

# Please Read This Privacy Notice Carefully.

**By Visiting And Using This Website And Any Websites, Web Pages And Services Operated By Moderno Porcelain Works (Moderno Porcelain Works, LLC) That Are Linked ("Moderno Porcelain Works Sites"), You Are Agreeing To This Privacy Policy.**

Your use of and access to the Moderno Porcelain Works Sites is expressly conditioned on your acceptance of the following terms and conditions. If you do not or cannot agree with any part of the following terms and conditions, you may not use or access the Moderno Porcelain Works Sites. Please note that this privacy policy only applies to the information that we collect via the Moderno Porcelain Works Sites.

## **Company Policy**

The privacy of your non-public personal information is important to us. We use safeguards to protect your privacy and confidentiality. This policy discusses information we collect and the manner in which it is used. We reserve the right, at any time, to add to, change, update or modify our privacy policy simply by posting such change, update or modification on the Moderno Porcelain Works Sites. Any such change, update or modification will be effective immediately upon posting on the Moderno Porcelain Works Sites.

## **Security**

We use good-faith efforts to maintain physical, electronic and procedural safeguards to guard your non-public personal information. However, while we strive to protect your personal information, we do not ensure or warrant the security of any information you transmit to us, and you do so at your own risk.

## **Information Collection**

If you do nothing during your visit but browse through the Moderno Porcelain Works Sites and read the information contained on the web pages, we may gather certain information about your visit automatically. This information does not identify you personally. We may automatically gather the Internet domain (for example, "companyx.com" if you use a private Internet access account), IP address (an IP address is a number that is automatically assigned to your computer whenever you are surfing the web) from which you access Moderno Porcelain Works Sites, and the date and time you access Moderno Porcelain Works Sites, and the pages you visit.

We may collect non-public personal information from you when you voluntarily provide personally identifiable information to us through Moderno Porcelain Works Sites, such as when ordering services/products, signing up for newsletters, and accessing account-specific or other profile information. We may collect information about your transactions that we secure from our files and from our affiliates. We may collect information that we receive from consumer reporting agencies. We may collect information that we receive from others involved in your transactions, such as real estate professionals or lenders. We limit use of such information to the purposes for which the information was provided, except as described below. However, we reserve the right to use such information for marketing/product development research and other similar purposes and/or to contact you regarding additional services or products that you may find useful.

We may also release your information to others when we believe, in good faith, that such release is reasonably necessary to (i) comply with law, (ii) enforce or apply the terms of any of our user agreements, or (iii) protect the rights, property or safety of Moderno Porcelain Works, Moderno Porcelain Works users or others. We may also sell, transfer and disclose your information as part of a business divestiture, sale, merger, or acquisition of all or a part of our business.

If you send an electronic mail (email) message that includes personally identifiable information, for example, in an email message containing an inquiry, we will use that information to respond to your inquiry. Remember that email is not necessarily secure against interception or other disclosure. If your communication is very sensitive, or includes information such as your bank account, charge card or social security number, you should not send it in an email.

We may use "cookies" to improve our service to you. Cookies may help us recall a previous visit. The cookies we use do not collect personally identifiable information, and we do not use them to determine your identity.

Cookies are small files stored in your computer's hard drive by your web browser. When you access Moderno Porcelain Works Sites, our computer server will access these cookies so that it can recognize your computer, and make using the website easier for you. For example, cookies allow us to remember your username and password to save you having to retype it every time you visit Moderno Porcelain Works Sites.

For our European customers: on May 26, 2011, a new directive was passed by the European Union (EU) that requires all companies to obtain "free specific and informed consent" from all European visitors to their website in order to capture cookies. The law requires "opt in" functionality, only allowing cookies to be placed on computers where the user has given his or her consent in advance. Once consent is obtained we will not need to request permission again in the future unless you delete your cookies. If you believe that you qualify under the EU Cookies Directive but did not receive the opportunity to opt-in or opt-out at our Moderno Porcelain Works Sites, please submit an email to [info@modernoworks.com](mailto:info@modernoworks.com) and include the website you are visiting, so we can identify and resolve the issue.

If you are not comfortable with this use, you may configure your browser to be notified when cookies are to be received and to provide you with the option of refusing cookies. However, please note that if you have "disabled" cookies in your browser this way or you have "opted out" you may not be able to use certain features on the Moderno Porcelain Works Sites.

Most web browsers allow some control of most cookies through the browser settings. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

To opt out of being tracked by Google Analytics across all websites visit <http://tools.google.com/dlpage/gaoptout>.

## **YouTube Cookies**

We embed videos from our official YouTube channel using YouTube's privacy-enhanced mode. This mode may set cookies on your computer once you click on the YouTube video player, but YouTube will not store personally-identifiable cookie information for playbacks of embedded videos using the privacy-enhanced mode. To find out more please visit [YouTube's embedding videos information page](#).

## **Employees**

Our employees and agents may view information that you provide us in order to perform their jobs and service you. We do not authorize access to non-public personal information about you to those individuals who do not need to know that information in order to provide products or services to you, or as otherwise provided herein.

## Sharing

We may disclose any information that we collect about you to our affiliates or non-affiliated third parties as permitted by law. We also may disclose information about our customers or former customers and others to the following types of non-affiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance
- Non-financial companies such as envelope stuffers and other fulfillment service providers

## Links To Other Websites

Moderno Porcelain Works Sites may contain links to websites that are provided and maintained exclusively by third parties. Websites provided and maintained by third parties are not subject to this privacy policy. Please review the privacy policies on those websites to understand their personal information handling practices. We make no representations concerning the privacy policies of these third-party websites.

## Questions

If you have questions about our privacy policy, you may contact us at [info@modernoworks.com](mailto:info@modernoworks.com). Please provide the webmaster with information about the specific Moderno Porcelain Works Sites about which you are inquiring.

Effective Date: 01/01/2020

## Privacy Notice for California Residents

Pursuant to the California Consumer Privacy Act of 2018 (“CCPA”), Moderno Porcelain Works and its subsidiary companies W.Main Management LLC (collectively, “Moderno Porcelain Works”) are providing this **Privacy Notice for California Residents** (“CCPA Notice”). This CCPA Notice supplements the information contained in Moderno Porcelain Works existing privacy notice and applies solely to all visitors, users and others who reside in the State of California or are considered California Residents (“consumers” or “you”). Terms used but not defined shall have the meaning ascribed to them in the CCPA.

### Information Moderno Porcelain Works Collects

Moderno Porcelain Works collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device. Most of the information that Moderno Porcelain Works collects in the course of its regular business is already protected pursuant to the Gramm-Leach-Bliley Act (GLBA). Additionally, much of this information comes from government records or other information already in the public domain. Personal information under the CCPA does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.

- Certain personal information protected by other sector-specific federal or California laws, including but not limited to the Fair Credit Reporting Act (FCRA), GLBA and California Financial Information Privacy Act (FIPA).

Specifically, Moderno Porcelain Works has collected the following categories of personal information from consumers within the last twelve (12) months:

Moderno Porcelain Works Sites may contain links to websites that are provided and maintained exclusively by third parties. Websites provided and maintained by third parties are not subject to this privacy policy. Please review the privacy policies on those websites to understand their personal information handling practices. We make no representations concerning the privacy policies of these third-party websites.

	<b>Category</b>	<b>Examples</b>	<b>Collected?</b>
A.	Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B.	Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES

C.	Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D.	Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E.	Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES
F.	Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G.	Geolocation data.	Physical location or movements.	YES

H.	Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I.	Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J.	Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES

Moderno Porcelain Works obtains the categories of personal information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees or their agents (For example, realtors, lenders, attorneys, etc.)
- Directly and indirectly from activity on Moderno Porcelain Works' website or other applications.
- From third-parties that interact with Moderno Porcelain Works in connection with the services we provide.

#### Use of Personal Information

Moderno Porcelain Works may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Moderno Porcelain Works.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Moderno Porcelain Works' behalf.
- As necessary or appropriate to protect the rights, property or safety of Moderno Porcelain Works, our customers or others.

- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules and regulations.
- Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Moderno Porcelain Works will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Moderno Porcelain Works does not sell your personal information to nonaffiliated third parties. Moderno Porcelain Works may share your information with those you have designated as your agent in the course of your transaction (for example, a realtor or a lender). Moderno Porcelain Works may disclose your personal information to a third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers and vendors (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- Affiliated Companies
- Litigation parties and attorneys, as required by law.
- Financial rating organizations, rating bureaus and trade associations.
- Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Moderno Porcelain Works has disclosed the following categories of personal information for a business purpose:

Category A: Identifiers

Category B: California Customer Records personal information categories

Category C: Protected classification characteristics under California or federal law

Category D: Commercial Information

Category E: Biometric Information

Category F: Internet or other similar network activity

Category G: Geolocation data

Category H: Sensory data

Category I: Professional or employment-related information

Category J: Non-public education information

Category K: Inferences

### Consumer Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

### **Access to Specific Information and Data Portability Rights**

You have the right to request that Moderno Porcelain Works disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Moderno Porcelain Works will disclose to you:

- The categories of personal information Moderno Porcelain Works collected about you.
- The categories of sources for the personal information Moderno Porcelain Works collected about you.
- Moderno Porcelain Works business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Moderno Porcelain Works shares that personal information.
- The specific pieces of personal information Moderno Porcelain Works collected about you (also called a data portability request).
- If Moderno Porcelain Works disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

### **Deletion Request Rights**

You have the right to request that Moderno Porcelain Works delete any of your personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your

verifiable consumer request, Moderno Porcelain Works will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Moderno Porcelain Works may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

#### Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us either:

- Calling us 281-565-1067
  - Emailing us at [info@modernoworks.com](mailto:info@modernoworks.com)
- Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

To designate an authorized agent, please contact Moderno Porcelain Works through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.

- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Moderno Porcelain Works cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

#### Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Moderno Porcelain Works does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

#### Non-Discrimination

Moderno Porcelain Works will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

#### Changes to Our Privacy Notice

Moderno Porcelain Works reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on Moderno Porcelain Works' website and update the notice's effective date. **Your continued use of Moderno Porcelain Works' website following the posting of changes constitutes your acceptance of such changes.**

#### Contact Information

If you have questions or comments about this notice, the ways in which Moderno Porcelain Works collects and uses your information described here, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** 281-565-1067

**Email:** [info@modernoworks.com](mailto:info@modernoworks.com)

**Postal Address:**

Moderno Porcelain Works

Attn: Julie Kleine, Director Sales & Marketing

2506 W. Main St.

Houston, TX 77098