

Binghamton Hardware & HVAC Supply Corp.

Privacy Policy

Your privacy is very important to us. Accordingly, Binghamton Hardware & HVAC Supply Corp. (“we”) has developed this Privacy Policy in order for you to understand how we collect, use, communicate, disclose, and make use of personal or company information that we are provided by you, your employees or your agents.

Overview of our Privacy Policy

- Before or at the time of collecting personal information, we will identify the purposes for which information is being collected.
- We will collect and use personal information solely with the objective of fulfilling those purposes specified by us and for other compatible purposes, or as required by law.
- We will only retain personal information as long as necessary for the fulfillment of those purposes.
- We will collect personal information by lawful and fair means and, where appropriate, with the knowledge or consent of the individual or entity concerned.
- Personal data should be relevant to the purposes for which it is to be used, and, to the extent necessary for those purposes, should be accurate, complete, and up-to-date. If at any time you find that the personal information associated with your account is incorrect or has changed, please notify our team via e-mail.
- We will protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification using commercially reasonable security safeguards.
- We will make information about our policies and practices relating to the management of personal or company information readily available to our team.

The Information We Collect

By accessing www.binghamtonhardware.com (the “Site”), registering as a user, submitting your Personal Information (as defined below) to us, or otherwise using our Site, as the case may be, you consent to the collection and use of your Personal Information as explained herein.

- **“Personally identifiable information”** is non-public information that relates to you or your company and may be used to identify you. Such information may include your name, your entity, mailing address, zip and/or country code, e-mail address, passwords, phone number, Social Security Number, or Tax ID number, your business experience or objectives, or your account and transaction history.
- **“Non-personally identifiable information”** includes website pages viewed, sites visited before visiting our Site, frequency of visits, browser type, operating system, organization name, internet connection speed, pages of our site viewed, time spent viewing pages of our website or using certain features of our website, server locations, server location, search

criteria used and results, date and time of access or visits to our website, and other information which does not identify you personally.

The collection of your personal information (including any Personally identifiable information, Non-personally identifiable information, or other information that may be now or hereafter deemed to be personal information (collectively, “Personal Information”)) is critical for us to do business with you. This information may be required or used to set up an account for you, record your transaction history, respond to your inquiries and requests, and remain in compliance with applicable laws and regulations.

We may collect location information that you provide. Certain devices and browsers contain unique identifiers that can be used to identify the geographical location of the device. When you use such a device or browser to access our Site, your device and/or browser may automatically collect and/or transmit your location information. We also may collect GPS information from the device if the device transmits it.

In addition, we may use “cookies” to enhance your online experience. “Cookies” are text files that are stored on your computer’s browser or mobile device to store your preferences. Cookies, by themselves, do not tell us your e-mail address or other Personal Information unless you choose to provide such Personal Information to us by, for example, registering at our Site. However, once you choose to furnish Personal Information, this information may be linked to the data stored in the cookie. We use cookies to understand Site usage and to improve our content, offerings and advertisements. For example, we may use cookies to personalize your experience at our Site, to save your password in password-protected areas so you do not have to re-enter it each time you visit our Site or to track the performance of contests, promotions or other offerings on our Site. We also may use cookies to provide you with certain offerings. Similarly, as part of an arrangement with our participants or other business partners (including, without limitation, those who provide the advertisements that you see on our Site) we may also access cookies placed by others and allow others to access certain cookies placed by us. We do not use cookies to retrieve Personal Information from your computer or mobile device.

How We Use the Information

We may use Personal Information that we collect to communicate and/or deliver personalized services, products, content advertisements, or other relevant services or information to you. In addition, we may use the Personal Information that we collect to fulfill requests for our services or information, to respond to inquiries about offerings or advertisements, and to offer other opportunities that may be of interest. We may also use your Personal Information to send you promotional materials and other information about our company, products, business opportunities and, when necessary, to contact you.

We sometimes use the Non-personally identifiable information that we collect to improve the design and content of our advertisements, publications, offerings, and the Site, and to enable us to customize your experience with the Site. We also may use this information to analyze usage of the Site, as well as to provide you with certain offerings. We will disclose information we maintain when required to do so by law, for example, in response to a court order or a subpoena. We may also disclose or transfer such information (i) in response to a law enforcement agency’s request or

(ii) where necessary for the establishment, exercise or defense of legal claims. Agents and contractors of our company or the Site that have access to personally identifiable information are required to protect this information in a manner that is consistent with this Privacy Policy by, for example, not using the information for any purpose other than to carry out the services for which they were engaged by us.

We may use location information, either information provided by you or in information automatically collected, in order to provide you with content, services and advertising that are relevant to your geographic area.

We reserve the right to use the information you provide to offer you additional services or that we and/or other third parties think may be of interest to you. If you respond to such an offer and contact a third party directly, that third party's privacy policy will apply to any information you provide and/or that is collected by such third party and we are not responsible for that party's use of your information.

We may use third-party service providers to target and serve some of the advertisements you see on the Site. We may share technical or aggregate information, such as type of pages viewed and categories of interest, from our Site with these service providers and advertisers for their use in displaying ads on our Site. These third party providers and advertisers may use their own browser or flash cookies, web beacons and similar technologies to collect technical information (such as device unique identifier, IP address, MAC address, browser type, pages visited, and location information) from users of the Site that is generated automatically as a user views or interacts with an ad. These service providers may use that information, sometimes in conjunction with similar information gathered through other websites and other sources, to deliver advertisements on this Site, and on other websites.

Unless you affirmatively provide information within an ad, the data collected in connection with any ads, ad serving and ad targeting on our Site does not include your name, address, email address or telephone number, but it may include the device unique identifier, IP address, MAC address and location information of your computer or device. The use and collection of information by third-party advertising service providers is governed by the relevant third party's privacy policy and is not covered by this Privacy Policy.

You may have the option to subscribe to receive various e-mail, mail and/or mobile phone updates when you register on our Site. We will use these updates to provide you with, or notify you of, additional information, discounts, special offers, site upgrades, new features, and much more.

Please note that if we or any of our affiliates, subsidiaries or lines of business is sold or otherwise disposed of, including through merger of, consolidation or sale of assets, the relevant customer database and all Personal Information contained therein, including personally identifiable information we may possess about you, may, in whole or in part, be sold, disposed of, transferred or otherwise disclosed as part of that transaction.

Retention of Information

We will retain your Personal Information for as long as reasonably necessary for the purposes described in this Policy, while we have a legitimate business need to do so in connection with your use of the Site or the account, or as required by law or regulation, whichever is longer.

Updating/Correcting/Deleting Your Information; Unsubscribing from Communications

It is your responsibility to ensure that your Personal Information is up-to-date and correct by reviewing your Personal Information regularly. You may ask us to delete your Personal Information from our database or request to unsubscribe from our communications at any time. However, this may hinder our ability to provide you with all of the features and services available on our Site. If any of your Personal Information is incorrect or has changed, you would like us to delete your Personal Information, or you would like to unsubscribe from our communications, please contact us via e-mail.

Collection of Information by Third-Party Sites

Our Site may contain external links to other sites whose privacy practices may be different from ours. We are not responsible for the privacy practices of such sites or any other site, and we have no control over the information that you may provide to such sites, or that such sites may collect, and any information you provide to or that is collected by such sites will be governed by the privacy policies of the particular site. You should always review a websites' privacy policy before giving out any personal information.

Improper Conduct

The restrictions set forth herein will not apply in the event that you engage in certain improper conduct. Specifically, we shall have the right to use or release to third parties the Personal Information of any users who are suspected of having used our Site or any other service provided by us for any fraudulent or inappropriate purposes, for having otherwise violated any law, rule, regulation, or the rights of third parties, or for having engaged in any conduct we deem to be improper. By using our Site, you are agreeing to our use or release of any information you provide in any manner we deem appropriate or necessary if you are suspected of having engaged in any conduct that we deem improper or inappropriate.

Protection for Children

Our Site and services are not intended for use by children (persons under the age of 18). We have no intention of collecting personally identifiable information or any other information from children. If a child has provided us with personally identifiable information, that child's parent or guardian should contact us via e-mail at to request that the information submitted by the child be deleted from our database. We will use all reasonable efforts to delete such information from our database as promptly as possible.

Changes to This Policy

We may change this Privacy Policy at any time. The revised Privacy Policy will be posted to this page so that you are aware of the information we collect, how we use it and under what circumstances we may disclose it. By continuing to use the Site after we post any such changes, you accept the Privacy Policy as modified.

International Users

People outside of the United States may access our Site and/or services in accordance with our Terms & Conditions. If you reside in, are a citizen of, or otherwise choose to access our Site and/or services from the European Union or any other jurisdiction with differing data collection and use laws from those of the United States, you acknowledge and agree that, by providing your Personal Information, you are transferring your Personal Information from these regions to the United States and you are consenting to such transfer, AND BY DOING SO YOU KNOWINGLY AND INTENTIONALLY WAIVE ANY AND ALL RIGHTS YOU MAY HAVE UNDER THE LAWS OF SUCH JURISDICTION WITH RESPECT TO SUCH TRANSFERRED PERSONAL INFORMATION, AND YOU ACKNOWLEDGE AND AGREE THAT YOUR RIGHTS WITH RESPECT TO THE PERSONAL INFORMATION YOU HAVE TRANSFERRED SHALL BE LIMITED TO THE RIGHTS AFFORDED TO YOU AND SUCH INFORMATION BY THIS PRIVACY POLICY AND THE LAWS OF THE UNITED STATES.

Your Consent

By using the Site, your consent to the collection, use and storage of your Personal Information as described herein. You also authorize the export of your Personal Information and its storage and use as specified above when you provide any such information to us.

Our headquarters are located in Binghamton, New York. This Privacy Policy and our legal obligations hereunder are subject to the laws of the State of New York and the United States of America, without respect to conflict of laws principles, regardless of the location of the user. Any claims or complaints must be filed in the state and/or federal courts located in the State and County of Broome, New York. The provisions of the United Nations Convention on the International Sale of Goods shall not apply to this Privacy Policy, any transaction arising out of the use of the Site, or any transaction we consummate or fulfill with you.

YOU HEREBY WAIVE YOUR RIGHT TO A TRIAL BY JURY WITH RESPECT TO ANY CLAIM, ACTION, OR PROCEEDING, DIRECTLY OR INDIRECTLY, ARISING OUT OF, OR RELATING TO, THIS AGREEMENT TO THE FULLEST EXTENT PERMITTED BY LAW.

EXCEPT AS EXPRESSLY SET FORTH IN A PURCHASE ORDER OR OTHER AGREEMENT, THE SITE AND ANY PRODUCT OR SERVICE YOU PURCHASE AS A USER OF THE SITE IS PROVIDED, FURNISHED OR SOLD AS IS, WHERE IS, WITH ALL FAULTS AND WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, NONINFRINGEMENT, AND ALL WARRANTIES ARISING FROM ANY COURSE OF DEALING OR PERFORMANCE OR USAGE OF TRADE.

How to Contact Us

If you have any questions or concerns about this Privacy Policy or its implementation please contact us via email.

We are committed to conducting our business in accordance with these principles in order to ensure that the confidentiality of personal information is protected and maintained.