

PRIVACY POLICY

06-29-2020

GENERAL

American Bath Group and its subsidiaries (ABG Hospitality, AKER by MAAX, Aquarius, Aquatic, Bootz, Briggs Bath, Clarion, Comfort Designs, Hamilton, Laurel Mountain, MAAX Bath, MAAX Spas, Renovative Bath Systems, Swan and all other secondary brands) (“ABG”, “we” or “us”) respects your expectation of privacy as you visit AmericanBathGroup.com and all related websites. The purpose of this Privacy Policy is to inform you of the types of Personal Information (as defined below) that ABG collects uses and discloses. This statement explains how we use and disclose the Personal Information, the choices you have regarding such use and disclosure, and how you may correct that information. This Privacy Policy applies to the collection, use and disclosure of Personal Information by ABG.

“Personal Information” is any information that is identifiable with you, as an individual. This information may include (but is not limited to) your name, mailing address, telephone number, e-mail address, business facsimile number, age and employment history. Personal Information, however, does not include your name, business title or business address and business telephone number in your capacity as an employee of an organization.

From time to time, we may make changes to this Privacy Policy. The Privacy Policy is current as of the “last revised” date which appears at the top of this page. We will treat Personal Information in a manner consistent with the Privacy Policy under which it was collected, unless we have your consent to treat it otherwise. This Privacy Policy applies to any information we collect or receive about you, from any source.

We ensure that all third parties that are engaged to perform services on our behalf and are provided with Personal Information are contractually required to observe the intent of this Privacy Policy and our privacy practices.

We have implemented commercially reasonable physical, organizational, contractual and technological security measures to protect your Personal Information from loss or theft, unauthorized access, disclosure, copying, use or modification. These security measures are proportionate to the amount and nature of the Personal Information collected. The only employees who are granted access to your Personal Information, are those with a business ‘need-to-know’ or whose duties reasonably require them to have access to such information.

COLLECTION OF PERSONAL INFORMATION

We will always collect your Personal Information by fair and lawful means (for example, when you enter information on ABG websites or during off-line contacts we may have with you). We may collect Personal Information from you directly and/or from third parties, where we have obtained your consent to do so

or as otherwise required or permitted by law. As a result, information may be collected by your use of the ABG websites, including (but not limited to) sending us e-mails; completing surveys; and submitting employment applications.

Furthermore, when you browse ABG websites, you and your web browser may also transmit information that ABG automatically collects. This information may be combined with other Personal Information you have provided. The only other type of information automatically provided to ABG is the type of computer, operating system and browser you are using. This information is provided by your browser, which ABG may use to improve the performance of its website or for other similar technical or performance-related purposes.

ABG may also place small data files, called "cookies," in the browser file of your computer's hard drive. These cookies automatically identify your browser to the ABG server whenever you interact with an ABG website. ABG uses the cookies to record website data. For more information about cookies, please see the Cookie Policy below.

We will keep the Personal Information that we collect on a server located in the US.

COOKIE POLICY

This website uses cookies. A "cookie" is a small text file that may be placed on your computer when you visit a website or click on a URL. There are two types of cookies that may be used: a session cookie and a persistent cookie. A single-session cookie is held temporarily in your computer's memory during only a single visit to a website to personalize user experience, to determine ways to improve the site, its content, and services offered through the site. A single-session cookie disappears from your hard drive when you close your browser. A persistent cookie is entered by your web browser into the "Cookies" folder on your computer and remains in this folder after you close your browser and may be used by your browser on your next visit to a website unless or until it is deleted or set to expire. Most browsers are set up to accept cookies. You may reject or delete cookies by adjusting your browser preferences at any time; however, this may limit your ability to use all of the features on the site or the appearance of certain webpages. For example, to set the Internet Explorer browser to reject cookies go to Tools > Internet Options > Privacy > Settings and select the privacy level (using the slider bar) that you prefer. To delete cookies in Internet Explorer, go to Tools > Internet Options > General > Browsing History and click the Delete button then select the cookies option.

You can also manage your cookie settings and preferences on our website by using the link in the footer called 'Cookie Preferences', which allows you to review and update which cookie categories you want to allow. You can opt out of any cookie category except the Mandatory Cookies category, as they are deployed in order to ensure the proper functioning of our website.

Pages of our Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit ABG, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

CONSENT TO COLLECTING PERSONAL INFORMATION

We generally obtain your consent prior to collecting, and in any case, prior to disclosing your Personal Information for any purpose. You may provide your consent to us verbally, electronically or in writing. The form of consent that we seek, including whether it is express or implied, will largely depend on the sensitivity of the Personal Information and the reasonable expectations you might have under the circumstances.

USE OF PERSONAL INFORMATION

We identify the purposes for which we use your Personal Information at the time we collect such information from you and obtain your consent, in any case, prior to such use. We generally use your Personal Information for the following purposes (the "Purposes"):

- to respond to your inquiries;
- to respond to product or service complaints, product claims or product information requests;
- to collect your Personal Information in aggregate form to develop consumer profiles, perform sales analyses and identify marketing opportunities and strategies;
- to advise you about new products and services that may be of interest to you;
- to collect opinions and comments regarding ABG's operations;
- to add you to ABG mailing list(s);
- to recruit for positions at ABG and to process your application for employment and your resume;
- to manage our websites;
- to investigate legal claims;
- such other purposes for which ABG may obtain consent from time to time; and
- such other uses as may be permitted or required by applicable law.

DISCLOSURE OF PERSONAL INFORMATION

We identify to whom, and for what purposes, we disclose your Personal Information, at the time we collect such information from you and obtain your consent for such disclosure. For example, we may transfer your Personal Information to third party service providers with whom we have a contractual agreement that includes privacy standards no less protective than those set forth in this Privacy Policy, where such third parties are assisting us with the Purposes.

Generally, we will only make disclosures of Personal Information to such persons for which you provide your consent. Notwithstanding the foregoing, we may also make disclosures of Personal Information to a potential acquirer in connection with a transaction involving the sale of some or all of the business of ABG or a particular subsidiary (in which case the use of your personal information by the new entity would continue to be limited by applicable law and this Privacy Policy), or as otherwise permitted or required by law.

In addition, we may transfer your personal information outside of the country for the purposes set out above, including for processing and storage by service providers for these purposes. However, you should be aware that if personal information is located outside of the country, it is subject to the laws of the country where it is held and may be subject to disclosure to the governments, courts or law enforcement or regulatory agencies of that other country in accordance with the laws of that country.

We do not sell or otherwise disclose your personal information except as described in this Privacy Policy.

ACCESSING/REVIEWING YOUR PERSONAL INFORMATION

We may keep a record of your Personal Information, correspondence or comments, in a file specific to you. We will utilize, disclose or retain your Personal Information for as long as necessary to fulfill the purposes for which that Personal Information was collected and as permitted or required by law.

If you make a written request to review any Personal Information about you that we have collected, utilized or disclosed, we will provide you with any such Personal Information to the extent required by law. We will make such Personal Information available to you in a form that is generally understandable, and will explain any abbreviations or codes.

We will ensure that your Personal Information is kept as accurate, complete and up-to-date as possible. We will not routinely update your Personal Information, unless such a process is necessary. We expect you, from time to time, to supply us with written updates of your Personal Information, when required.

At any time, you can challenge the accuracy or completeness of your Personal Information stored in our records. If you successfully demonstrate that your Personal Information in our records is inaccurate or incomplete, we will amend the Personal Information as required. Where appropriate, we will transmit the amended information to third parties having access to your Personal Information.

We will not charge any costs for you to access your Personal Information stored in our records or to access our privacy practices without first providing you with an estimate of the approximate costs, if any.

We may request that you provide sufficient identification to permit access to the existence, use or disclosure of your Personal Information. Any such identifying information shall be used only for this purpose.

At any time, you may request that we delete or destroy your Personal Information from our servers and databases. Please be aware that by doing so, we may no longer be able to provide you certain services.

STATE-SPECIFIC DISCLOSURES

We may choose or be required by law to provide different or additional disclosures relating to the processing of personal information about residents of certain states. Please refer below for disclosures that may be applicable to you:

- California: If you are a California resident, please [click here](https://www.americanbathgroup.com/privacy-notice-for-california-residents/) [https://www.americanbathgroup.com/privacy-notice-for-california-residents/] for additional

California-specific privacy disclosures. You may also submit a request through [this form](#) [<https://www.americanbathgroup.com/privacy-rights-portal/>] or by calling this toll-free number: 1-888-914-9661 (PIN Code: 715831).

If you are located in California, US, we will attempt to respond to each of your written requests no later than forty-five (45) days after receipt of such requests. We will advise you in writing if we cannot meet your requests within this time limit. You have the right to make a complaint with the California Attorney General's office in respect of this time limit.

YOUR CHOICES AND COMMUNICATIONS PREFERENCES

We may send electronic newsletters and other communications on a periodic basis to various individuals and organizations. We may also send email communications regarding topics such as website updates, and product or service offerings. We offer you appropriate consent mechanisms, such as opt-out, for marketing and certain other communications. You can also manage your communications preferences by using the opt-out or unsubscribe mechanism or other means provided within the communications that you receive, or by contacting us directly at info@americanbathgroup.com [<mailto:info@americanbathgroup.com>]. We reserve the right to notify you of changes or updates to the Site or this Privacy Policy whenever necessary.

CHILDREN

We request that children under the age of 13 not use the website or submit any personal information to the website. We do not direct the website to children under the age of 13 and we do not knowingly collect, use, store, or disclose the personal information of children under the age of 13.

COMMUNICATING WITH US ABOUT OUR PRIVACY POLICY

If you have questions, comments, concerns or complaints about this Privacy Policy or our privacy practices, please feel free to contact us at info@americanbathgroup.com [<mailto:info@americanbathgroup.com>]