

## DESERT BOTANICAL GARDEN® PRIVACY POLICY

Desert Botanical Garden® (“DBG”) is committed to respecting and protecting your privacy and security online. Whether you're browsing the Website or seeking to enter certain transactions, we want to make you comfortable with our privacy practices and the security measures we take to protect your personal information. While we've structured the Website so that, in general, you can visit us on the Web without identifying yourself or revealing any personal information, you may be required to provide personal information to access certain secured and detailed information and/or enter certain transactions.

This Privacy Policy outlines our personal information handling practices at this Website and other DBG Websites that are linked to this site or affiliated with this site (collectively, the “Website”). Once you choose to provide us personally identifiable information (any information by which you can be identified), you can be assured that it will only be used as set forth in this Privacy Policy. DBG provides this Privacy Policy to make you aware of our privacy practices and of the choices you can make about the way your information is collected and used. To make this notice easy to find, we make it available on our homepage at [www.dbg.org](http://www.dbg.org).

Finally, by using the Website, you consent to the collection and use of your personal information by DBG as set forth in the Privacy Policy currently in effect (the present Privacy Policy was last updated on **August, 2007**). DBG reserves the right to change the policy from time to time in accordance with the legal requirements. If DBG does decide to change its policy on privacy, such changes will be posted on this Website. Thus, we recommend checking back periodically to ensure that you have the most current policy.

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

On the Website, you can provide personal information, such as an email and physical address, which DBG collects and stores. Entering certain transactions may require or allow you to input other personal information such as credit card numbers, bank account numbers and other secure information. Information that you submit for your sole personal use through DBG's services and applications is encrypted to prevent unauthorized access, and DBG does not access the unencrypted information without your permission, for example, where you ask DBG for help in accessing your information. DBG further uses its best efforts to prevent unauthorized access to the information by third parties.

In order to tailor our subsequent communications to you and continuously improve our services and products, we may also ask you to provide us with information regarding your personal or professional interests, demographics, experience with our programs, and more detailed contact preferences. There may be some electronic newsletters or Web logs that record anonymous data about articles you have expressed interest in. The Website may use cookies, which is a common data analysis technique.

In addition, our Web server storage logs can collect the domain names, internet protocol addresses, the types of web browsers, and certain click stream data of visitors to the Website. This information is used only internally. For example, this information may be aggregated to measure number of visits, average time spent on the Website, pages viewed, etc. In addition, this information may assist DBG in diagnosing problems with and administering the Website. We may use this information to measure the use of the Website and to improve the content of the Website, such as through customization for a particular user.

Periodically, DBG may conduct surveys, contests, promotions and the like on the Website, and DBG may give you the opportunity to participate in these. Participation may require that you submit certain personally identifiable information to DBG, and DBG will collect and store this information; however, any participation is strictly voluntary and not required to continue use of the Website, applications, and services, so you have a choice whether or not to submit this information.

Please be aware that the personal information we collect and other information you submit is stored and processed on computers in the United States. The laws on collection, holding and/or processing of personal data in the United States may be different (e.g., more stringent/less stringent) than the laws of your country. DBG will hold, process, and transmit your personal information in a confidential and secure environment. If you do not accept this term or other terms of the Privacy Policy, please do not use the Website, applications, and other services.

### **Who is Collecting the Personal Information?**

When you are on a DBG Website and are asked for personal information, you are sharing that information with Desert Botanical Garden. Additionally, if you purchase items or receive materials from DBG, your personal information may be collected by a third party company working with DBG. DBG may also contract with third party companies to perform services for DBG on its Website that require these companies to collect personal information (e.g. hosting a Website promotion or survey). The DBG Website may contain various links to third-party websites. These sites may provide additional information, goods, services and/or promotions. It should be understood that these sites are owned and operated independently of DBG, and have their own separate privacy and data collection practices. Please be aware that these third-party websites are not covered under this Privacy Policy. Instead, any information you provide to these websites will be governed under the terms of their privacy policy, if any. As a result, DBG has no responsibility or liability whatsoever for the independent actions or policies of these independent sites, and is not responsible for the content or privacy practices of such sites.

### **How Do We Use the Information We Get?**

DBG uses your information to better understand your needs to provide you with personalized and customized services and products. With respect to transactions, DBG's goal in collecting personal information is to facilitate order processing and to enable us to contact you if a problem arises with your order. Providing such information when making a purchase is required. Specifically, we use your information to help you complete a transaction, to communicate back to you, to update you on service and benefits, and to personalize the Website for you, which includes interactive communications, and other services.

The DBG site may also contain optional surveys and questionnaires asking for information, as well as several opportunities for visitors to ask questions. We use the information you provide to help us develop and provide better products, to customize your experience, and to provide advice and other recommendations. We may also use your information to contact you for market research or to provide you with marketing information we think would be of particular interest. Taking part in any of these segments is always optional. At a minimum, we will always give you the opportunity to opt out of receiving such direct marketing or market research contact. For example, if you want to be removed from a mailing list, please contact us at [info@dbg.org](mailto:info@dbg.org). We will also follow local requirements, such as allowing you to opt in before receiving unsolicited contact, where applicable.

Finally, DBG can conduct research on our users' demographics, interests, and behavior based on the information provided to us when you are requesting information, making a purchase,

participating in a promotion, and/or from surveys and our server log files. We do this to better understand and serve our users. This research is compiled and analyzed on an aggregated basis so as to prevent identification of personal information relating to any one individual.

### **Who Can We Share the Personal Information With?**

Except as outlined in this Privacy Policy or on the Website, DBG will not sell, rent, lease, or share your personally identifiable information to others without your consent. Thus, unless we have your permission or are required by law, we will only share the personal data you provide online with other DBG entities and/or business partners who are acting on our behalf for the uses described herein. For example, when processing payment for a transaction, DBG may provide your personal information to a third-party payment processor depending on your chosen method of payment. If you check the applicable box when registering or updating your account, or when purchasing DBG applications or services, DBG may share aggregated user statistics and information with certain third-parties. Such information may include our users' demographics, interests, personal information (not including credit card, bank account, and other financial information, unless as otherwise provided herein with respect to payment processing) and behavior based on the information provided to us when you are making a purchase, requesting information, or simply browsing. However, DBG will only disclose your personally identifiable information to third-parties with your permission. DBG takes great pride in utilizing only reputable third-parties. Such third-parties, including those in the United States and/or any other countries, are governed by our privacy policies, or those similar in nature, with respect to the use of this data and are bound by the appropriate confidentiality agreements.

DBG may also disclose personal information in special cases when we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be violating this site's Terms of Use [www.dbg.org](http://www.dbg.org) or may be violating DBG or other's rights or causing injury to or interference with DBG's or other's property. DBG may also disclose or access personal information when we believe in good faith that the law requires it. Further, DBG may also disclose aggregated user statistics for other lawful purposes.

As with any business, it is possible that DBG could acquire, merge with, or be bought by another company. If such an action occurs, the resulting entity would have access to the information collected and stored by DBG, and the resulting entity would be bound by this Privacy Policy with respect to that information.

### **What are Cookies?**

A cookie is a piece of text asking permission to be placed on your computer's hard drive. If you agree, then your browser adds the text in a small file. The purpose of a cookie is to help us analyze Web traffic or let us know when you visit a particular site. Cookies allow a Web application to respond to you as an individual. By gathering and remembering information about your preferences, the Web application can tailor its operation to your needs, likes and dislikes. In addition, cookies can assist DBG in tracking what products you are planning to purchase, i.e., what products are in your shopping cart, as well as to track your progress and number of entries in some of our promotions and contests.

DBG can also use traffic log cookies to identify what pages are being used and which ones aren't. We use this information to understand how our users navigate our site, and to determine common traffic patterns. We may also use this information to better personalize the content, banner ads, and promotions that you and other users will see. This use allows us to make improvements to the Website to better meet customer needs. DBG uses this information only for statistical analysis purposes and then the data is removed from the system.

You also have choices with respect to cookies. By modifying your browser preferences, you have the choice to accept all cookies, to be notified when a cookie is set, or to reject all cookies. If you choose to reject all cookies you will be unable to use those services or engage in activities that require the placement of cookies.

DBG wants to be sure you understand that accepting a cookie in no way gives us access to your computer or any personal information about you, other than the data you chose to share with us. This practice is strictly enforced. We value the relationships we have with our customers, so DBG works to continuously improve the Website experience and personal data privacy policy and practices.

### **What Choices Do I Have Regarding Collection, Use and Distribution of My Information?**

DBG will not use or share the personally identifiable information provided to us online in ways unrelated to the ones described above without first letting you know and offering you a choice. Your permission is always secured first before we ever share your information with third parties that are not acting on our behalf but are governed by our privacy policy.

As previously stated, we will also provide you the opportunity to let us know if you do not wish to receive unsolicited direct marketing materials from us and we will do everything we can to honor such requests. For example, DBG or the third parties it uses may, from time to time, send you e-mail or direct mail regarding our products and services. If you do not want to receive such information, simply tell us when you give us your personal information, or follow the directions contained on it to remove your name from our mailing list. Occasionally these promotion-related e-mail messages may include targeted advertisements. If you do not wish to receive such advertisements, you can choose not to participate in such promotions or contests. If you ever have questions regarding an e-mail you receive from DBG or one of our business partners, or want to be removed from a mailing list, please contact us at [info@dbg.org](mailto:info@dbg.org).

### **What Security Measures are Used by DBG?**

We protect the personal information you share with us. For example, if you make an online purchase with us through use of a credit card, we encrypt your credit card number. As a result, access to your personal information is limited to people who need it to do their job.

Where you use a DBG service or application to store your personally identifiable information, including financial information and passwords, for access only by you, and where the information is not submitted to DBG in order to obtain access to DBG's services or applications, such personally identifiable information is encrypted and password protected, and accessible only by you.

Authorized third party agents may also need access to some of your personal information. For example, if we need to ship something to you, we must share your name and address with a shipping company. We only provide third party agents with the minimum amount of information needed to complete the requested service or transaction. We do not otherwise share your personal information with third parties, unless you have granted us permission to do so. We may also share information with third-party credit card providers and payment processors in order to process payments for products or services.

The security of the information you provide to DBG depends at least in part on the password you choose for the Website. Never disclose your password to anyone, and make sure you choose a password that is not obvious to or easily ascertainable by another person. DBG will never request

that you send your password to DBG via email, but you will be required to enter your password on the Website in order to access and use various DBG applications and services.

### **How do I Access, Determine the Accuracy of, and Correct My Information?**

DBG strives to keep your personally identifiable information accurate. We will provide you with access to your information, including making reasonable efforts to provide you with online access to your registration data so that you may view, update or correct your information at the Website where it was submitted, or at the various third party sites. To protect your privacy and security, we will also take reasonable steps to verify your identity before granting you access or enabling you to make corrections.

However, we need your help in making sure your personal information is correct in our systems. Please notify us of changes to your name, address, title, phone number, cellular phone number and email address. If you would like to review, correct or change any personal information you have provided, or remove your name from our mailing lists or mobile messaging programs to which you have opted in, please e-mail us at [info@dbg.org](mailto:info@dbg.org).

### **What Steps Has DBG Take to Provide Children's Privacy Protection?**

DBG takes special care to protect the privacy needs of children under the age of 13 and encourages parents to be an active participant in their child's online activities and interests. We abide by the Children's Online Privacy Protection Act (COPPA) requirements. In addition, DBG does not seek to collect information about children under the age of 13. No information should be submitted to or posted on this Website by users under 13 years of age. If a child under the age of 13 submits personal information to this Website, we delete the information as soon as we discover the source of the submission and do not use it for any other purpose. DBG encourages parents to take an active role in their children's use of the Internet and cellular telephones, and to inform them of the potential dangers of providing information about themselves over the Internet. We also recommend to parents to help make a child's online experience safer to teach kids never to give personal information, unless supervised by a parent or responsible adult, to know the sites your kids are visiting and which sites are appropriate and to look for Website privacy policies to know how your child's information is treated.

### **What If I Have Additional Questions or Comments?**

Questions regarding this policy should be directed to [info@dbg.org](mailto:info@dbg.org). You may also contact us by U.S. mail at:

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