

Privacy Policy

VINX2 Winery Software, Inc., trading as Vintrace (**Vintrace, us, we, our**) takes your privacy seriously. This Privacy Policy describes how we collect, use, disclose, store, and handle your personal information provided to us, or otherwise collected by us, offline or online, including through our website (**Site**) and in connection with our services provided to our customers (**Services**).

By accessing, browsing or otherwise using the Site or the Services, you accept this Privacy Policy without limitation or qualification. If you do not accept this Privacy Policy, you may not be able to use our Site, Services, any of our products and services or their full functionality.

Our United States operations are based in California, and this policy generally incorporates protections for California residents provided under the California Consumer Privacy Act of 2018 (**CCPA**) as amended by the California Privacy Rights Act of 2020 (**CPRA**) even though we do not meet the definition of a “business” under the CCPA and are not legally required to comply with the CCPA/CPRA. Since we care about your privacy, we provide the same rights to all of our U.S. customers, whether or not they are California residents. Your use of this Site and our services are subject to California and United States law. If you are an Australian or European Customer or visitor to the Site, your rights are governed by our Australian or GDPR policies, available www.vintrace.com.

NOTICE OF COLLECTION

1. What is personal information?

In this Privacy Policy, 'personal information' has the meaning set out in the CCPA. Under the CCPA, personal information is information that “identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household.”

When we refer to collection, use, disclosure, storage and handling of personal information in this Privacy Policy, we mean any operation or set of operations that is performed on personal information, whether or not by automated means.

Note that in connection with our Services, we collect commercial data that is not “personal information.” We treat the security of such commercial data with the same care as personal information, and will never sell or share such information with anyone except as provided in the Terms of Use. Your rights in that commercial data are not the same as your rights described below for your personal information. Such commercial data is subject to the Terms of Use, and not the rights for personal information contained herein.

2. What types of personal information do we collect?

We collect and store certain personal information about you at various points to provide you with products and services. The types of personal information we may collect about you include:

- Identifiers
 - your name;
 - your contact details, including email address, mailing address, street address and/or telephone number;

- your credit card or payment details;
- your demographic information, such as postcode;
- your account information including your username and password.
- Commercial Information
 - your preferences and/or opinions;
 - information you provide to us through customer surveys;
 - details of products and services we have provided to you and/or that you have enquired about, and our response to you;
 - additional personal information that you provide to us, directly or indirectly, through your use of our Site, Services, associated applications, associated social media platforms and/or accounts from which you permit us to collect information; and
- any other personal information lawfully requested by us and/or provided by you or a third party such as your employer.

Generally, we will not collect sensitive information about you other than your username and password. However, we may need to collect limited sensitive information to verify your identity in certain circumstances, such as a social security number, driver's license, or identification card.

We also collect technical information and general analytics illustrating electronic network activity, such as:

- your browser session and geo-location data, device and network information, statistics on page views and sessions, acquisition sources, search queries and/or browsing behavior; and
- information about your access and use of our Site or the Services, including through the use of Internet cookies, your communications with our Site, the type of browser you are using, the type of operating system you are using and the domain name of your Internet service provider.

3. How do we collect personal information?

We may collect these types of personal information directly from you, when you:

- access or use the Site or Services;
- sign up to receive news about our products or services;
- enter surveys, competitions or promotions organized by us; or
- make inquiries about Vintrace or our products or services, or otherwise communicate with us by email, telephone, in person, via a website or otherwise.

Where it is reasonable to do so, we will only collect personal information about you directly from you and not from third parties. In limited circumstances, we may collect personal information about you from third parties such as your employer, mutual contacts, or if someone makes contact with us on your behalf.

Cookies and Do Not Track

We may use cookies on our Site from time to time to collect technical information and general analytics. Cookies are text files placed in your computer's browser to store your preferences. Cookies, by themselves, do not tell us your email address or other personally identifiable information. However, they allow third parties to cause our advertisements to appear on your social media and online media feeds as part of our retargeting campaigns. If and when you choose to provide our Site with personal information, this information may be linked to the data stored in the cookie. However, your account information for our Services is never used for advertising purposes.

We may use web beacons on our Site from time to time to collect technical information and general analytics. Web beacons (also known as Clear GIFs) are small pieces of code placed on a web page to monitor visitor's behavior and collect data about the visitor's viewing of a web page. For example, web beacons can be used to count the users who visit a web page or to deliver a cookie to the browser of a visitor viewing that page.

Some browsers have incorporated "do not track" features to enable users to make privacy and security choices. By using these settings, your browser may signal to our website not to collect tracking information. The Site does not respond to "do not track" signals as they would interfere with our Services that require cookies to function. Information tracked by the Site and Services through cookies is discussed above. You can manage any cookies through your browser's settings.

4. How do we use your personal information?

In general, we use your personal information for purposes connected with our business. We will only use personal information about you:

- where you have given us your consent;
- where processing of your personal information is necessary for the performance of a contract or to provide a service to you;
- to meet our legal obligations; and
- to pursue our business purposes.

Some of the specific purposes for which we may collect, hold, use and disclose personal information are as follows:

- to enable you to access and use our Site, our Services, associated applications and associated social media platforms;
- to contact and communicate with you;
- for internal record keeping and administrative purposes;
- for analytics, market research and business development, including to operate and improve our Site, Services, associated applications and associated social media platforms;
- to run competitions and/or offer additional benefits to you;
- for advertising and marketing, including sending you promotional information about our products and services; and

- to comply with our legal obligations and resolve any disputes that we may have.

We may also use or disclose your personal information for other purposes you have consented to, or as otherwise permitted or required by law.

Technical information and general analytics are used to gauge visitor traffic, trends and deliver personalized content to you while you are on the Site, and improve the Site and our products and services.

5. Disclosure of personal information to third parties

We may disclose personal information to third parties in connection with the purposes described above. This may include disclosing your personal information to:

- third party service providers to enable them to provide their services, including (without limitation) IT service providers, data storage, web-hosting and server providers, debt collectors, maintenance or problem-solving providers, marketing or advertising providers, professional advisors and payment systems operators;
- our employees, contractors and/or related entities;
- our existing or potential agents or business partners;
- sponsors or promoters of any competition we run;
- anyone to whom our business or assets (or any part of them) are, or may (in good faith) be, transferred;
- credit reporting agencies, courts, tribunals and regulatory authorities, in the event you fail to pay for goods or services we have provided to you;
- courts, tribunals, regulatory authorities and law enforcement officers, as required by law, in connection with any actual or prospective legal proceedings, or to establish, exercise or defend our legal rights;
- third parties, including agents or sub-contractors, who assist us in providing information, products, services or direct marketing to you. This may include parties located, or that store data, outside of the US; and
- third parties to collect and process data, such as Google Analytics or other relevant businesses. This may include parties that store data outside of the US.

If we disclose your personal information to third parties, vintrace will use reasonable commercial efforts to ensure that such third parties only use your personal information as reasonably required for the purpose of disclosure and in a manner consistent with applicable laws, for example (where commercially practical) by including suitable privacy and confidentiality clauses in our agreement with a third-party service provider to which we disclose your personal information.

6. CCPA-Specific Rights

As noted above, we are not a “business” as defined in the CCPA/CPRA and thus not legally required to comply with the CCPA or CPRA at this time. Nevertheless, we are providing you with the following information and rights to know, access or delete your information:

“Do Not Sell My Personal Information”

Under California law, consumers have the right to opt-out of the sale of personal information. We do not sell personal information. If you wish to manage how your information collected through cookies is shared with our Service Providers, you can manage your cookie preferences on our website here www.vintrace.com or through your browser’s privacy settings.

Your Rights to Access or Delete Your Data

If you so desire, we will provide you with a copy of your account data or delete your account at your request. Up to twice a year, you may ask us whether we are collecting, storing, using, disclosing or selling your personal information, what categories and specific pieces of personal information of yours we are collecting and storing, the categories of sources from which our personal information is collected, the business or commercial purpose for collecting your personal information, and whom we may have shared your information with. We will provide you only with your personal information, not information provided by or in connection with Services for your employer.

You may request a copy of the categories of personal information we have about you by contacting us at <https://www.vintrace.com/contact/> or email support@vintrace.com or by phone 1-888-240-4860. We may contact you further to verify your identity if we do not have sufficient proof in your request, such as the request being sent from your email address that matches the one we have. If you request specific pieces of information to verify your request, you will need to provide a declaration to us via mail at VINX2 Winery Software, Inc. 548 Market St #62071, San Francisco, 94104, USA. We will work diligently to respond to your requests and provide you with a free response within 45 days.

If you would like us to delete your data, please contact us at support@vintrace.com or by phone 1-888-240-4860. Depending on the nature of the data that you request we delete, we may require you provide two or more data points that match the information in our file. Note that even if you request deletion, we may continue to retain and use information as may be authorized or necessary under California or other applicable law. While you have the right to request that we delete the personal information you provide to us and we will not discriminate against you for exercising any rights that you have, we may no longer be able to provide access to our Services to you if we do not have sufficient information to validate your identity and access rights. We will not delete information provided by or on behalf of employees of customers of our Services in the event of a personal request directly by such employee. Any such request must be made by an authorized representative of the customer of the Services.

We will verify your identity for purposes of such a request to delete or a request to know. If you have an account on the Site, we will verify your request for information through your account. If you do not have an account, we will verify your request depending on the nature of the request. If you request to know the categories of information, we will request that you provide two pieces of information that match our records, which may vary depending on the information we have on file. If you request to know specific pieces of information, we will require additional verification to match three pieces of information on file, as well as a signed declaration. If you would like to designate an authorized agent to make such a request on your behalf, you may do so by providing us with your signed permission of such authorization, verify your identity with us as described above, and confirm that you provided the authorized agent permission to submit the request; or your agent must provide proof of a power of attorney.

To protect your information from fraudulent requests, we require you provide us with additional information to verify your identity should you wish to access or delete your data. For your protection, if the requisite verification is not satisfied, we may deny a request for access to your account data or to delete your account.

7. Storage and security

We are committed to ensuring that the personal information we collect is secure. To prevent unauthorized access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the personal information and protect it from misuse, interference, loss and unauthorized access, modification and disclosure. It is your responsibility to maintain the security of your account information. Do not share or disclose your username or password with anyone.

We cannot guarantee the security of any information transmitted to or by us over the Internet. The transmission and exchange of information is carried out at your own risk. Although we take measures to safeguard against unauthorized disclosures of information, we cannot assure you that the personal information we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.

Please notify Vintrace immediately if you become aware of any breach of security.

8. Retention

Generally, we will retain your personal information for the period necessary for the purposes for which your personal information was collected (as outlined in this Privacy Policy) unless a longer retention period is required by law or if it is reasonably necessary for us to comply with our legal obligations, resolve a dispute or maintain security.

9. Links to other websites

Our Site may contain links to other websites. We do not have any control over those websites, and we are not responsible for the protection and privacy of any personal information you provide while visiting those websites. Those websites are not governed by this Privacy Policy.

10. Exemptions

Where applicable laws allow for an exemption to comply with certain legal obligations, Vintrace may rely on such an exemption.

This Privacy Policy will not apply to the extent that it is inconsistent with any applicable law.

This Privacy Policy does not apply to information collected from prospective or actual employees of vintrace in connection with that employment.

11. Amendments

We may, at any time and at our discretion, vary this Privacy Policy by publishing the amended Privacy Policy on our Site. We recommend you check our Site regularly to ensure you are aware of our current Privacy Policy.

12. Contact

For any questions or notices, please contact our Privacy Officer at:

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