

# Website Privacy Policy

**Last Updated:** September 19, 2023

Tokyo Ohka Kogyo America, Inc. ("Company", "we", "our", or "us") respects your privacy and is committed to protecting it through its compliance with this Website Privacy Policy (this "Policy"). This Policy describes the types of information we may collect from you or that you may provide when you visit our website (<https://www.tokamerica.com/>) (our "Website") and our practices for collecting, using, maintaining, protecting, and disclosing that information. This Policy applies to the Company's activities in the United States of America only. Additionally, this Policy supersedes and completely replaces the privacy policy applicable to Tokyo Ohka Kogyo Co., Ltd.

Please read this Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is to not use our Website. By accessing or using this Website, you agree to this Policy. If you are accessing or using the Website on behalf of an entity, you represent and warrant that you are authorized to agree to this Policy on behalf of such entity. References to "you" and "your" throughout this Policy means you personally, and, if you are accessing or using this Website on behalf of an entity, you and such entity on whose behalf you access the Website. This Policy may change from time to time (see *Changes to Our Website Privacy Policy*). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the Policy periodically for updates.

This Policy applies to information we collect:

- On this Website.
- In email and other electronic messages between you and this Website.

It does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by the Company or any third party (including our affiliates and subsidiaries); or
- Any third party (including our affiliates and subsidiaries).

## **Children Under the Age of 13**

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any personal information to or on the Website. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this Website or through any of its features, register on the Website, use any of the interactive features of this Website, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or username you may use. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at [privacy@tokamerica.com](mailto:privacy@tokamerica.com).

## **Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Website, including information:

- By which you may be personally identified, such as name, postal address, email address, telephone number, social security number, username, password, account number, driver's license number, passport number, or any other identifier by which you may be contacted online or offline ("personal information"); and
- About your internet connection, the equipment you use to access our Website, and usage details.

We collect this information:

- Directly from you when you provide it to us;
- Automatically as you navigate through the Website (information collected automatically may include usage details, IP addresses, and information collected through cookies); and
- From third parties, for example, our business partners.

### *Information You Provide to Us*

The information we collect on or through our Website may include:

- Information that you provide by filling in forms or requesting services on our Website;
- Information you provide when you report a problem with our Website;
- Records and copies of your correspondence (including email addresses) if you contact us; and
- Your search queries on the Website.

### *Information We Collect Through Automatic Data Collection Technologies*

As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our Website, including duration, frequency and other communication data and the resources that you access and use on the Website; and
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

The information we collect automatically helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns;
- Store information about your preferences, allowing us to customize our Website according to your individual interests;
- Speed up your searches; and
- Recognize you when you return to our Website.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting

on your browser. However, if you select this setting, you may be unable to access certain parts of our Website. Unless you have adjusted your browser settings so that it refuses cookies, our system will issue cookies when you direct your browser to our Website.

### **Other Tracking Technologies**

TOKA does not engage in cross-context behavioral tracking or advertising.

### **How We Use Your Information**

We use information that we collect about you or that you provide to us, including any personal information:

- To present our Website and its contents to you;
- To provide you with information, products, or services that you request from us;
- To fulfill any other purpose for which you provide it;
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us;
- To notify you about changes to our Website or any products or services we offer or provide through it;
- To allow you to participate in interactive features on our Website;
- In any other way we may describe when you provide the information; and
- For any other purpose with your consent.

### **Disclosure of Your Information**

We may disclose aggregated information about our users, and information that does not identify you, without restriction.

We may disclose personal information that we collect, or you provide as described in this Policy:

- To our subsidiaries and affiliates;
- To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them;
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by the Company about our Website users is among the assets transferred;
- To fulfill the purpose for which you provide it;
- For any other purpose disclosed by us when you provide the information; and
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request;
- To enforce or apply our Terms of Use or Purchase Order Terms and Conditions <https://www.tokamerica.com/wp-content/uploads/2022/01/terms-conditions.pdf>, and other agreements, including for billing and collection purposes; and
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the company, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

### **Third-Party Sites**

Our Website may contain links to third-party websites and other online services, which are not governed by this Policy. We do not control third parties' collection or use of your information. As such, we encourage you to learn about the privacy and security practices of those third parties. We are not responsible for the privacy or security of such websites and other online services, nor the online collection, use or sharing of personal or non-personal information by any such third parties.

### **Your State Privacy Rights**

Privacy laws may provide their residents with additional rights regarding our use of their personal information. If you are a resident of California, please review our Privacy Policy for California Residents <https://www.tokamerica.com/wp-content/uploads/2023/10/CCPA-Privacy-Policy-rev2.pdf> to learn more about the additional rights granted to you under the California Consumer Protection Act.

### **Data Security**

We have implemented commercially reasonable measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

### **Changes to Our Website Privacy Policy**

Any changes we make to this Policy will be posted on this page. If we make material changes to how we treat our users' personal information, we will notify you through a notice on the Website home page. The date this Policy was last updated is identified at the top of the page. You are responsible for periodically visiting our Website and this Policy to check for any changes.

### **Contact Information**

To ask questions or comment about this Policy and our privacy practices, contact us at [privacy@tokamerica.com](mailto:privacy@tokamerica.com) or toll-free number 1-888-815-2504.