirm more pieces of information. For requests to delete information, after verification, we will confirm your desire to delete one final time before actually deleting the information. If the identity of the Requestor cannot be reasonably verified, then in order to protect you, we shall not disclose the personal information requested.

### **FLORIDA LAW**

We endeavor to comply with the Florida Telemarketing Act and the Florida Do Not Call Act as applicable to Florida residents. For purposes of compliance, you agree that we may assume that you are a Florida resident if, at the time you sign up for an account, (a) your billing address, as provided is located in Florida or (b) the area code for the phone number used create an account is a Florida area code. You agree that the requirements of the Florida Telemarketing Act and the Florida Do Not Call Act do not apply to you, and you shall not assert that you are a Florida resident, if you do not meet either of these criteria or, in the alternative, do not affirmatively advise us in writing that you are a Florida resident by sending written notice to us. Insofar as you are a Florida resident, you agree that mobile messages sent by us in direct response to mobile messages or requests from you shall not constitute a “telephonic sales call” or “commercial telephone solicitation phone call” for purposes of Florida Statutes Section 501 (including but not limited to sections 501.059 and 501.616), to the extent the law is otherwise relevant and applicable.

### **WASHINGTON STATE LAW**

To the extent the law is relevant and applicable to the Services, we endeavor to comply with the commercial telephone solicitation requirements pursuant to the Revised Code of Washington (RCW) (including but not limited to sections 80.36.390, 19.158.040, 19.158.110 and 19.158) as applicable to State of Washington residents. For purposes of compliance, you agree that we may assume that you are a State of Washington resident if, at the time you create an account with us, the area code for the phone number used to create an account on our Site is a State of Washington area code.

### **MULT-STATE PRIVACY STATEMENT FOR VIRGINIA, CONNECTICUT AND COLORADO**

This Multi-State Privacy Statement is provided pursuant to applicable state laws and applies to Virginia, Connecticut, and Colorado residents, and supplements our overall Statement with additional disclosures and rights.



If you are a resident of Virginia, Connecticut, or Colorado you may take advantage of the following rights in accordance with applicable law:

- (a) You can request to confirm whether we process your personal information. Subject to certain exceptions, you can also request a copy of your personal information you provided to us.
- (b) You can request that we delete personal information we have about you.
- (c) You can request that we correct inaccurate personal information we maintain about you.
- (d) You can request to opt out of the sale of your personal information to a third party.
- (e) We may display advertisements to you where the ad was selected based on personal information obtained from (or in some instances inferred) from your activities over time and across unaffiliated websites or online applications to predict your preferences or interests. To the extent permitted by law, you can request that we stop using your personal information for such targeted advertising by contacting [legal@pallighting.com](mailto:legal@pallighting.com).

To take advantage of any of these rights, please contact us here [legal@pallighting.com](mailto:legal@pallighting.com). Note that Connecticut and Colorado residents may designate an authorized agent to request on their behalf that we stop selling or processing their personal information for targeted advertising purposes. We will take reasonable steps to authenticate your identity prior to responding to your requests. The authentication process will vary depending on the sensitivity of the personal information and whether you have an account with us. We will use commercially reasonable efforts to authenticate the identity of authorized agents and their authority to submit requests on your behalf.

We may deny certain requests, or fulfil a request only in part, based on our legal rights and obligations.

If you have any questions about this Statement or any other applicable terms, policies or agreements related thereto, please contact us at [legal@pallighting.com](mailto:legal@pallighting.com).

## **GLOBAL PRIVACY STANDARDS**

PAL Architectural strives to comply with all applicable laws globally that are designed to protect our customer's privacy. Although legal requirements may vary from country to country, PAL Architectural intends to adhere to the principles set forth in this Policy even when transferring our customer's information between countries that may not require the same level of privacy protection.

## **CHILDREN'S PRIVACY PROTECTION**

Under Age 13. PAL Architectural understands the importance of protecting children's privacy in the interactive online world. This website is not designed for, or intentionally targeted at, children under 13 years of age. It is not our policy to intentionally collect or maintain information about anyone under the age of 13. No one under the age of 13 should submit any Personal Information to PAL Architectural or this website.

Under Age 18. Minors under 18 years of age may have the Personal Information that they have provided to PAL Architectural through this website deleted by sending an email to the email listed at the end of this Policy requesting deletion. Please note that, while we make reasonable efforts to comply with such requests, deletion of your Personal Information does not ensure complete and comprehensive removal of the data from all systems.

## **COMMUNICATION PRACTICES**

We may send electronic newsletters, notification of account status, and other communications, such as marketing communications, on a periodic basis to various individuals and organizations. We may also send email communications regarding topics such as Website updates. We offer you appropriate consent mechanisms, such as opt-out, for marketing and certain other communications (*i.e.*, commercial email or text messages). As examples, you may opt-out as provided for in a specific email communication or contact us as described below in the section "Contact Us." Please be aware that opt-outs may not apply to certain types of communications, such as account status, Website updates, or other communications. While PAL Architectural does not sell Personal Information, Nevada consumers have the right to opt-out of the sale of Personal Information by submitting a written request to [privacy@sonepar-us.com](mailto:privacy@sonepar-us.com). PAL Architectural will verify your request and respond within sixty (60) days of receipt.

## **THIRD PARTY ONLINE ADVERTISING**

Some of the advertisements you may see on the Website are delivered by third parties who also collect information through their own cookies, web beacons and other similar technologies about your online activities, either on our services or across the Internet, in an effort to understand your interests and deliver advertisements that are tailored to your interests. These third parties include advertisers, advertising agencies and ad networks that may collect information about you when you view or interact with one of their advertisements and may collect information about your online activities over time and across different websites. PAL Architectural does not have access to the information these third parties may collect about your interests to deliver relevant advertising to you, and the information practices of these third parties are not covered by this Policy. These companies may offer a way for you to choose not to have your information used for advertising purposes. For more information about third-party advertising networks and similar entities that use these technologies, see [www.aboutads.info/consumers](http://www.aboutads.info/consumers), and to opt-out of such ad networks' and services' advertising practices, go to [www.aboutads.info/choices](http://www.aboutads.info/choices). Once you click the link, you may choose to opt-out of such advertising from all participating advertising companies or only advertising provided by specific advertising companies.

## **SOCIAL MEDIA POLICY**

We encourage you to read, share, follow us and provide commentary on any of our social media sites. If you do choose to share information about your experience with PAL Architectural on our social media sites, you acknowledge this social media policy. Please be aware that by "Liking" or sharing content about the PAL Architectural using the social sharing mechanism, you agree to allow PAL Architectural to list the name, photo, etc. associated with the social media profiles. This information may be viewable to your social networks, depending on your privacy settings. We reserve the right on our social media sites to edit comments for content, remove off-topic contributions, delete offensive comments or remarks, block offensive contributors and/or delete actual or suspected spam content. We reserve the right to respond to any post or user

content on our social media sites, and may occasionally privately request your contact information to assist offline with your consent by routing the matter to the appropriate persons or department for further handling. Please be aware that once you post something online, there is the potential for numerous individuals to read your words, even years from now. Therefore, we suggest that you exercise caution when posting on any social media sites, and that you not disclose personally identifiable information.

#### **DATA SECURITY**

We maintain reasonable administrative, technical and physical safeguards designed to help prevent Personal Information from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. While PAL Architectural has endeavored to create a secure and reliable website for users, the confidentiality of any communication or material transmitted to/from the Website or via e-mail cannot be guaranteed.

#### **CHANGES TO THIS POLICY**

This Policy may be revised from time to time as we add new features and services, as laws change, and as industry privacy and security best practices evolve. We display an effective date on the Policy so that it will be easier for you to know when there has been a change. If we make any change to this Policy regarding use or disclosure of Personal Information, we will provide appropriate notice and choices to you, on this Website and in other appropriate locations (including email), based on the scope and extent of changes. Small changes or changes that do not significantly affect individual privacy interests may be made at any time and without prior notice.

#### **FOR ADDITIONAL INFORMATION/CONTACT US**

If you have any questions or concerns regarding this Policy and our related privacy practices, PAL Architectural can be reached using any listed contact information on the Website or affiliated sites as well as by email at [INSERT EMAIL ADDRESS], or by postal mail at the address below.

*PAL Commercial Lighting LLC  
Attn: Privacy Policy Communication  
4830 Timber Creek Drive  
Houston, TX 77017*