

## **Max Hospitality**

**Revised August 2, 2023**

Your privacy is important to us and we are committed to protecting it through our compliance with this Privacy Policy. Max Hospitality, and its subsidiaries and affiliates (collectively, “Max,” “we,” or “us”), respect concerns with regard to how information about you is used and shared, and we appreciate your trust that we will use and share information about you carefully and sensibly. This Privacy Policy describes the types of information that we may collect about you, how we may collect it, how we use it, with who we may share it and what choices you have regarding it. This Privacy Policy applies to your use of our Internet and mobile Web sites, the Max Hospitality mobile application (the “App” or “Mobile Application”), your participation in the Max Vantage or Cooper Club Rewards Program (the “Rewards Programs”) and other online services (collectively, the “Sites”), including information you may provide to us other than on the Sites or via the App. We encourage you to carefully read this Privacy Policy and our Terms of Use. By accessing and using the Sites, by participating in the Max Vantage and/or Cooper Club Rewards Programs or by downloading, installing, accessing, or using the App, you agree that you have read and understand this Privacy Policy and that you accept and consent to the privacy practices (and any uses and disclosures of information about you) that are described in this Privacy Policy. If you do not agree with our policies and practices, do not use or access the Sites, do not participate in the Rewards Programs and do not download, register with or use the App.

This Privacy Policy does not apply to any other websites or mobile applications or information that may be collected by any other websites or mobile applications. Other third parties (such as online reservation platforms or social media networks that you may use in connection with our Sites) may also use, collect and share information about you. We are not responsible for, and this Privacy Policy does not apply to, the privacy practices of other companies or other websites or mobile applications. We encourage you to seek out and read the privacy policy of each website that you visit and each mobile application that you use.

We may revise this Privacy Policy from time to time at our discretion by posting an updated Privacy Policy accessible to users of the Sites. Changes to this Privacy Policy will be effective when posted. In the event of a change to the Privacy Policy, we will update the “Revised” date above and notify you on our homepage that the Privacy Policy has been recently updated. Your continued use of the Sites, the Mobile Application or the Rewards Programs after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

## **Children under the Age of 18**

We are committed to protecting the privacy of visitors under the age of 18. We do not knowingly collect personal information from children under the age of 18. If we learn we have collected or received personal information from a child under the age of 18 without verification or parental consent, we will delete that information. If you believe we might have any personal information from or about a child under the age of 18, please email us at [guestservices@maxhospitality.com](mailto:guestservices@maxhospitality.com) or contact us at the contact information provided below.

## **What information do we collect, and how do we collect it?**

We may collect several types of information from and about users of our Sites, which may consist of information by which you may be personally identified (including your name, postal address, e-mail address, telephone/mobile number, or any other information that is defined as personal or personally identifiable information under an applicable law) (collectively, “personal information”); information that is about you but does not identify you, such as your dining history/habits, reservation data and site activity/behavior; and/or information about your internet connection, the equipment you use to access the Sites and usage details. We collect the foregoing information either directly from you when you provide it to us or automatically as you navigate through the Sites and/or use the App. If you use the App, we may also collect your mobile device ID and your precise location data. For certain services on our Sites, credit or debit card account information may be required. We may also obtain information from other sources, such as third-party websites, applications and services (each, a “Third-Party Platform”), through which you connect with our Sites and combine that with information we collect on our Sites.

We may directly ask you to provide certain of the above information on our Sites. This is obtained by any of the following means:

Information that you provide by filling in forms on the Sites. This includes information provided at the time of registering to use the App, subscribing to the Max Vantage or Cooper Club Rewards Programs, providing feedback on your dining experience at our restaurants and/or you requesting further services.

Information that you provide when signing up for a contest or promotion sponsored by Max, which may include your name, phone number, email address, social media handle and other information requested when you sign up for the contest or promotion.

Records and copies of your correspondence (including e-mail addresses and phone numbers), if you contact us.

Your responses to surveys that we might ask you to complete for research purposes.

Details of transactions you carry out through the Sites and of the fulfillment of your orders. You may be required to provide financial information before placing an order through the Sites.

Your search queries on the Sites.

As with many other websites, the web servers used to operate the Sites may automatically collect certain data pertaining to you, including your location, computer operating system, Internet Protocol (IP) address, access times, browser type and language, and the website you visited before or after visiting our Sites. For security reasons and to confirm the integrity of the Sites, we and our third-party service providers, including third-party vendors, consultants, and other service providers who work for us (our “Contractors”) may combine components of this data with personal information, which may identify you. Unless otherwise described in this Privacy Policy, such identifying information will be used solely for our business purposes. We and our Contractors may use this information to help administer the Sites and the servers that provide the Sites, generate statistical information, monitor and analyze traffic and usage patterns on the Sites and improve the Sites’ content and content delivery, including any online content, materials and services that we describe or make available on the Sites.

In addition, our Sites may send one or more “cookies” to your computer to improve the utility of the Sites by storing user preferences and tracking user trends. Cookies are small data files that may have unique identifiers and reside, among other places, on your computer or mobile device, in emails we send to you, and on our web pages. Most browsers are initially set up to accept cookies, but you can reset your browser to refuse all cookies or to indicate when a cookie is being sent. Please note that you may not be able to access the full functionality of our Sites if cookies are disabled on your browser. We use cookies to see which areas and features of our Sites are popular and to count visits to our Sites. We may access information contained in cookies placed on your device by a Third-Party Platform as permitted by the terms of your agreement and privacy settings with such Third-Party Platform. Similarly, we may automatically collect information using web beacons. Web beacons are electronic images that may be used on our Sites or in our emails. We use web beacons to deliver cookies, count visits, understand usage and campaign effectiveness, and tell whether you open an email and act upon it.

Some content or applications, including advertisements, on the Sites are served by third-parties, including advertisers, ad networks and servers, content providers and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our Sites. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based advertising or other targeted content. We do not control these third parties tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

### **How will we use the information you provide to us?**

We use the information we collect about you or that you provide to us, including any personal information:

To provide you with information, menu items or services that you request from us and our restaurants.

To allow you to participate in the Max Vantage or Cooper Club Rewards Programs and receive their benefits.

To fulfill the purpose for which you've provided the information, to analyze and improve the content, materials and services that we make available on the Sites, to notify you of changes made to the Sites, to evaluate user needs and improve the Sites' content, to send you promotional materials and to support our continuing efforts to offer users the information and services we think they want most.

To contact you (including through interest-based/behavioral advertising and other targeted advertising) about our products, promotions, and services that may be of interest to you.

To provide service and support to you and to respond to your inquiries, and to investigate and address your concerns to improve our services and our restaurants.

To enhance, personalize and customize your experience and enjoyment using our Sites, products and services, such as understanding your dining history, to make recommendations about our other restaurants you may like.

To deliver targeted advertisements to you and other visitors of our Sites.

In any other way we may describe when you provide the information or to fulfill the purpose for which you provide it.

For any other purpose with your consent.

#### **With whom do we share the information we collect?**

We do not share, sell, or otherwise disclose your personal information for purposes other than those outlined in this Privacy Notice. However, we may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may share information that we collect about you or that you provide to us (as described in this notice):

With our subsidiaries and affiliates (including our restaurants);

With our Contractors to support our business, including those that help us manage and administer the Max Vantage and Cooper Club Rewards Programs, process online orders or provide us with marketing and advertising services;

If all or part of Max is sold, merged or otherwise transferred to another entity, we may transfer your information to such entity as part of that transaction; and

For any purpose disclosed by us when you provide the information and with your consent.

Our Sites may allow you to connect and share your actions, comments, content and information publicly or with friends. Our Sites may also allow you to connect with us on, share on and use Third-Party Platforms, including those on which a handful of your personal privacy needs and the privacy needs of others as you choose whom to connect with and what to share and make public. We cannot control the privacy or security of information you choose to make public or share with others. Max Hospitality also

does not control the privacy practices of Third-Party Platforms. Please contact those sites and services directly if you want to learn about their privacy practices.

We may disclose collected information to the proper authorities if we become subject to a subpoena or court order or if we believe that we are otherwise legally compelled or requested to disclose such information. We may also use and disclose information about you to establish or exercise our legal rights, to assert and defend against legal claims, or if we believe such disclosure is necessary to investigate, prevent, or take other action regarding actual or suspected illegal or fraudulent activities or potential threats to the physical safety or well-being of any person.

### **What choices do you have?**

You are under no obligation to provide us with personal information, but without it we may not be able to provide you the products or services you request. You can review and change your personal information by logging into the Sites and visiting your account profile page. You may contact us directly at, [guestservices@maxhospitality.com](mailto:guestservices@maxhospitality.com) to request access to, correct, or delete any personal information that you have provided to us. You may contact us as indicated below if at any time you would like to ask us about our data collection practices and our information security policy. If you disagree with our privacy policies, we encourage you to refrain from accessing, using or registering with our Sites.

You may opt out of receiving promotional emails from us by following the instructions in those emails. If you do opt out, we may still send you non-promotional emails, such as emails about your Max Vantage or Cooper Club account or our ongoing business relations. You may also send requests about your contact preferences or changes to your information, including requests to opt out of sharing your personal information with third parties, to our contact information below.

Most web browsers are set to accept cookies by default. If you prefer, you can choose to set your browser to remove cookies and to reject cookies. If you choose to remove cookies or reject cookies, this could affect certain features or services of our Sites. In addition, most mobile devices allow you to turn off location services. If you choose to turn off location services, this could affect certain features or services of our Sites.

### **How Do We Protect Information Collected About You?**

Max and our Contractors have in place certain commercially reasonable security measures to protect the information we collect from you, but the storage and communication of such information can never be completely secure. Hence we do not guarantee that information that you transmit or otherwise supply to us, or any communications conducted on or through the Sites, is or will be totally secure. Max does not itself store your credit or debit card account information, and we do not have direct control over or responsibility for your credit or debit card account information. Our contracts with third parties

that receive your credit or debit card account information require them to keep it secure and confidential. If you become aware of any breach of Site security, this Privacy Policy, or the Terms of Use, please notify us immediately.

Any questions? Please contact us at:

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