

# Privacy Policy

Updated On 02/14/2024

This Privacy Policy describes the types of Personal Information we collect, the sources from which we collect it, how we use the information, with whom we share it, and the choices you can make about our collection, use and disclosure of your Personal Information in connection with our website which is operated on behalf of Alibi by Showit. “Personal Information” refers to information that personally identifies you, either directly or in combination with other information, such as your name, address, telephone number, email address, credit card number or other billing information. We also describe the measures we take to protect the security of your Personal Information and how you can contact us about our privacy practices. We provide you choices that allow you to control how we use and share your Personal Information.

Please review this Privacy Policy periodically as we may update it from time to time to reflect changes in our data practices. Your continued use of the Alibi sites after we publish or send a notice about our changes to this Privacy Policy means that you are acknowledging and consenting to the updated Privacy Policy.

When we talk about “Personal Information” in this Privacy Policy, we are talking both about information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. This may include Device Information and Order Information.

# Personal Information We Collect

Alibi collects information from visitors to our website. Alibi may collect the following types of information from customers:

- Information that you provide to us, including name, address, email address, telephone number, birthday, wedding anniversary, photograph, payment method information (including credit card information and other methods of payment).
- Username and password for the account you may establish on our website.
- Ratings and reviews you have posted on the Alibi Sites.
- Order information you have placed (both online on Alibi Sites and otherwise), including information about your selections, purchases, modifications, preferences, and delivery methods.
- Customers' marketing preferences, such as whether the customer wishes to receive marketing communications or newsletter.
- Information about participating customers' activity in a merchant loyalty program.
- Information about the devices you use to access the internet (such as the IP address and the device, browser and operating system type, user settings and other operating system support information).
- Pages and URLs that direct you to the Alibi Sites, that you visited before you came to the Alibi Sites and that you exit to once you leave the Alibi Sites.
- Dates and times of your visits to the Alibi Sites.

- Information on actions you take on the Alibi Sites such as page views, time spent on those pages, information you search for on the Sites, site navigation patterns and other statistics. We may also visually record your interactions with our website.
- A general geographic location (such as country and city) from which you access the Alibi Sites.
- Search terms that you use to reach the Alibi Sites.
- Order history, spend, delivery addresses, favorite items, & dietary restrictions.
- Reservation data and related information about in-person visits to the restaurant (including seating and booking information as well as any information provided about dining preferences).

When you visit the Site, we automatically collect certain information about your device, including information about your web browser, IP address, time zone, and some of the cookies that are installed on your device. Additionally, as you browse the Site, we collect information about the individual web pages or products that you view, what websites or search terms referred you to the Site, and information about how you interact with the Site. We refer to this automatically-collected information as “Device Information.”

We collect Device Information using the following technologies:

- “Cookies” are data files that are placed on your device or computer and often include an anonymous unique identifier. For more information about cookies, and how to disable cookies, visit <http://www.allaboutcookies.org>.
- “Log files” track actions occurring on the Site, and collect data including your IP address, browser type, Internet service provider, referring/exit pages, and date/time stamps.
- “Web beacons,” “tags,” and “pixels” are electronic files used to record information about how you browse the Site.

Additionally when you make a purchase or attempt to make a purchase through the Site or make a reservation, we collect certain information from you, including your name, billing address, shipping address, payment information (including credit card numbers, email address, and phone number. We refer to this information as “Order Information” or “Reservation Information”.

When we talk about “Personal Information” in this Privacy Policy, we are talking about Device Information, Order Information and Reservation Information.

## Sources of Information We Collect

We may obtain information about you directly from the Alibi Sites including forms you complete, reservation data, or when you call or email us.

In addition, when you visit Alibi Sites, we may collect certain information by automated means, such as cookies and other similar technology or as provided to us by your device's operating system, as described in the “Cookies, Tracking Choices, and Third Party Advertisers” section below. We may also receive certain information about you from publicly available or private sources, which may include our partners, service providers, and loyalty rewards programs.

## How We Use Information We Collect

- To provide our services to you, and which may include the uses described below.

- Provide you with a personalized experience based on your profile, order history, dietary restrictions, reservation preferences, and previous visits.
- Please note that by providing your contact information such as email, delivery address or telephone number to Alibi, you agree to receive order status and/or marketing communications via email, mail, and/or text/SMS from Alibi based on individual consent provided.
- Monitor, analyze, and improve the use of the Alibi Sites and technical administration, to increase such sites' functionality and user-friendliness, and to better tailor such sites to our visitors' needs.
- Market the Alibi services to you.
- Register, manage and maintain your Alibi Account, as applicable.
- Process, validate and deliver your purchase of the Alibi services (including by processing payment card transactions and contacting you about your purchase, including by telephone).
- Provide administrative notices or communications applicable to your use of the Alibi services.
- Respond to your inquiries, questions and comments and provide customer support.
- Manage your participation in our events and other promotions, where you have signed up for such events and promotions.
- Manage reservations or in-person dining experiences.
- Operate, evaluate and improve our business and the services we offer.
- Analyze and enhance our marketing communications and strategies.
- Analyze trends and statistics regarding visitors' use of the Alibi Sites.
- Analyze trends and statistics about the restaurant industry.

- Protect against and prevent fraud, unauthorized transactions, claims and other liabilities, and manage risk exposure, including by identifying potential hackers and other unauthorized users.
- In addition, we may use Personal Information as we believe necessary or appropriate to (a) comply with applicable laws and lawful requests and legal processes, such as to respond to subpoenas or requests from government authorities; (b) enforce the terms and conditions that govern our provision of services to you; (c) protect our rights, privacy, safety or property, and/or that of you or others; and (d) protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity. We may also use your Personal Information in accordance with applicable law (including CCPA and FCRA).

## How We Share Information

We may share personal information that we collect with:

- With third-party service providers that help us manage and improve our services.
- The platform on which our Site runs, Showit. You may view Showit Privacy Notice [here](#).
- With third parties to assist with providing services.
- With Company subsidiaries and corporate affiliates for the purposes described in this Privacy Policy.

We may disclose personal information to the government or law enforcement officials or private parties as required by law, and disclose and use such information as we believe necessary or appropriate to (a) comply with applicable laws and lawful requests and legal processes, such as to respond to subpoenas or requests from government authorities; (b) enforce the terms and conditions that govern our application; (c) protect our rights, privacy, safety or property, and/or that

of you or others; and (d) protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity.

We may sell or transfer some or all of its business or assets, including your personal information, in connection with a business transaction (or potential business transaction) such as a merger, consolidation, acquisition, reorganization, or sale of assets or in the event of bankruptcy, in which case we will make reasonable efforts to require the recipient to honor this Privacy Policy.

## Behavioral Advertising

As described above, we may use your Personal Information to provide you with targeted advertisements or marketing communications we believe may be of interest to you. For more information about how targeted advertising works, you can visit the Network Advertising Initiative's ("NAI") educational page at <http://www.networkadvertising.org/understanding-online-advertising/how-does-it-work>.

You can opt out of targeted advertising by visiting the following sites:

- FACEBOOK - <https://www.facebook.com/settings/?tab=ads>
- GOOGLE - <https://www.google.com/settings/ads/anonymous>
- BING - <https://advertise.bingads.microsoft.com/en-us/resources/policies/personalized-ads>

Additionally, you can opt out of some of these services by visiting the Digital Advertising Alliance's opt-out portal at: <http://optout.aboutads.info/>.

## Data Retention

When you place an order through the Site, we will maintain your Order Information for our records unless and until you ask us to delete this information.

## Children

We do not knowingly collect personal information from children under the age of 18 through the Services. If you are under 18, please do not give us any personal information. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children to never provide us with personal information without their permission. If you have reason to believe that a child under the age of 18 has provided personal information to us, please contact us, and we will endeavor to delete that information from our databases.

## External Websites, Google Pay, and Apple Pay

The Services may contain links to third-party websites. Alibi has no control over the privacy practices or the content of any of our business partners, advertisers, sponsors, or other websites to which we provide links. As such, we are not responsible for the content or the privacy policies of those third-party websites. You should check the applicable third-party privacy policy and terms of use when visiting any other websites.

Please be advised that your use of Google Pay or Apple Pay is subject to the terms and conditions, including the privacy policies, of Google and Apple, respectively.



## Important Notice to Non-US Residents

The Services are operated in the United States. If you are located outside of the United States, please be aware that any information you provide to us will be transferred to the United States where the privacy laws may not be as protective as those in your country of origin. If you are located outside the United States and choose to use the Services, you do so at your own risk.

## Third-Party Advertisers/Remarketers

We share Other Information about your activity in connection with your use of the Services with third parties for the purpose of tailoring, analyzing, managing, reporting, and optimizing advertising you see on our Site and elsewhere. These third parties may use cookies, pixel tags (also called web beacons or clear gifs), and/or other technologies to collect such Other Information for such purposes. Pixel tags enable us, and these third-party advertisers, to recognize a browser's cookie when a browser visits the site on which the pixel tag is located in order to learn which advertisement brings a user to a given site. By accessing and using the Website, you consent to the processing of data about you by these advertisers/remarketing providers in the manner and for the purposes set out in this Privacy Policy.

## How We Protect Your Information

We take commercially reasonable steps to protect the Contact Information, the Billing Information, the Geolocational Information, and the Other Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases, nor can we guarantee that the information you supply will not be intercepted while being transmitted to and from us over the Internet.

In particular, email sent to or from the Platform may not be secure, and you should therefore take special care in deciding what information you send to us via email.

## **SMS Terms & Conditions**

### **Order Updates & Marketing powered by BentoBox:**

Please read these SMS Terms & Conditions (the “SMS Terms”) carefully. By enrolling or otherwise agreeing to receive text messages from Alibi.

#### **Marketing Program Description**

Alibi and its service providers may use an automatic telephone dialing system or other technology to deliver automated marketing text messages to you to provide you with marketing notifications such as promotions, loyalty program progress, special event campaigns, and deals to use at Alibi.

#### **Reservation Updates Program Description**

Alibi and its service providers may use an automatic telephone dialing system or other technology to deliver automated text messages to you to provide you with updates concerning reservations or in-person dining experiences.

#### **How to Opt-Out and Get Help**

To stop receiving text messages from Alibi, you agree to reply “STOP” to the text message. After texting STOP, you may receive an additional communication confirming that your request has been received and processed.

#### **Message Frequency**

The number of text messages you receive will vary depending on your interactions with us. Messaging & data rates may apply. Please check your wireless carriers for details.

### **Supported Carriers**

Your mobile carrier is not liable for delayed or undelivered messages.

### **Access or Delivery to Mobile Network is Not Guaranteed**

It is your responsibility to determine if your mobile carrier supports text messaging and if your mobile device is capable of receiving text messages. Your receipt of the Order Updates is subject to the terms and conditions of your agreement(s) with your mobile carrier.

Delivery of information and content to a mobile device may fail due to a variety of circumstances or conditions. You understand and acknowledge that network services, including but not limited to mobile network services, are outside of Alibi's control, and Alibi is not responsible or liable for issues arising from such network services (e.g., delayed or undelivered messages or the security of any messages).

### **Cost**

Message and data rates may apply to each text message sent or received as provided in your mobile telephone service rate plan (please contact your mobile telephone carrier for pricing plans), in addition to any applicable roaming charges. Alibi does not impose a separate fee for sending the Order Updates.

### **Eligibility**

To receive the Order Updates and/or marketing offers by text message, you must be a resident of the United States or Canada.

### **Change in Phone Number**

By enrolling or otherwise agreeing to receive text messages from Alibi, you represent and warrant that you are the current subscriber or authorized user of the phone number you have provided. You agree that you will not enroll or otherwise agree to receive messages from or on behalf of Alibi using the mobile phone of any other person or entity without authorization.

### **Changes to the SMS Terms**

These SMS Terms may be updated by Alibi at any time without prior notice. By enrolling or otherwise agreeing to receive text messages from or on behalf of Alibi, you agree to any changes.

### **Changes**

We may update this privacy policy from time to time in order to reflect, for example, changes to our practices or for other operational, legal or regulatory reasons.

## **Additional Information for California Residents**

This section applies only if our privacy practices are governed by the California Consumer Privacy Act of 2018, as amended (“CCPA”), and only with respect to the Site.

To the extent the CCPA applies, it requires us to provide to California residents an explanation of how we collect, use and share their personal information, and of the rights and choices we offer to California residents regarding its handling of personal information.

### **Personal Information That We Collect, Use, and Share**

Where you participate in a rewards program or similar program with any of our service providers, you may direct us to share personal information with our service providers and partners.

To the extent we process any personal information that is subject to the CCPA, the categories of personal information that we have collected and disclosed for a business purpose in the past 12 months are described above. Additionally, Here is a summary of how we currently collect, use and share personal information, and how we have collected, used and shared the information in the preceding 12 months.

<b>Personal information we collect</b>	<b>CCPA categories (Definitions are available here)</b>	<b>Sources of personal information</b>	<b>Purposes for which we may collect and use personal information</b>	<b>Data Sharing</b>
Contact information	Identifiers	You	Service delivery	Shared with service providers
Transaction information	Commercial information	Automatic collection	Marketing	Shared with restaurants at your direction
Payment details	Financial Information		Compliance & Operations	Collected directly by advertising partners
Your correspondence or feedback	Unique Identifiers		Service delivery	Shared with and collected directly by service providers

Other information that you provide to us voluntarily	Commercial Information		Marketing	
Cookies and other information collected by automated means	Internet or Network Information		Compliance & Operations	
Inferences drawn from device data and online activity data	Inferences			

Please note that we may also disclose personal information to comply with law, and for compliance, fraud prevention, and safety purposes; in the event of business transfers; and to our professional advisors, as further described above in the “How We Share Personal Information” section.

## California Residents' Privacy Rights

The CCPA grants California residents the following rights where applicable:

- Information**  
 You can request information about how Alibi has collected, used and shared your personal information during the past 12 months.
- Access or Correction**  
 You can request a copy of the personal information that Alibi maintains about you or to correct such personal information.

- **Deletion** You can ask Alibi to delete the personal information that we have collected or maintained about you.

Please note that the CCPA limits these rights by, for example, prohibiting Alibi from providing certain sensitive information in response to an access request and limiting the circumstances in which Alibi must comply with a deletion request. If Alibi denies your request, it will communicate its decision to you.

You are entitled to exercise the rights described above free from discrimination.

## How to make

To request access to or deletion of personal information, please contact us by email at [aklein@dhmhotels.com](mailto:aklein@dhmhotels.com) or by mail using the details provided below:

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## Identity Verification

The CCPA requires us, Alibi, to verify the identity of the individual submitting the request before providing a substantive response to the request.

California residents can empower an “authorized agent” to submit requests on their behalf. We, Alibi, will require the authorized agent to have a written authorization confirming that authority. Please contact us by email at [aklein@dhmhotels.com](mailto:aklein@dhmhotels.com) or by mail using the details provided below:

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## Contact Us

For more information about our privacy practices, if you have questions, or if you would like to make a complaint, please contact us by email at [aklein@dhmhotels.com](mailto:aklein@dhmhotels.com) or by mail using the details provided below:

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# **Additional Information for California Residents**

This section applies only if our privacy practices are governed by the California Consumer Privacy Act of 2018 ("CCPA"), and only with respect to the Site.

To the extent the CCPA applies, it requires us to provide to California residents an explanation of how we collect, use and share their personal information, and of the rights and choices we offer to California residents regarding its handling of personal information

## **Personal Information That We Collect, Use, and Share**

We do not sell personal information. As explained in this Privacy Policy, the Site uses cookies and other tracking tools to analyze website traffic and facilitate advertising. If you would like to opt-out of the Site's (and



third-party advertising partners') use of cookies and other tracking technologies.

Here is a summary of how we currently collect, use and share personal information, and how we have collected, used and shared the information in the preceding 12 months.

Please note that we may also disclose personal information to comply with law, and for compliance, fraud prevention, and safety purposes; in the event of business transfers; and to our professional advisors, as further described above in the “How We Share Personal Information” section.

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You can request information about how Alibi has collected, used and shared your personal information during the past 12 months.

### **Access**

You can request a copy of the personal information that Alibi maintains about you.

### **Deletion**

You can ask Alibi to delete the personal information that we have collected or maintained about you.

Please note that the CCPA limits these rights by, for example, prohibiting Alibi from providing certain sensitive information in response to an access request and limiting the circumstances in which

Alibi must comply with a deletion request. If Alibi denies your request, it will communicate its decision to you.

You are entitled to exercise the rights described above free from discrimination.

## How to Make a Request

To request access to or deletion of personal information, please contact us by email at [aklein@dhmhotels.com](mailto:aklein@dhmhotels.com) or by mail using the details provided below:

### **Identity Verification**

The CCPA requires us, Alibi, to verify the identity of the individual submitting the request before providing a substantive response to the request.

### **Authorized Agents**

California residents can empower an "authorized agent" to submit requests on their behalf. We, Alibi, will require the authorized agent to have a written authorization confirming that authority. please contact us by email at [aklein@dhmhotels.com](mailto:aklein@dhmhotels.com) or by mail using the details provided below: