

MEMA PRIVACY POLICY

Effective Date: May 25,2018

This Privacy Policy applies to all of the web sites controlled by the Motor & Equipment Manufacturer's Association and affiliated organizations (collectively, "MEMA") where it is posted. Those web sites are referred to collectively in this Privacy Policy as the "Sites." This Privacy Policy does not pertain to information that is collected offline.

PLEASE READ THIS PRIVACY POLICY CAREFULLY BECAUSE BY USING THE SITES, YOU ACKNOWLEDGE YOU HAVE READ AND UNDERSTOOD THE PRIVACY PRACTICES DESCRIBED IN THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY, PLEASE DO NOT USE THE SITES. **In particular, please note the arbitration provision set forth below, which may, except where and to the extent prohibited by law, require you to arbitrate any claims you may have against MEMA on an individual basis. ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS, CONSOLIDATED, OR REPRESENTATIVE CAPACITY.**

Your use of the Sites is also expressly subject to our Terms of Use.

We encourage you to periodically review this Privacy Policy to keep up to date on how we are handling your personal information.

INFORMATION COLLECTION

What are We Collecting?

When you use our Sites, we collect various types of information, including your Personal Information. When we use the term "Personal Information" we mean any information relating directly or indirectly to an identified or identifiable natural person. The types of Personal Information we collect from you depends on the features, services and Sites you use. Here are the types of information we collect and the manners in which it may be collected on the Sites:

- Account Information. If you elect to become a registered user of the Sites, we may collect your first and last name, title, mailing address, job function, market area, your e-mail address, information regarding your employer, as well as your phone number(s) and/or photograph (if provided).
- Other Registration or Contact Information. We may collect your first and last name, date of birth, mobile phone number and e-mail address under several circumstances. For example, we may collect your information if you (a) choose to participate in a contest or sweepstakes offered on the Sites, or offered via another means, such as through social media or a mobile device; (b) interact with

certain features and functions of the Sites that allow you to submit information, feedback, post content, etc. by e-mail, text message, instant message or other similar technology; (c) vote in a poll or send a shout out from your mobile phone or send us your picture or video for broadcast by e-mail or via social media; (d) submit your e-mail address or telephone number when you contact us with a question or sign up to receive a newsletter or other updates regarding our content, its availability, or other products or services offered by us or our business partners; or (e) upload your name, image or other Personal Information when posting any content on the Sites, such as video files, or other communications made via chat rooms or social media. We may retain your contact information, communications and other information and content you submit to us for our internal purposes and to help us serve you better as set forth in the Terms of Use.

- Payment and Financial Information. We may collect your first and last name, your address, and your credit card and billing information if you make a purchase through the Sites.
- Demographic Information. We may collect your demographic information such as your gender, age, zip code, interests and views, which you voluntarily provide to us on the Sites or which may be automatically collected as described within this Privacy Policy. We use this information to provide you with personalized services and to analyze trends to ensure the information provided by the Sites meets your needs. Some of this information may be aggregated, in which case it is not considered Personal Information.
- Location Information. We may also collect your location if you choose to allow us to track your location through our Sites or Services or if your device indicates a certain geographic location. This information may help us provide recommendations based on your location, serve you with advertisements or direct you to a product or service that we believe may be of interest to you and that is marketed to people near your location.
- Device Information. We may collect an identification number unique to your device when you interact with the Sites using a mobile device and we also collect your IP address and other information regarding your mobile device or computer. This could include things such as the features you use, the web pages you visit, and the search terms you enter. This could also include data about your devices and the network you use to connect to our services, including IP address, device identifiers, and data about the performance of the services you use on the Sites and any problems you experience with them. You understand and agree that you will be charged standard data rates by your wireless carrier for all interactions with the Sites using a mobile device.

While you're under no obligation to provide the information requested, if you decline to do so, MEMA may be unable to provide you with certain services.

How are We Collecting?

We collect and store the Personal Information that you provide to us, including in the methods provided above. For instance, if you sign up for a membership, participate in a survey, or contact us with a question, we may store your communications, including any Personal Information you include in them, so we can effectively respond to you. We may also collect information using various technologies on our Sites while you are visiting or interacting with the Sites. We call this “passive” collection because you may not know or see that this information is being collected. Here are some examples of information that is collected passively via the Sites and a description of how this information is used:

- Cookies. When you access the Sites, MEMA may place a “cookie” on your device. A cookie is a small text file that is stored on your device and enables our servers to recognize your device when you return. We use cookies to store information, such as your user ID or device identification number, so that we can avoid burdensome and repetitive requests for information and to compile data regarding usage of the Sites. For more information, please see the section on Cookies below.
- Internet Protocol (IP) address. Your IP address is a number that lets computers attached to the Internet know where to send you data – such as the webpages you view. We use this information to deliver our webpages to you upon request, to tailor our Sites to the interests of our users and to measure traffic within our Sites.
- Web Beacons (also known as “clear gifs,” “web bugs” or “pixel tags”). “Web Beacons” are tiny graphics with a unique identifier, similar in function to cookies, and are used to allow us to count users who have visited certain pages of the Sites and to help determine the effectiveness of promotional or advertising campaigns. When used in HTML-formatted e-mail messages, web beacons can tell the sender whether and when an e-mail has been opened. In contrast to cookies, which are stored on a user’s computer hard drive, web beacons are embedded invisibly on web pages.

COOKIES AND SIMILAR TECHNOLOGIES

We use, and allow certain third parties to use, cookies and other similar technologies to provide our services and to help collect data. We, or third parties, may use session cookies or persistent cookies. Session cookies only last for the specific duration of your visit and are deleted when you close your browser. Persistent cookies remain on your device’s hard drive until you delete them or they expire. Different cookies are used to perform different functions, which we explain below:

- Essential. Some cookies are essential in order to enable you to move around our Sites and use their features, such as accessing secure areas of the Sites. Without these cookies, we cannot enable appropriate content based on the type of device you are using.

- Browsing and Functionality. These cookies allow us to remember choices you make on the Sites, such as your preferred language and the country from which you are visiting, and provide enhanced, more personalized features.
- Performance and Analytics. We use our own cookies and/or third-party cookies to see how you use our Sites in order to enhance their performance and develop them according to your preferences. To help facilitate the delivery of relevant content, we use Google Analytics and have implemented the following Google Advertising Features and Google Analytics uses cookies to report on user interactions on our and others' websites. We use the data collected for analyzing site usage and patterns. You can opt out of the Google Analytics features we use by indicating your preference using the interest-based opt-out link [here](#). Google also provides a complete privacy policy, and instructions on opting out of Google Analytics [here](#). Note that Google's opt-out mechanism is specific to Google activities and does not affect the activities of other ad networks or analytics providers that we may use.
- Third Party Advertising. We may allow certain third parties (including advertisers, third party ad networks, and other ad companies) to use cookies and other similar technologies to provide our services, serve advertisements on the Sites, and to improve the performance of MEMA's advertising across the Internet. Please be advised that such advertising companies may gather Personal Information about your visit to the Sites or other sites to enable such advertising companies to market products or services to you, to monitor which ads have been served to your browser and which webpages you were viewing when such ads were delivered. PLEASE NOTE THAT THIS POLICY DOES NOT COVER THE COLLECTION AND USE OF INFORMATION BY SUCH THIRD PARTY WEBSITES AND ADVERTISING COMPANIES.

There are several ways to manage cookies. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. The Help feature on most browsers provides information on how to accept cookies, disable cookies or to notify you when receiving a new cookie. Please note, however, that by blocking or deleting cookies which are "strictly necessary," you may not be able to access certain features of our Sites.

In the US, the Network Advertising Initiative also offers a means to opt-out of a number of advertising cookies. Please visit www.networkadvertising.org to learn more. Note that opting-out does not mean you will no longer receive online advertising. It does mean that the company or companies from which you opted-out will no longer deliver ads tailored to your preferences and usage patterns.

USE OF INFORMATION COLLECTED VIA THE SITES

We use your personal information that is collected on these Sites primarily for the following purposes:

- a) To provide you with updates and other information from MEMA.
- b) To try to ensure the Sites are relevant to your needs.
- c) To help us create and publish content most relevant to you.
- d) To provide you with important notices.
- e) To manage your memberships through the Sites, allow you access to limited-entry areas of the Sites, verify access to accounts, and handle other visitor and member support inquiries.
- f) To contact you in response to proposals or inquiries that you submit on the Sites.
- g) To generate web analytics and compile user information for marketing purposes, advertising, conducting marketing analysis, providing you with recommendations for products or services based on your profile, and promotional material planning and distribution.
- h) To comply with applicable laws or legal process and/or respond to requests from public and government authorities.

“Non-Personal Information,” by which we mean any information, such as technical information, that cannot be used to identify you personally, is used similarly as described above and in other ways as permitted by applicable laws, including combining Non-Personal Information with Personal Information. If Personal Information is combined with Non-Personal Information, it will be treated as Personal Information. Please note that over time Non-Personal Information may become Personal Information due to regulatory developments, technological advancements, or the co-mingling of Personal and Non-Personal Information.

LEGAL BASES FOR PROCESSING

We process personal information in accordance with applicable law and with transparency and fairness. The legal bases for the processing activities listed in the section above are as follows:

- For letters a) through f), in order to fulfill our contractual obligations to you;
- For letter g), with your consent; and
- For letter h), in compliance with the law.

SHARING AND DISCLOSURE OF INFORMATION

We may share or disclose your Personal Information to the following parties and in the following instances:

- To fulfill a service to you. For example, if you choose to attend an event or request information, we may share your Personal Information in order to provide the program to you. In addition, if you contact us with a question, we may use your e-mail address or mobile phone number to process your request and respond to your question. Also, if you are entering a

sweepstakes or contest, we may use your Personal Information in order to fulfill the terms of that promotion. This means that we may share the information for prize fulfillment purposes with mail carriers. We also may share your information with the co-sponsor and/or promotional partners of that promotion.

- To affiliates, strategic partners, agents, third party marketers or other unaffiliated parties who are offering products or services that we believe may be of interest to you or who require your Personal Information for research, administrative and/or internal business purposes. These parties may use your Personal Information to contact you with an offer or advertisement related to a product or service, or they may use such information for their own research, administration or business purposes.
- To unaffiliated third-party service providers, agents, independent contractors who help us maintain our Sites and provide other administrative services to us (including, but not limited to, processing your requests, order processing and fulfillment, providing customer service, maintaining and analyzing data, sending customer communications on MEMA's behalf, and entry collection, winner selection and prize fulfillment for contests, sweepstakes and other promotions). We have agreements in place to require third parties not to use the Personal Information for any other purpose than to provide the administrative services for which they are responsible.
- To complete your purchase. If you choose to make a purchase on the Sites, we may collect from you your credit card number, billing address and other information related to such purchase, and we may use such collected information in order to fulfill your purchase. We may also provide such information, or other Personal Information provided by you, to unaffiliated third parties as necessary to complete your purchase (for example, to process your credit card).
- To comply with the law or in the good faith belief that such action is necessary in order to conform to the requirements of law or comply with legal process served on us, protect and defend our rights or property, including the rights and property of MEMA and the Sites or act in urgent circumstances to protect the personal safety of our end users.
- To third parties as part of any corporate reorganization process including, but not limited to, mergers, acquisitions, and sales of all or substantially all of our assets.
- To track and analyze non-identifying and aggregate usage and volume statistical information from our visitors and customers and provide such information to third parties.
- To protect against potential fraud, we may verify with third parties the information collected from the Sites. In the course of such verification, we may receive Personal Information about you from such services. In particular, if you use a credit card or debit card to purchase services with us, we may use card authorization and fraud screening services to verify that your card information and address matches the information that you supplied to us, and that the card has not been reported as lost or stolen.

Except as described in this Privacy Policy or at the time we request the information, we do not otherwise use, share or otherwise disclose your Personal Information to any third parties.

COLLECTION AND USE OF INFORMATION FROM CHILDREN

The Sites are not intended for use by children. MEMA does not knowingly collect information from children under the age of 18. If we discover that we have received information from a child under the age of 18, we will delete it.

INTERNATIONAL TRANSFER OF INFORMATION

If you choose to provide MEMA with Personal Information, MEMA may transfer that information to its affiliates and subsidiaries or to other third parties, across borders, and from your country or jurisdiction to other countries or jurisdictions around the world. If you are visiting from the European Union (EU) or other regions with laws governing data collection and use that may differ from US law, please note that you are transferring your personal information to the United States which does not have the same data protection laws as the EU and may provide more limited recourse mechanisms, including dissimilar or, at times, weaker data protection rights. Where necessary, we utilize Standard Contractual Clauses approved by the European Commission to legitimize the transfer of Personal Information from the EU to the United States and other countries. With knowledge of these risks, by providing your Personal Information you acknowledge that you understand:

- Your Personal Information will be used for the uses identified above in accordance with this Privacy Policy; and
- Your Personal Information will be transferred to the United States as indicated above.

YOUR RIGHTS AND CHOICES

Please contact MEMA at the address below if you have questions about your Personal Information or if you would like to otherwise make a change to such information. You can also specifically update, change, or delete certain personal information (such as your email address, mailing address, and payment method) on the Sites by logging into your account and clicking "My Account" in the menu at the top of each page of the website.

Additionally, residents of the European Union have the right to:

- Obtain confirmation as to whether or not your Personal Information exists and to be informed of its content and source, verify its accuracy and request its completion, update, or amendment;

- Request the deletion, anonymization or restriction of the processing of your Personal Information processed in breach of the applicable law;
- Object to the processing, in all cases, of your Personal Information for legitimate reasons;
- Receive an electronic copy of your Personal Information, if you would like such a copy for yourself or to port your Personal Information to a different provider;
- Lodge a complaint with the relevant data protection supervisory authority.

OPT-OUT

We communicate with users who subscribe to our services on a regular basis via email. For example, we may use your email address to send you information about a service requested by you, to confirm a service requested by you, to send you notices regarding important information and meetings, to send you information about changes to our services, and to send notices and other disclosures as required by law. Generally, users cannot opt-out of these communications, but they will be primarily informational in nature rather than promotional.

However, we provide you the opportunity to exercise an opt-out choice if you do not want to receive other types of communication from us, such as emails or updates from us regarding new services and products offered on the Sites or if you do not want us to share your Personal Information with third parties. The opt-out choice may be exercised by ticking or un-ticking the appropriate box if such checkbox is available at the points where personal information is collected, or by contacting us. We will process your unsubscribe request as soon as possible and in accordance with applicable law, but please be aware that in some circumstances you may receive a few more messages until the unsubscribe request is processed. You also may opt-out of receiving such emails by clicking on the "unsubscribe" link within the text of the email.

FORUMS, CHAT ROOMS & OTHER PUBLIC POSTING AREAS

Please note that any information you include in a message you post to any chat room, forum or other public posting area is available to anyone with Internet access. If you don't want people to know your e-mail address, for example, don't include it in any message you post publicly. PLEASE BE EXTREMELY CAREFUL WHEN DISCLOSING ANY INFORMATION IN CHAT ROOMS, FORUMS AND OTHER PUBLIC POSTING AREAS. WE ARE NOT RESPONSIBLE FOR THE USE BY OTHERS OF THE INFORMATION THAT YOU DISCLOSE IN CHAT ROOMS, FORUMS AND OTHER PUBLIC POSTING AREAS.

THIRD PARTY WEBSITES

This Privacy Policy applies solely to information collected on the Sites. The Sites may contain links to other websites, such as to relevant online resources, our partners' websites, and other third party websites. We are not responsible for the privacy practices or the content of these other websites.

ASSIGNMENT

In the event that all or part of our assets are sold or acquired by another party, or in the event of a merger, you grant us the right to assign the Personal and Non-Personal Information collected via the Sites.

CHANGES TO THIS PRIVACY POLICY

We reserve the right to change this Privacy Policy from time to time. When we do, we will also revise the "Effective Date" date at the top of this Privacy Policy. If we are going to use information in a manner that is materially different from that stated at the time of collection or make any material changes to our privacy practices, we will notify you either by email or by posting a prominent notice on our Sites.

SECURITY AND RETENTION

We implement reasonable security measures to protect against the loss, misuse, or alteration of the information you provide us. We may use third party products and services to secure or store your information. Please understand that no data transmissions over the Internet can be guaranteed to be 100% secure. Consequently, we cannot ensure or warrant the security of any information you transmit to us and you understand that any information that you transfer to MEMA is done at your own risk. We use firewalls to protect your information from unauthorized access, disclosure, alteration, or destruction. However, please note that this is not a guarantee that such information may not be accessed, disclosed, altered or destroyed by breach of such firewalls and secure server software.

If we learn of a security systems breach we may attempt to notify you electronically so that you can take appropriate protective steps. By using these Sites or providing personal information to us you agree that we can communicate with you electronically regarding security, privacy and administrative issues relating to your use of these Sites. We may post a notice on our Sites if a security breach occurs. We may also send an email to you at the email address you have provided to us in these circumstances. Depending on where you live, you may have a legal right to receive notice of a security breach in writing.

We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law.

DISPUTES

Except where and to the extent prohibited by law, by using the Sites, you and MEMA agree that, if there is any controversy, claim, action, or dispute arising out of or related

to your use of the Sites, Communication Services or any services provided by MEMA through the Sites, or the breach, enforcement, interpretation, or validity of this Privacy Policy or any part ("Dispute"), both parties shall first try in good faith to settle such Dispute by providing written notice to the other party describing the facts and circumstances of the Dispute and allowing the receiving party thirty (30) days in which to respond to or settle the Dispute.

Notice shall be sent to:

- MEMA, at:

ATTN: MEMA Disputes
PO Box 13966
RTP, NC 27709-3966

- You, at the contact information on file with MEMA

Both you and MEMA agree that this dispute resolution procedure is a condition precedent that must be satisfied before initiating any litigation or filing any claim against the other party. IF ANY DISPUTE CANNOT BE RESOLVED BY THE ABOVE DISPUTE RESOLUTION PROCEDURE, YOU AGREE THAT THE SOLE AND EXCLUSIVE JURISDICTION FOR SUCH DISPUTE WILL BE DECIDED BY BINDING ARBITRATION ON AN INDIVIDUAL BASIS. ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS, CONSOLIDATED, OR REPRESENTATIVE CAPACITY. Other rights that you and we would have in court will not be available or will be more limited in arbitration, including discovery and appeal rights. Any such Dispute shall be exclusively submitted to JAMS (www.jamsadr.com) for binding arbitration under its rules then in effect, and will occur in the Washington, DC area, before one arbitrator to be mutually agreed upon by both parties.

The arbitrator, and not any federal, state, or local court or agency, shall have exclusive authority to resolve any Dispute arising under or relating to the interpretation, applicability, enforceability, or formation of this Privacy Policy, including any claim that all or any part of this Privacy Policy is void or voidable.

CHOICE OF LAW

This Privacy Policy has been made in, and shall be construed in accordance with, the laws of the State of Maryland, without giving effect to any conflict of law principles. The parties acknowledge that this Privacy Policy evidences a transaction involving interstate commerce. Notwithstanding the provision in the preceding paragraph with respect to applicable substantive law, any arbitration conducted pursuant to the terms of this Privacy Policy shall be governed by the Federal Arbitration Act (9 U.S.C. §§ 1-16).

YOUR CALIFORNIA PRIVACY RIGHTS & DO NOT TRACK DISCLOSURE

California Civil Code Section 1798.83 permits our visitors who are California residents to request certain information regarding MEMA's disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please contact us at the address provided below.

MEMA does not support Do Not Track browser settings and does not currently participate in any "Do Not Track" frameworks that would allow us to respond to signals or other mechanisms from you regarding the collection of your Personal Information or Non-Personal Information.

CONTACT US

If you have any questions about this Privacy Policy or our privacy practices, please contact us at the following address:

MEMA
ATTN: Privacy Officer
PO Box 13966
RTP, NC 27709-3966