

Last Updated: June 3, 2025

1. Purpose

This Privacy Policy describes how Rainbow Cone LLC and its affiliates (“Rainbow Cone” “we”, or “us”) may collect, use, and disclose personal information of customers who access or interact with our websites (“Websites”) that link to this Privacy Policy, our mobile application (“App”), as well as other personal information about our customers we receive online or offline. The Websites, App, our restaurants, and our related service offerings are referred to in this Privacy Policy as our “Services.”

Before you use the Rainbow Cone Services, submit any personal information, apply for a job, or place an order through the Services, please read this Privacy Policy (which includes the Supplemental State Disclosures applicable to Consumers that reside in a state that has enacted a consumer privacy law only in Section 7) to be informed about the types of information we may collect about you, how we may collect it, how we may use it, who we may share it with, and your rights and choices regarding your information. We also encourage you to read our Terms of Use.

By accessing the Websites, joining the Rainbow Rewards Program, and/or downloading, installing, and/or accessing the App, or using the Services, you agree to our Terms of Use and that you have read and understand this Privacy Policy and consent to its contents, including the use of your information described herein. Use of the Services, even if you disagree with or do not understand this Privacy Policy, nonetheless constitutes acceptance of this Privacy Policy. If you do not agree with or understand this Privacy Policy, please do not use or access the Services.

2. What Information Does Rainbow Cone Collect, and How Is It Collected?

A. Consumers

Rainbow Cone may collect various types of personal information about customers who use our Services (collectively “Consumer Information”), including:

- Your name, alias, email address, telephone/mobile number, and birth date (“Contact Information”);
- Payment information such as credit card information, financial account information, billing address, signature, and gift card information);
- Your order history from our Services or phone orders, including shipping and delivery addresses, products or services purchased, obtained, or considered for

purchase, discounts applied, rewards redeemed, and Services activity/behavior including search history;

- Internet or other electronic network activity, such as browsing history, search history, and information regarding a consumer's interaction with a website, application, loyalty program, or advertisement;
- Geolocation information, device type, personal identifier, gender, IP address, account name;
- Other personal information you may provide; and
- Inferences drawn from the information above to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

Rainbow Cone collects Consumer Information when you send us an email, download, install, and use the App, register for a mailing list, create an account with us, signup or become a member Rainbow Rewards Program, place an order through our Services, and participate in a sweepstakes or contest. Rainbow Cone also collects information using Cookies, as described below. By providing your mobile phone number, you expressly consent to receiving text messages from us regarding products, services, contests, and other Rainbow Cone news at that number. By placing an order through our Services, you expressly consent to receiving text messages or push notifications about your order. Standard text message rates may apply. Rainbow Cone may update your telephone number or other information associated with your account, as provided by you. However, maintaining accurate account information remains, at all times, your and not Rainbow Cone's responsibility.

B. Team Members and Applicants

Rainbow Cone may collect various types of personal information about team members and applicants who visit our Websites or use the Services (collectively "Team Member and Applicant Information"), including:

- Your name, alias, email address, telephone/mobile number, mailing address and/or birthdate ("Contact Information");
- Contact Information you submit for someone else;
- Educational background, employment, employment history, and other information relevant to any job(s) for which you apply; and
- Other personal information you may provide.

Rainbow Cone collects Team Member and Applicant Information when you send us an email, download, install, and use the App, apply for a job with us or linked third party websites, and create an account with us through our Services or via telephone. Rainbow Cone also collects information using Cookies, as described below. By providing your mobile phone number, you expressly consent to receiving text messages from us regarding products, services, contests, employment opportunities, and other Rainbow Cone news at that number. By applying for a job, submitting a resume, or providing other information through our Services, you expressly consent to receiving text messages or push notifications about your application. Standard text message rates may apply. Rainbow Cone may update your telephone number or other information associated with your account, as provided by you. However, maintaining accurate account information remains, at all times, your and not Rainbow Cone's responsibility.

C. Business Contacts

Rainbow Cone may collect various types of personal information about vendors who use our Services (collectively "Business Contacts Information"), including:

- Your name, alias, email address, postal address, shipping address, telephone/mobile number, and billing information ("Contact Information");
- Contact Information you submit for someone else;
- Payment information such as credit card information, financial account information, billing address, signature, and gift card information);
- Your order history from our Sites and vendor systems or phone orders, including shipping and delivery addresses, products or services purchased, obtained, or considered for purchase, discounts applied, and Site activity/behavior including search history;
- Internet or other electronic network activity, such as browsing history, search history, and information regarding interaction with a website, application, or advertisement;
- Geolocation information, device type, personal identifier, IP address, account name;
- Other personal information you may provide.

Rainbow Cone collects Vendor and Third-Party Provider Information when you send us an email, download, install, and use the App, enter an agreement with us, register for a mailing list and create an account with us, place an order through our Services or vendor

systems or via telephone. Rainbow Cone also collects information using Cookies, as described below. By providing your mobile phone number, you expressly consent to receiving text messages from us regarding products, services, contests, and other Rainbow Cone news at that number. Standard text message rates may apply. Rainbow Cone may update your telephone number or other information associated with your account, as provided by you. However, maintaining accurate account information remains, at all times, your and not Rainbow Cone responsibility.

3. Use of Cookies and Other Tracking Technologies

When you use Rainbow Cone's Services, we may, and the vendors we work with, may collect information about your use of the Services through tools such as cookies, pixels, and software development kits. This information may include IP addresses, device identifiers, language preferences, referring URLs, and browser and platform details. We may use these tools to recognize a user's device, store user preferences, and allow us to tailor our Services to better match your interests and preferences.

We may use certain third-party technology vendors (such as Google Analytics, Meta Pixel, Microsoft, and Hotjar) in connection with your activity on certain pages, including for advertising purposes and to understand details about your use of the Site (including referring URL, clicks, cursor movement, and scrolling activity) and personalize content for you.

Please note that we or other parties may collect personal information about your online activities over time and across different devices and online properties when you use the Services. You may see certain ads on other websites based on your use of our Services because we participate in an advertising network administered by a third-party vendor. Ad networks allow us to target our messaging to users through demographics and interests. These networks track your online activities over time by collecting information through automated means, including through the use of cookies, web server logs and web beacons. The networks use this information to show you advertisements that are tailored to your individual interests. The information our ad network vendor collects includes information about your visits to websites that participate in the vendor's advertising networks, such as the pages or advertisements you view and the actions you take on the websites.

With most Internet browsers, you can adjust your browser settings to remove or reject cookies. Please be aware, however, that without Cookies, you may not be able to use all of the features of our Services. The following tools may also allow you to reject their collection of information:

- For more information on how Google Analytics uses data it collects, visit: policies.google.com/technologies/partner-sites. To opt out of Google Analytics, visit tools.google.com/dlpage/gaoptout. To adjust your Google advertising settings, visit: myadcenter.google.com.
- For information on how Microsoft collects or receives personal information through tracking technologies to provide Microsoft Advertising, see the Microsoft Privacy Statement: privacy.microsoft.com/en-us/privacystatement.
- We use session-replay services, such as Hotjar, to help us understand and analyze how visitors use our Services, and to improve the Services. For more information regarding Hotjar's collection and use of information, please visit Hotjar's privacy policy [here](#). You can learn how to opt-out of Hotjar's use of tracking cookies and collection of information related to your use of our Services by following this opt-out [link](#).
- You can block the collection and use of information related to you certain online ad tech companies for the purpose of serving interest-based advertising by visiting either the NAI's opt-out page, which is available [here](#), or the DAA's opt-out page, which is available [here](#).

Please note our Services are not designed to respond to “Do Not Track” signals received from browsers.

4. How We Use the Information Collected

A. Consumers

In addition to the uses identified above, Rainbow Cone may use the information collected through the Services for various purposes, including to:

- Create and manage your account with us;
- Accept, process, and fulfill your orders placed using our Services;
- Process and collect payments from you for your purchases made using our Services;
- Register, process, collect payment, reload, and administer gift cards;
- Manage, modify, and improve our Services, including your use of our Services and loyalty programs (including Rainbow Rewards Program);
- Perform data analysis, audits, fraud prevention and monitoring, and to improve and expand our business activities;

- Offer you products and Services;
- Respond to inquiries from you and send you information that you request;
- Send information to others at your request;
- Communicate with you about Rainbow Rewards Program, special offers, promotions, events, sweepstakes or surveys;
- Send online advertising that may be of interest to you;
- Conduct marketing analysis to improve our Services and products;
- Review the number of visitors who use our Services and identify usage trends;
- Provide an enhanced online experience for visitors to our Websites and App; and
- Comply with all applicable laws and requirements and Rainbow Cone's policies.

B. Team Members and Applicants

In addition to the uses identified above, Rainbow Cone may use the information collected through the Services for various purposes, including to:

- Create and manage your account, team member record and applicant profile with us;
- Manage, modify, and improve our Services, including your use of our Services;
- Perform data analysis, audits, fraud prevention and monitoring, and to improve and expand our business activities;
- Offer you products and services;
- Respond to inquiries from you and send you information that you request;
- Manage and communicate with you in relation to potential job opportunities with us and any application for employment you submit to us;
- Send information to others at your request;
- Provide an enhanced online experience for visitors using our Services; and
- Comply with all applicable laws and requirements and Rainbow Cone's policies.

C. Business Contacts

In addition to the uses identified above, Rainbow Cone may use the information collected through the Services for various purposes, including to:

- Create and manage your account(s) and vendor system(s) with us;
- Accept, process, and fulfill your contracts, agreements and orders placed using our Sites, vendor systems and via telephone;
- Process and manage payments to and from you for your transactions made with us;
- Manage, modify, and improve our Services, including your use of our Services;
- Perform data analysis, audits, fraud prevention and monitoring, and to improve and expand our business activities;
- Offer you products and services;
- Respond to inquiries from you and send you information that you request;
- Send information to others at your request;
- Communicate with you about special offers, promotions, events, sweepstakes or surveys;
- Send online advertising that may be of interest to you;
- Conduct marketing analysis to improve our Services and products;
- Review the number of visitors using our Services and identify usage trends;
- Provide an enhanced online experience for visitors using our Services; and
- Comply with all applicable laws and requirements and Rainbow Cone's policies.

5. With Whom Does Rainbow Cones Disclose the Information Collected?

A. Consumers

Rainbow Cone may disclose personal information collected via the Services with its vendors to obtain services and provide a positive customer experience. For example, we may engage with vendors to assist us with online order fulfillment (including delivery), creation, administration, and hosting of the Websites and loyalty programs, data analysis, credit card processing, credit card risk and fraud analysis, gift card administration and processing, marketing efforts and analysis, and obtaining ratings and feedback on your experiences.

In addition, we may disclose personal information (i) with our affiliates; (ii) when required to do so by law, regulation or legal process (such as court order or subpoena); (iii) in response to requests by government agencies or law enforcement personnel; (iv) in connection with an investigation into suspected criminal activity; (v) when we believe disclosure is

necessary to prevent harm; (vi) in the event of a business transaction, such as if we sell or transfer all or a portion of our business or assets (e.g., further to a merger, reorganization, liquidation, or any other business transaction, including negotiations of such transactions); or (vii) for any other purpose disclosed to you and with your consent.

B. Team Members and Applicants

Rainbow Cone may disclose personal information collected via the Services with vendors to manage your employment relationship. For example, we may engage vendors to assist with onboarding, timekeeping, payroll, expenses, benefits administration, training, performance and other human resources purposes.

In addition, we may disclose personal information (i) with our affiliates; (ii) when required to do so by law, regulation or legal process (such as court order or subpoena); (iii) in response to requests by government agencies or law enforcement personnel; (iv) in connection with an investigation into suspected criminal activity; (v) when we believe disclosure is necessary to prevent harm; (vi) in the event of a business transaction, such as if we sell or transfer all or a portion of our business or assets (e.g., further to a merger, reorganization, liquidation, or any other business transaction, including negotiations of such transactions); or (vii) for any other purpose disclosed to you and with your consent.

C. Business Contacts

Rainbow Cone may disclose personal information collected via the Services with vendors to process and fulfill orders and assist with business operations. For example, we may engage vendors to assist with online services, marketing, promotions, communications, technical support, payment processing, loyalty program administration, and other services on our behalf.

In addition, we may disclose personal information (i) with our affiliates; (ii) when required to do so by law, regulation or legal process (such as court order or subpoena); (iii) in response to requests by government agencies or law enforcement personnel; (iv) in connection with an investigation into suspected criminal activity; (v) when we believe disclosure is necessary to prevent harm; (vi) in the event of a business transaction, such as if we sell or transfer all or a portion of our business or assets (e.g., further to a merger, reorganization, liquidation, or any other business transaction, including negotiations of such transactions); or (vii) for any other purpose disclosed to you and with your consent.

6. How We Protect the Information you Provide

Rainbow Cone utilizes reasonable designed programs and security measures to protect the personal information you provide from accidental, unauthorized or unlawful access,

alteration, disclosure, use, destruction or loss. Nevertheless, transmission via the Internet is not completely secure and we cannot guarantee the security of your information collected through the Services.

7. Supplemental State Disclosure Notice

This Supplemental State Disclosure Notice section supplements Rainbow Cone’s full Privacy Policy, and applies only to consumers that reside in a state that has enacted a comprehensive privacy law. This Supplemental State Disclosure Notice provides disclosures regarding Rainbow Cone’s online and offline data practices regarding the collection, use, disclosure, sale, and sharing of personal information and privacy rights that may be available to you as a consumer that resides in a state that has enacted a comprehensive privacy law. If you have a disability and cannot access the Privacy Policy, including the Supplemental State Disclosure Notice in this format, please call 708-948-0549 or email privacy@rainbowcone.com and a paper or electronic version of this notice will be made available to you.

A. Categories of Personal Information Collected and How We Use Personal Information

The table below provides details as to the personal information we collect, why it is collected and how we use it. In this Section, we may use the terms “personal information” and “personal data” interchangeably to refer to information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with an identified or identifiable person. Personal Information does not include information that is publicly available. Please note that the specific types of Personal Information we collect about you will vary depending on how you interact with us and may not include all of the examples listed. Unless otherwise noted, the disclosures that describe how and why we collect and use your personal information also describe how and why we collected and used your personal information within the past twelve (12) months.

Category	Examples	Purposes for Collection/Use
Identifiers	Name, alias, telephone number, email address, unique personal identifier, account name, online identifier, IP address or other similar identifiers.	To process requests, purchases, transactions and payments, and provide products and services such as fulfilling orders and delivery requests. To provide support, respond to inquiries, investigate and address

		<p>concerns and monitor and improve our responses.</p> <p>To personalize Rainbow Cone's Services, Website, App, Rainbow Rewards Program, experiences and to deliver content and product and service offerings and rewards relevant to interests, including targeted offers and ads through our Services, third party sites, and via email or text message.</p> <p>To create and manage guest accounts and administer participation in our programs, Services and other offerings.</p> <p>To provide easy checkout and save preferences and transaction history.</p> <p>To prevent fraud or to respond to law enforcement requests and as required by applicable law, court order or governmental regulations.</p> <p>To protect the rights and interests of us and/or our affiliates, to resolve any disputes, to enforce this Policy or any other policy, to protect the rights or property of others or to prevent harm.</p> <p>To operate events, promotions, contests or sweepstakes (when consumer chooses to participate).</p>
<p>Personal Information categories listed in the California customer records statute (Cal. Civ. Code §1798.80(e))</p>	<p>Name, address, telephone number, signature, insurance policy number, bank account number, credit card number, debit card</p>	<p>To process requests, purchases, transactions and payments, and provide products and services such as fulfilling orders and delivery requests.</p>

	<p>number, or any other financial information.</p> <p>Some personal information included in this category may overlap with other categories.</p>	<p>To provide support, respond to inquiries, investigate and address concerns and monitor and improve our responses.</p> <p>To personalize Rainbow Cone's Services, Website, App, loyalty programs, experiences and to deliver content and product and service offerings and rewards relevant to interests, including targeted offers and ads through our Services, third party sites, and via email or text message.</p> <p>To create and manage guest accounts and administer participation in our programs, services and other offerings.</p> <p>To provide easy checkout and save preferences and transaction history.</p> <p>To detect, investigate or protect against malicious, deceptive, fraudulent or illegal activity.</p> <p>To respond to reviews, comments or other feedback provided to Rainbow Cone.</p>
Commercial information	<p>Records of personal property, products or services purchased, obtained or considered, or other purchasing or consuming histories or tendencies.</p>	<p>To process requests, purchases, transactions and payments, and provide products and services such as fulfilling orders and delivery requests.</p> <p>To personalize and develop Rainbow Cone's online services and products.</p> <p>To provide support, respond to inquiries, investigate and address</p>

		<p>concerns and monitor and improve our responses.</p> <p>To personalize Rainbow Cone's Services, Website, App, loyalty programs, experiences and to deliver content and product and service offerings and rewards relevant to interests, including targeted offers and ads through our Services, third party sites, and via email or text message.</p> <p>To prevent fraud or to respond to law enforcement requests and as required by applicable law, court order or governmental regulations.</p> <p>To protect the rights and interests of us and/or our affiliates, to resolve any disputes, to enforce this Policy or any other policy, to protect the rights or property of others or to prevent harm.</p> <p>To respond to reviews, comments or other feedback provided to Rainbow Cone.</p>
Internet or other similar network activity	Browsing history, search history, information on a consumer's interactions with Rainbow Cone websites, ads and email communications.	<p>To process requests, purchases, transactions and payments, and provide products and services such as fulfilling orders and delivery requests.</p> <p>To create and manage guest accounts and administer participation in our programs, services and other offerings.</p> <p>To personalize Rainbow Cone's Services, Website, App, loyalty programs, experiences and to deliver content and product and service</p>

		<p>offerings and rewards relevant to interests, including targeted offers and ads through our Services, third party sites, and via email or text message.</p> <p>For auditing, research, analysis and development, including maintaining and improving our Websites, products and services, and for other internal business purposes.</p> <p>To prevent fraud or to respond to law enforcement requests and as required by applicable law, court order or governmental regulations.</p>
Geolocation data	Physical location or movements.	<p>To facilitate locating the nearest Rainbow Cone location.</p> <p>To identify locations, online/app/mobile order fulfillment, and estimating pickup and delivery times.</p> <p>To personalize Rainbow Cone's Services, Website, App, loyalty programs, experiences and to deliver content and product and service offerings and rewards relevant to interests, including targeted offers and ads through our Services, third party sites, and via email or text message.</p> <p>For auditing, research, analysis and development, including maintaining and improving our Websites, products and services, and for other internal business purposes.</p>

		To detect, investigate or protect against malicious, deceptive, fraudulent or illegal activity.
Biometric Information	Facial recognition data	<p>To process requests, purchases, transactions and payments, and provide products and services such as fulfilling orders.</p> <p>To create and manage guest accounts and administer participation in our programs, services and other offerings.</p> <p>To personalize Rainbow Cone's Services, Website, App, loyalty programs, experiences and to deliver content and product and service offerings and rewards relevant to interests, including targeted offers and ads through our Services, third party sites, and via email or text message, and providing transaction history and preferences.</p> <p>For auditing, research, analysis and development, including maintaining and improving our Sites, products and services, and for other internal business purposes.</p>
Sensory data	Audio, electronic and visual information, recorded phone calls and security video recordings.	<p>To process requests, purchases, transactions and payments, and provide products and services such as fulfilling orders and delivery requests.</p> <p>To provide support, respond to inquiries, investigate and address concerns and monitor and improve our responses.</p>

		<p>To communicate with consumers and other individuals.</p> <p>For auditing, research, analysis and development, including maintaining and improving our Websites, products and services, and for other internal business purposes.</p> <p>To prevent fraud or to respond to law enforcement requests and as required by applicable law, court order or governmental regulations.</p> <p>To protect the rights and interests of us and/or our affiliates, to resolve any disputes, to enforce this Policy or any other policy, to protect the rights or property of others or to prevent harm.</p>
Professional or employment-related information	<p>Current or past job history or performance evaluations.</p> <p>Information about a consumer's business, operations, revenue or creditworthiness.</p>	<p>As part of Rainbow Cone's application process for potential team members and prospective business affiliates.</p> <p>To contact vendors and third-party providers and communicate with them concerning standard business operations, administration, projects, services, billing and other internal business purposes.</p>
Inferences	Information reflecting preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes derived from other Personal Information collected by Rainbow Cone.	To personalize Rainbow Cone's website and app experiences and to deliver content and product and service offerings relevant to interests, including targeted offers and ads through our Sites, third-party sites, and via email or text message.

		To evaluate prospective consumers, applicants, vendors, and for other internal business purposes.
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Rainbow Cone has obtained the personal information listed above from the following sources:

- Directly from consumers. We may collect certain personal information when you interact directly with us or Rainbow Cone Services (including the Rainbow Rewards Program). For example, when you enter data while using our Services, when you create an account, become a Rainbow Rewards Program participant, or through the purchase of products such as food or gift cards.
- Indirectly from consumers. When you use Rainbow Cone's Services, we may use certain technology that has the ability to collect certain types of personal information. For example, when you place an order through our Websites or App, depending on your device's location settings and your choices, we may use your location to determine which restaurant is closest to you to help you place a convenient order or provide rewards or offers.
- Other sources. We may get personal information from other companies. For example, delivery platforms may provide us the personal information who place an order to Rainbow Cone through their platforms.

B. Sensitive Personal Information

Rainbow Cone may collect the types of sensitive personal information indicated in the chart below:

Category of Sensitive Personal Information	Purposes for Collection/Use
	For team members and applicants, Rainbow Cone may use or disclose your personal and/or sensitive personal information we collect for one or more of the purposes listed in the chart below:
Government identifiers (social security, driver's license, state identification card or passport number)	To maintain contact with team members and applicants To comply with applicable laws and regulations To review and evaluate job applicants and candidates for employment
Complete account access credentials (account log-in,	

<p>financial account, usernames, account numbers, or debit or credit card numbers combined with required access/security code or password, or credentials allowing access to an account)</p> <p>Precise geolocation</p> <p>Racial or ethnic origin, religious or philosophical beliefs or union membership)</p> <p>Citizenship or immigration status</p> <p>Genetic data</p> <p>Mail, email or text message contents</p> <p>Unique identifying biometric information</p> <p>Health information</p>	<p>To conduct background checks</p> <p>To manage team members' employment relationship with Rainbow Cone, including for:</p> <ul style="list-style-type: none"> • onboarding processes • timekeeping, payroll and expense report administration • team member benefits administration • team member training and development requirements • the creation, maintenance and security of online team member accounts • reaching emergency contacts when needed • workers' compensation claims management • team member job performance, including goals and performance reviews, promotions, discipline and termination • other human resources purposes <p>To comply with applicable tax, health and safety, anti-discrimination, immigration, labor and employment, social welfare, and other applicable laws and regulations</p> <p>To monitor, investigate and enforce compliance with potential breaches of Rainbow Cone's policies and procedures and legal and regulatory requirements</p> <p>To comply with civil, criminal, judicial or regulatory inquiries, proceedings, investigations, subpoenas, summons and litigation matters</p> <p>To exercise or defend the legal rights of Rainbow Cone and its team members, affiliates, guests, contractors, agents, vendors and third party providers</p>
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C. Disclosures of Personal Information for a business purpose

In the preceding twelve (12) months, Rainbow Cone has disclosed the following categories of consumer personal information for a business purpose:

- Identifiers
- California Customer Records personal information categories
- Commercial Information
- Internet or other similar network activity
- Geolocation data
- Biometric information

We disclose the above categories of personal information to the following categories of recipients: service providers, business partners, and affiliates who assist Rainbow Cone with business operations. In addition to the purposes for disclosures as described in Section 5 above, Rainbow Cone may disclose the above categories of personal information for the following business purposes: payment processing so we can process your requests for products and services, performing services on our behalf (e.g., promotions, communications, gift card support, surveys, technical support, fulfillment of orders), providing advertising and marketing services (except for cross-context behavioral advertising, short-term, transient use, including non-personalized advertising, auditing related to ad impressions, ensuring security and integrity of personal information, debugging to identify and repair errors that impair existing intended functionality, and detecting, investigating, or protecting against malicious, deceptive, fraudulent, or illegal activity.

In the preceding twelve (12) months, Rainbow Cone has disclosed the following categories of applicant or personal information for a business purpose:

- Identifiers
- California Customer Records personal information categories
- Commercial Information
- Biometric information
- Internet or other similar network activity
- Geolocation data
- Professional or employment-related personal information

In the preceding twelve (12) months, Rainbow Cone has disclosed the following categories of team member or applicant Sensitive Personal Information for a business purpose:

- Social security, driver's license, state identification card or passport number
- Complete account access credentials (account log-in, financial account, usernames, account numbers, or debit or credit card numbers combined with required access/security code or password, or credentials allowing access to an account)
- Mail, email or text message contents
- Racial or ethnic origin, religious or philosophical beliefs or union membership)
- Citizenship or immigration status
- Health information

D. Sales or Sharing of Personal Information

Although we do not sell Personal Information in exchange for money, some of the way we disclose personal information for targeted or cross-context behavioral advertising may be classified as "sales" or "sharing" under certain laws.

Rainbow Cone has sold or shared the following categories of personal information to third parties, including marketing and advertising companies and social media platforms, for the purposes of providing analytics, targeted or cross-context behavioral advertising, remarketing:

- Identifiers
- Customer Records
- Commercial Information
- Internet or Other Electronic Network Activity Information

We do not have actual knowledge that we sell or share personal information of consumers under 13 years of age.

E. Retention of Personal Information

We keep the categories of personal information described above for as long as necessary for the purposes described in this Privacy Policy or otherwise authorized by law. This generally means holding the information for as long as one of the following apply:

- Your personal information is reasonably necessary to manage our operations, to manage your relationship with us, or to satisfy another purpose for which we collected the information;
- Your personal information is reasonably necessary to carry out a disclosed purpose that is reasonably compatible with the context in which the personal information was collected;
- The personal information is reasonably required to protect or defend our rights or property (which will generally relate to applicable laws that limit actions in a particular case); or
- We are otherwise required or permitted to keep your personal information by applicable laws or regulations.

Where personal information is used for more than one purpose, we will retain it until the purpose with the latest period expires.

F. Submitting Requests Relating to Your Personal Information

Depending on your state of residency, you may have the right to submit certain requests relating to your personal information as described below. To exercise these you rights, you can either call 708-948-0549 to make the request, or submit the form in person at one of our California locations.

G. Authentication and Verification Process

Please note that Rainbow Cone has the right and obligation to verify your identity prior to processing certain privacy requests. Rainbow Cone will verify your identity as follows:

- **Password Protected Accounts.** If you have a password protected Rainbow Cone account, Rainbow Cone will match the information provided by you in your request to the personal information that Rainbow Cone already maintains. Rainbow Cone may also require you to re-authenticate yourself before disclosing your personal information to you via the same method above.
- **No Password Protected Account.** If you do not have or cannot access a password protected Rainbow Cone account, Rainbow Cone will verify your request by matching at two to three data points that you provide in your request with those data points already maintained by Rainbow Cone. The number of data points required to be verified depends upon the sensitivity of the personal information requested. If you are requesting to know your specific pieces of personal information or access

your personal information in a portable format, you may be required to sign a declaration under penalty of perjury.

H. Your Consumer Privacy Rights

Depending on your state of residency, you may have the following consumer privacy rights.

Right to Know. You may have the right to know what personal information we have collected about you. This right includes:

1. California consumers may have the right to know the categories of personal information we have collected about you, such as
 - a. The categories of sources from which the personal information was collected
 - b. Our business or commercial purposes for collecting, selling, sharing, or disclosing personal information
 - c. The categories of recipients to which we disclose personal information
 - d. The categories of personal information that we sold, and for each category identified, the categories of third parties to which we sold that particular category of Personal Information
 - e. The categories of personal information that we disclosed for a business purpose, and for each category identified, the categories of recipients to which we disclosed that particular category of Personal Information
2. California consumers may have the right to know the specific pieces of personal information we have collected about you.
3. Oregon and Delaware consumer may have the right to know certain information about the third parties to which we have disclosed personal information.

Right to Access and Data Portability. You may have the right to confirm whether we are processing your personal information, to access your personal information, and to obtain a copy of personal information. You may also request that we send the copy of the personal information you provided to us in a portable format.

Right to Delete. You may have the right to request the deletion of your personal information collected or maintained by Rainbow Cone, subject to certain exceptions.

Right to Correct. You may have the right to request that we correct any of the personal information or sensitive personal information that we collected from you and retained,

subject to certain exceptions. We may request additional information from you to understand the persona information you would like to correct.

Right to Opt-Out of the Sale and Sharing of Personal Information. You may have the right to opt-out of the sale of your personal information by Rainbow Cone and to request that we do not share your personal information for targeted or cross-context behavioral advertising. To opt out of the sale of or sharing of your personal information through tracking technologies, privacy@rainbowcone.com. You may also opt out of the sale of or sharing of your personal information through tracking technologies by using an opt-out preference signal such as the Global Privacy Control. If you wish to opt-out of the offline sale of your personal information, you can may such a request by emailing privacy@rainbowcone.com.

Right to Opt-Out of Profiling. We do not profile individuals in furtherance of decisions that produce legal or similarly significant effects under applicable state privacy laws.

Right to Limit Sensitive Personal Information Processing. Rainbow Cone only uses sensitive personal information for legally-permitted purposes, and does not offer the right to limit such uses.

Right to Withdraw Consent. If you have provided consent for the processing of your personal information, you may have the right to withdraw such consent.

Right to Appeal. Sometimes we are unable to process requests relating to your personal information, in which case, your request will be denied. If you have previously submitted a privacy rights request to us that has been denied and you believe we denied it in error, you may have the right to appeal for reconsideration of your request using our webform or toll-free phone number.

Right to Non-Discrimination/No Retaliation for the Exercise of Privacy Rights. You have the right not to receive discriminatory and/or retaliatory treatment by Rainbow Cone for the exercise of your privacy rights. We will not discriminate and/or retaliate against you for exercising your privacy rights.

I. Authorized Agent

Depending on your state residency, you may designate an authorized agent to make certain types of requests on your behalf. In order to designate an authorized agents, you must:

(1) provide the authorized agent with signed, written permission identifying what action he/she may take on your behalf, a copy of which written permission must be provided to Rainbow Cone upon request; and

(2) complete the authorized agent appointment available upon request by emailing privacy@rainbowcone.com.

The authorized agent may be asked to verify his/her identity.

J. California Shine the Light Law

Subject to certain limitations under California Civil Code § 1798.83, California residents may request a list of certain categories of Personal Information we have disclosed to third parties for their direct marketing purposes during the immediately preceding calendar year, and for the identity of those third parties. California residents may contact us at privacy@rainbowcone.com or by mail to Rainbow Cone LLC, Attn: Privacy Officer, 7075 Veteran's Blvd., Burr Ridge, IL 60527, to make such a request.

K. Notice of Financial Incentives and Additional Loyalty Program Disclosures

The Rainbow Rewards Program may be considered a financial incentive under California law. If you are a California resident, you opt in and consent to the terms described in our California Notice of Financial Incentive Disclosures.

8. Special Rules for Minors

Rainbow Cone may collect personal information about minors, but only with prior parental or guardian consent in order to participate in Rainbow Rewards Program. Rainbow Services are not intended for, and are not intentionally targeted to, children under 13 years of age. We do not knowingly request or seek to collect personal information from any person under 13 years of age through the Sites. If we learn that the online Services have received personal information directly from a child who is under the age of 13, we will delete the information in accordance with applicable law.

9. Third-Party Links to Other Sites and Social Network Sites

Our Websites may contain links to other sites that are operated by companies not affiliated with Rainbow Cone. We are not responsible for the content or privacy practices on any of these non-Rainbow Cone sites. If you are accessing these non-Rainbow Cone sites, we strongly encourage you to review the privacy policy and practices associated with those sites.

If you use Website features operated by third-party vendors, such as when you use the online ordering app, and third party social networking services (such as Facebook, X (formerly Twitter), Instagram, TikTok etc.), we may receive information you have made available to those vendors or services. Some of the social networking services allow you to push content from our Services to your contacts or to pull information about your contacts

so you can connect with them on our Websites and through our Services. Some of these services also will facilitate your registration for our Services or enhance or personalize your experience on our Services. You should make sure you understand the information your third-party social networking services may make available to our Services. We may use and disclose the information we receive through our Services through third-party vendors and social networking services as described in this Privacy Policy.

10. What Are Your Options?

You are not under any obligation to provide us with personal information. However, if you choose not to provide us with your personal information, we may not be able to provide you with certain Services or use of our Websites and/or App.

Accessing, Reviewing & Changing Your Personal Information. If you have created an account on our Websites, you may login to your account to edit or delete the certain information provided.

Communications Preferences. We offer choices about your communication preferences. If you do not wish to receive our mailings or promotional materials, you can unsubscribe using the link in our emails, or send us a request to be removed from our mailing list via email at privacy@rainbowcone.com or regular mail to:

Rainbow Cone LLC
Attn: Privacy Officer
7075 Veteran's Blvd.
Burr Ridge, IL 60527

Rainbow Cone Websites also provide an option to unsubscribe from our communications. You can log into your Rainbow Cone account and select "off" in "Communication Preferences" to unsubscribe. Please note that you may still receive transactional or informational emails from us after you unsubscribe.

11. Changes to this Privacy Policy Rainbow Cone may at any time revise its Privacy Policy, and the revised versions will be posted on the Websites. We will indicate changes to the Privacy Policy by updating the "Last Updated" date at the bottom of this Privacy Policy. Your continued use of the Services after any update to this Privacy Policy will constitute your acceptance of the changes.

11. Contact for Questions Regarding the Privacy Policy

Thank you for reading our Privacy Policy. We hope you have a better understanding of our commitment to safeguarding online privacy. If you have any questions or concerns about

our Privacy Policy or Terms and Conditions, please contact us using one of the following methods:

Email: Privacy@RainbowCone.com

Mail:

Rainbow Cone LLC

7075 Veteran's Blvd.

Burr Ridge, IL 60527

Phone: