

## Services Privacy Policy

Last updated on March 31, 2023

1. Categories of personal information we collect
2. Sources of collection
3. How we use personal information and legal bases
4. Personal information disclosures and transfers
5. Selling and sharing personal information
6. How we retain and secure personal information
7. Description of your privacy rights
8. How to exercise your privacy rights
9. Opt-outs (Do Not Sell or Share My Personal Information/Personal Data Opt-out) and withdrawing consent
10. Additional disclosures
11. Changes to this Privacy Policy
12. Contact us

Rakuten Marketing LLC dba Rakuten Advertising (“**Rakuten Advertising**”) is an online business-to-business digital advertising company that provides services to a network of publishers and advertisers (brands and merchants) (“**Clients**”). Those services include affiliate marketing, performance marketing, personalized advertising and optimization, measurement and reporting, facilitation of advertising-related transactions between network participants, and other online advertising tools and technologies (“**Services**”). You can find out more about our Affiliate, Performance, and Media Services here: <https://rakutenadvertising.com/>. Rakuten Advertising is part of the Rakuten Group, which is comprised of our parent company, Rakuten Group, Inc., based in Tokyo, Japan, and its global subsidiaries.

This privacy policy describes how Rakuten Advertising and its subsidiaries and affiliates (including, without limitation, Rakuten Marketing Europe Ltd., Rakuten Advertising France SAS, Rakuten Marketing Germany GmbH, Rakuten Marketing Brazil and Rakuten Marketing Australia Pty Ltd.) (collectively, “**Supplier**”, “**we**”, or “**us**”) collect and use personal information, to whom we disclose personal information, how we protect this information, and privacy rights regarding the personal information of consumers who interact with or whose personal information is processed for the Services (“**you**,” or “**your**”) that we provide to our business Clients and partners.

With respect to the Services, we are active members of the Network Advertising Initiative (“NAI”), the Digital Advertising Alliance (“DAA”), as well as the European Interactive Digital Advertising Alliance (“EDAA”). We comply with [DAA Self-Regulatory Principles for Online Behavioral Advertising \(“OBA”\)](#), [the NAI Code of Conduct](#), and [the Interactive Advertising Bureau \(IAB\) Europe Framework for OBA](#). You can find more information on each of these by clicking the links above.

Note that this privacy policy applies to personal information that we collect about consumers from websites, applications, and media platforms (e.g., CTV/OTT/Streaming TV) in connection with the Services, including the websites, applications, and platforms of our Clients or those reached through third-party vendors such as advertising networks. This privacy policy does not address information collected through Supplier’s corporate website or from the representatives of Supplier’s business Clients in the course of administering our Services, which is described here: <https://go.rakutenadvertising.com/hubfs/Website-Privacy-Policy-English.pdf>

If you have any questions or concerns about our use of your personal information, please contact us using the contact information below, in the last section of this Privacy Policy.

## Categories of personal information we collect

When you interact with a website, mobile application, media platform or third party that participates in or interacts with our Services, we collect the following categories of your personal information:

- **Online Identifiers**, including browser and device information such as your device's Internet protocol ("IP") address, unique device identifiers such as advertising, hardware or operating system device identifiers (e.g., IDFA for iOS and AAID for Android), information about the type of Internet browser, browser language and operating system you use on this device, your connection type (wired or wi-fi), the region where your device is located, network to which your device is connected, general geo-location, and the mobile carrier (if available);
- **Commercial Information**, including products and services you obtained, purchased, or considered on the websites, applications or media platforms of our business Clients;
- **Internet Activity**, including information about your behavior or activity on the websites, applications, or media platforms of our business Clients and other third parties that participate in or interact with our Services, such as information related to the website you are viewing (e.g., in order to ascertain your interests within certain segments), access dates and times; the website you came from before, and visited after you clicked on an ad; ad engagement data; and geolocation (latitude and longitude coordinates, but only if the website or the application has enabled location services on your device and you have granted permission to collect this information);
- **Advertisement performance information** for ads served, viewed or clicked on, such as information about the type of ad, the online location where the ad was served, whether it was clicked on, and the products and offers viewed while browsing and searching;
- **Inferences** drawn by us, our Clients, or other participants in our Services, such as age range, demographics, and product interests, from information collected about you to create a profile or place you in a segment to reflect or predict your preferences and behavior in relation to ad interaction and conversion.

Please note that we do not collect any personal information defined as "sensitive personal information" under California privacy law (the California Consumer Privacy Act of 2018 (CCPA)) or any other current U.S. state privacy laws, nor any "special categories" of personal data per the EU or UK General Data Protection Regulation (GDPR/UK GDPR).

The Services are not intended to process personal information of children under the age of 16 and we do not knowingly collect, sell, or share any personal information from children under the age of 16. If you, as a parent or guardian, believe that your child under the age of 16 has interacted with our Services and caused Supplier to unknowingly collect their personal information, please contact us and we will use our best efforts to identify and remove their information to the extent it is in our records.

In addition to our personal information collection and processing, we may collect, create, process, disclose and store information that is not considered personal information because it is not identifiable to a particular individual, such as sets of aggregate data, metadata, and other generalized information about online browsing, usage and interactions, as well as de-identified information that does not reveal your identity. We do not attempt to re-identify or associate such information to you, and we retain the right to use and disclose such information in any manner permitted by applicable law.

## Sources of collection

- **Cookies and tracking technologies:** When you interact with websites, applications, media platforms, advertisements, or affiliate links in our network, subject to your opt-in or opt-out, depending on the applicable laws in your location, we may set cookies or use other tracking technologies like pixels, web beacons or similar technologies, to automatically collect the categories of personal

information described above. For instructions on opting out, please see Your Privacy Rights, below. For details related to the cookies that we use, as well as instructions for opting out or managing your preferences, click here to read our Cookie Policy: <https://go.rakutenadvertising.com/hubfs/Cookie-Policy.pdf>

- **Information we receive from Data Providers:** Our advertisers, publishers, and other third-party partners may supply us with personal information about consumers who, for instance visit their websites, applications, or media platforms, interact with their advertisements or affiliate offers, or shop on their online or stores, to the extent they have confirmed that they have sufficient authority to provide this information to us. For clarity, our collection and use of data from data providers, their websites, applications, and media platforms is subject to those data providers' privacy policies and legal terms under which they collected it.

## How we use personal information

We use personal information for the purposes outlined below:

- to perform and provide our Affiliate Services to our Clients including facilitating measurement and attribution of purchase activity to affiliate link interaction;
- to perform and provide our Performance Services to our Clients, including interacting with trading desks and other platforms to effectuate targeted ad campaigns, analyzing ad performance metrics to improve and optimize campaigns;
- to perform and provide our Media Services to our Clients, including receiving and transmitting information in the context of our ad exchange, third-party ad exchanges and ad servers to enable advertisers to serve targeted ads to you on publisher properties such as websites, applications, and media platforms (e.g. CTV, OTT, Streaming TV), and developing an understanding or profile of your buying or other preferences so that our Clients can provide you with more relevant content, offers, advertising, products, services or search results;
- to seed and create predictive models and algorithms for online advertising lookalike audience targeting;
- to improve our Services and to develop new services or features for our Clients, our corporate affiliates and group companies;
- to determine whether you have seen a particular advertisement before to avoid sending users duplicate advertisements;
- to identify advertising fraud and similar misconduct;
- to understand trends in how users react to particular types of advertisements or offers;
- to provide insights and reporting back to Clients and other partners, such as statistical reporting in connection with the activity on a website or mobile application, optimization of the location of ad placement, ad performance, reach and frequency metrics, billing, and logging ads served on a particular day to a particular website, application or media platform;
- to resolve or fix technical issues or problems and to respond to user inquiries and requests.

### *Legal bases for collecting and processing the personal information of Individuals in the EEA*

If you are located in the European Economic Area (EEA) or the United Kingdom (UK) and certain other jurisdictions, we must have and disclose our legal basis for collecting and otherwise processing the personal information described above, which will depend on the personal information concerned and the specific context in which we collect and process it. If you are located within the EEA or the UK, the data controller of your personal information is Rakuten Marketing LLC dba Rakuten Advertising (together with its subsidiaries). We rely on the following legal bases to process your personal information:

- **Legitimate interests:** We process certain of your personal information to serve our and our Clients' legitimate interests to provide or improve our Services, to determine affiliate referral fees or commissions owed to publishers and to ourselves, to bill and collect payment for our Services, to perform analytics regarding our Services, to manage relationships with Clients, and to secure our Services and prevent fraud. When we process personal information to meet our

legitimate interests or those of third parties, we conduct a legitimate interest analysis and put in place safeguards to ensure that your privacy is protected and to assess whether our legitimate interests are overridden by your interests or fundamental rights and freedoms.

- Consent: we and our customers rely on your consent to collect, use, and share your personal information (including, without limitation, technical data, cookie data, usage information, and general geo-location data) for personalized or interest-based advertising purposes.
- Legal obligation: In some cases, we may have a legal obligation to collect, maintain, or disclose personal information about you in relation to the Services.

If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us as provided in the **Contact Information** section of this Privacy Policy.

## **Personal information disclosures and transfers**

### *Disclosures*

When we disclose personal information, we disclose it to the following categories of recipients for the following business and commercial purposes:

- to customers and publishers or their designated third-party representatives as part of our Services;
- to agencies, agency trading desks, retargeting entities, ad servers, privacy verification entities, measurement and analytics entities, data suppliers, data aggregators, demand-side platforms and supply side platforms, ad networks, and others advertising and analytics service providers on our or our customers' behalf that assist us in providing the Services;
- to technology, infrastructure, operations and other service providers to help support the infrastructure necessary to provide the Services;
- to our group companies and other partners who provide data processing services to us (for example, to support the delivery of, provide functionality on, or help to enhance the security of our Services), or who otherwise process personal information for purposes that are described in this Privacy Policy, notified to you when we collect your personal information, or notified to you by the group company or partner.

We may also disclose information about you:

- if we are required to do so by law or legal process, including in response to a valid request from law enforcement authorities or other government officials;
- when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation of suspected or actual illegal activity;
- if necessary to protect our legal rights or the legal rights of another individual or entity;
- in connection with a corporate reorganization or a sale or transfer of all or a portion of our business or asset; or
- to any other person with your consent to the disclosure.

## **Selling and sharing personal information**

Certain disclosures of personal information described above that relate to our provision of targeted advertising services may be considered "selling" or "sharing" for the purposes of cross-context behavioral advertising, or processing for the purposes of targeted advertising, as those terms are defined under applicable U.S. state privacy laws. Accordingly, we provide you an opportunity to opt-out of these disclosures (or for EEA and UK, to opt-in). We may "sell," "share," or disclose for targeted advertising your personal information:

- to advertisers and publishers or their designated third-party representatives as part of our Performance and Media Services;
- to agencies, agency trading desks, remarketing entities, ad servers, brand safety and consent verification entities, measurement and analytics entities, data providers, demand-side platforms and supply side platforms, ad networks, and other advertising, ad tech, and analytics providers that assist us in providing the Services to our Clients;

### *International Transfers*

Supplier and our Clients, data recipients or service providers may be located in various countries throughout the world, including the United States. As a result, your personal information may be transferred to, and processed in, countries other than the country in which you reside. These countries may have data protection or privacy laws that are different from the laws of your country (and, in some cases, may not be as protective).

However, we have taken appropriate safeguards (such as contractual commitments) in accordance with applicable legal requirements to ensure your data is adequately protected. To legitimize EU and UK data transfers outside of the EU and UK for processing within the Rakuten Group companies, Supplier relies on the Rakuten Binding Corporate Rules (BCRs), found [here](#). The Rakuten BCRs ensure your personal information is protected by requiring all Rakuten Group companies to adhere to the same standards when processing your personal information.

For EU and UK data transfers to entities outside of the Rakuten Group in countries that have not been deemed to provide an adequate level of protection by the European Commission, we use approved contracts, such as the EU Standard Contractual Clauses for the transfer of personal data to Third Countries pursuant to Regulation (EU) 2016/679 in accordance with Commission Implementing Decision (EU) 2021/914 of 4 June 2021 and the United Kingdom's International Data Transfer Addendum to the EU Commission Standard Contractual Clauses, VERSION B1.0, in force 21 March 2022, as appropriate and additional safeguards where required. Further details can be provided upon request.

For transfers of personal data from non-EU/UK countries where international data transfers are limited or restricted, we comply with the relevant applicable laws to legitimize such transfers.

## **How we retain and secure personal information**

### *Data Retention*

Supplier retains personal information about you for as long as it is necessary to fulfill the business purposes described above, unless you request it to be deleted before then. Even so, some of your information may be retained in our systems after you request deletion, in the event that a legal exception applies, such as in order to comply with our legal obligations, collect fees, submit to a tax or accounting audit, resolve disputes, enforce our legal rights, and undertake any investigations necessitated by the foregoing. When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion.

### *Information Security*

We take appropriate technical and organizational measures to protect against unauthorized access to or unauthorized alteration, disclosure or destruction of personal information. This includes the necessary physical, electronic and managerial procedures designed to protect data integrity, accessibility and confidentiality. Please note that no method of transmission over the internet or method of electronic

storage is 100% secure. As a result, we strive to protect your personal information but cannot ensure or warrant the security of your information against any possible loss or unauthorized access.

### Description of your privacy rights

You may have certain rights regarding your personal information, based on applicable local privacy law(s), which may include the following:

- **To Know** about our processing of your personal information/data – you may request that we provide you:
  - Confirmation as to whether we are processing your personal information/data
  - The categories of personal information we process about you
  - The purposes of processing, including our business or commercial purpose for collecting, selling, or sharing your personal information
  - The categories of sources from which we collected your personal information
  - The categories of personal information we disclosed for a business purpose and the categories of recipients to whom we disclosed it, especially international recipients
  - The categories of personal information we sold or shared with third parties for targeted or cross context behavioral advertising and the categories of third parties to whom we sold or shared it
  - The existence of any automated processing
  - Expected retention periods.
- **To Access** your personal information/data portability – You may request that we send you (or another organization, under certain conditions) a copy of your personal data in our possession, in a readily usable and portable format;
- **To Rectify/Correct** inaccurate personal information the information we hold about you – You may request that we correct personal information you believe is inaccurate or complete any information you believe is incomplete;
- **To Erase/Delete** your personal information – You may request that we delete your personal information under certain conditions or subject to certain legal exceptions;
- **To Restrict/Limit** our processing of your personal information – You may request that we restrict our processing of your personal information, under certain circumstances;
- **To Object to our Processing** of your personal information – You may object to our processing of your personal information, under certain circumstances;
- **To Opt-out** of certain disclosures of your personal information that may be considered selling or sharing for the purposes of targeted or cross-context behavioral advertising;
- **To Withdraw your Consent** – You may request to withdraw your consent for processing that is based on your consent;
- **To Not Be Subject to Discrimination** for exercising your rights – We will not discriminate against you for exercising any of your privacy rights by denying you goods or services, charging you or suggesting you may receive different prices or rates for goods or services, or providing you a different level or quality of goods or services if you exercise your rights;
- **To Lodge a Complaint** – We appreciate the opportunity to address any complaint you may have about our processing of your personal information or handling of your rights request, so please direct any concerns to us via email at [rm-subjectrequests@mail.rakuten.com](mailto:rm-subjectrequests@mail.rakuten.com). Regardless, you have the right to complain to a data protection authority about our collection and use of your personal information. Contact details for data protection authorities in the European Economic Area are available here and for the UK's ICO here: <https://ico.org.uk/global/contact-us/>.

### How to exercise your privacy rights

To exercise any of the above rights, please contact us as described below:

- Online: fill out the form located here: <https://rakutenadvertising.com/legal-notices/services-privacy-rights-request-form/>
- By toll-free number at 1-855-807-7741
- Alternatively, you can contact us as provided in the Contact Information section of this Privacy Policy.

Please note that we may need additional information from you to verify your identity or understand the scope of your request, although you will not be required to create an account with us to submit a request or have it fulfilled. We will require you to provide, at a minimum, the information indicated as required on the webform linked above.

You may designate an authorized agent to make a request on your behalf by having the agent complete the webform located at <https://rakutenadvertising.com/legal-notices/services-privacy-rights-request-form/> and provide the authentication information.

We will only use personal information you provide in this process for the purpose of fulfilling the request or verifying the requestor's identity or authority to make the request. If we are unable to verify the requestor's identity with reasonable certainty, we may deny your request as permitted by law. Under the CCPA, you may not make a request to know or access more than twice within a 12-month period. We will respond to all requests we receive from individuals wishing to exercise their rights in accordance with applicable data protection laws.

### **Opt-outs (Do Not Sell or Share My Personal Information/Personal Data Opt-out) and withdrawing consent**

#### *Web Browser/Cookie-Based Opt-In/Opt-Out*

Rakuten Advertising may set our cookies on your browser when you visit publisher sites where our Services are used. You can access this link <https://rakutenadvertising.com/legal-notices/services-privacy-rights-request-form/> to opt-out from our use or sharing of any information obtained from these cookies in our Services. Our opt-out process does not affect any other cookies that may be set by or at the publisher sites you visit. For more information regarding cookie-based opt-outs, click here: <https://go.rakutenadvertising.com/hubfs/Cookie-Policy.pdf>

#### *Mobile Application-Based Opt-Outs*

Cookie-based opt-outs are not effective on mobile applications. Users may opt out of certain advertisements on mobile applications or reset advertising identifiers via their device settings. To learn how to limit ad tracking or to reset the advertising identifier on your iOS and Android device, click here: <https://go.rakutenadvertising.com/hubfs/Cookie-Policy.pdf>. You may also download and set your preferences on the App Choices mobile application(s) available in Google Play or the Apple App stores.

#### *CTV/OTT/Streaming TV-Based Opt-Outs*

Cookie-based opt-outs are not effective on CTV/OTT/Streaming TV applications. Users may opt out of certain advertisements on such applications and take other steps via their device settings. To learn how to take these steps you may visit the NAI CTV opt-out page (<https://www.networkadvertising.org/internet-connected-tv-choices/>) which explains how users can activate privacy features in many common CTV/OTT/Streaming TV environments.

#### *Withdrawing consent*

If we collected and process your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent. You can withdraw your consent by visiting this

link: <https://rakutenadvertising.com/legal-notices/services-privacy-rights-request-form/> and submitting a request or by contacting us as provided in the Contact Information section of this Privacy Policy.

### Additional disclosures

This section contains disclosures required by various U.S. state privacy laws, as applicable, and applies to “personal information” or analogous terms.

#### *Shine the light*

California law permits California residents to annually request certain details about how their information is shared with third parties for their direct marketing purposes. We do not share your information with third parties for their direct marketing purposes.

#### *Personal Information We Collect, Disclose for a Business Purpose, Sell and/or Share.*

<b>Categories of Personal Information</b>	<b>Categories of sources from which information is collected:</b>	<b>Business or commercial purposes for collection, use, and sharing:</b>	<b>Disclosed for business purposes to the following categories of third parties:</b>	<b>Sold/shared to the following categories of third parties:</b>
Online identifiers (such as hashed email address or unique online identifiers)	Service Providers Data Providers Consumers Data Resellers	Performing the Services for our Customers Personalized Advertising Internal Research Internal Operations Activities to improve services Auditing Facilitating transactions and fulfilling orders  Develop and implement advertising services  Legal compliance Detecting and protecting against security incidents, fraud, and illegal activity Debugging  Product development	Service Providers Clients (advertisers and publishers) Affiliates	Advertisers, Publishers that participate in our network, Ad services companies Analytics companies
Internet or other electronic network activity	Advertisers Service Providers	Performing Services Personalized	Service Providers Customers (advertisers and	Customers Publishers that participate in our



<p>information (such as browsing history, search history, interactions with a website, email, application, or advertisement)</p>	<p>Consumer Data Providers</p>	<p>Advertising Internal Research Internal Operations Activities to improve services Auditing Facilitating transactions and fulfilling orders Develop and implement advertising services</p> <p>Legal compliance Detecting and protecting against security incidents, fraud, and illegal activity</p> <p>Product development Debugging</p>	<p>publishers) Affiliates</p>	<p>network Ad services companies Analytics companies</p>
<p>Geolocation information</p>	<p>Advertisers Service Providers Consumer Data Providers</p>	<p>Performing Services Personalized Advertising Internal Research Internal Operations Activities to improve services Auditing Facilitating transactions and fulfilling orders Develop and implement advertising services</p> <p>Legal compliance Detecting and protecting against security incidents, fraud, and illegal activity Product development Debugging</p>	<p>Service Providers Customers (advertisers and publishers) Affiliates</p>	<p>Customers Publishers that participate in our network Ad services companies Analytics companies</p>
<p>Inferences drawn from the above information about</p>	<p>Advertisers Service Providers</p>	<p>Performing Services Personalized</p>	<p>Service Providers Customers (advertisers and</p>	<p>Customers Publishers that participate in our</p>

your predicted characteristics and preferences	Consumer Data Providers	<p>Advertising Internal Research Internal Operations Activities to improve services Auditing Facilitating transactions and fulfilling orders Develop and implement advertising services</p> <p>Legal compliance Detecting and protecting against security incidents, fraud, and illegal activity</p> <p>Product development Debugging</p>	publishers) Affiliates	network Ad services companies Analytics companies
Other information about you that is linked to the personal information above	Advertisers Service Providers Consumer Data Providers Consumers	<p>Performing Services Personalized Advertising Internal Research Operations Activities to improve services Facilitating transactions and fulfilling orders Develop and implement advertising services Legal compliance Detecting and protecting against security incidents, fraud, and illegal activity Product development Debugging</p>	Service Providers Customers (advertisers and publishers) Affiliates	Customers Publishers that participate in our network Ad services companies Analytics companies

**Changes to this Privacy Policy**

Supplier reserves the right to change or replace this Privacy Policy at any time to reflect any changes in our privacy practices or updates to applicable laws. When we update our Privacy Policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make. We will

obtain your consent to any material Privacy Policy changes that affect your personal information if and where this is required by applicable data protection laws. Any changes or replacement will be posted on our website related to this Privacy Policy and located here. You can see when this Privacy Policy was last updated by checking the “last updated” date displayed at the top of this Privacy Policy. We encourage you to review our Privacy Policy on a regular basis.

### **Contact us**

For any questions about our privacy practices, you may contact our Data Protection Officer and privacy team by email here: [rm-privacy@mail.rakuten.com](mailto:rm-privacy@mail.rakuten.com)

Our postal address is:  
Rakuten Advertising  
215 Park Ave. South, 2nd Floor  
New York, NY 10003

If you are located within the European Economic Area, the data controller of your personal information is Rakuten Marketing LLC dba Rakuten Advertising (together with its subsidiaries).

The European establishment for purposes of this Policy is:

Rakuten Marketing Europe Limited  
Vintners Place  
68 Upper Thames St.,  
London EC4V 2AF  
United Kingdom