

# Privacy Policy

## BrooklyNYC.com PRIVACY POLICY

Effective Date of this version: November 1, 2007

Thank you for visiting BrooklyNYC.com, including the BrooklyNYC online store; (collectively, the "Website"). This Website is operated by BrooklyNYC LLC. ("BrooklyNYC"), located at 40 South Oxford Street, Brooklyn, NY 11217. Your access to and use of this Website is subject to the following Privacy Policy ("Privacy Policy") and all applicable laws. The terms "BrooklyNYC," "we," "us" and "our" when used in this Privacy Policy mean BrooklyNYC LLC. The terms "you" and "your," when used in this Privacy Policy, mean any user of this Website.

We understand your concerns about privacy and we want to assure you that BrooklyNYC takes privacy matters seriously. Therefore, we are providing this notice explaining our online information practices and the choices you can make about the way your information is collected and used. If you have questions regarding this Privacy Policy, you may direct them to [info@brooklynyc.com](mailto:info@brooklynyc.com).

Important: by submitting information manually or in electronic form to us and/or by using our Website, you give your consent that all information that you submit may be processed by BrooklyNYC in the manner and for the purposes described below. Do not send BrooklyNYC any confidential or proprietary information other than as necessary to process your order.

### What type of information does BrooklyNYC collect?

Our goal is to provide you with an enjoyable shopping experience. We sometimes collect information about you in an effort to make our products and services more efficient and customized to you. You are free to browse the Website without revealing any personally identifiable information about yourself. However, once you give us your personally identifiable information (as further described below), you are not anonymous to us. We collect two types of information from visitors to the Website, "Automatic Anonymous Information," or "AAI," and "Personally Identifiable Information, or "PII." We treat AAI and PII differently and the following sections describe both AAI and PII, and address how each type of information is collected and used by BrooklyNYC.

The Website may automatically track certain information based upon your behavior. This information does not identify you personally. We use this information to improve the content and functionality of this Website, and to better understand and serve our shoppers. This information may include what browser you are using, your IP address, or other information.

"Cookies" are small pieces of information that a website will send to and store on your computer's hard drive. Most browsers automatically accept cookies, but you can configure your browser to prevent the use of cookies. Crocs may use cookies to make our services available or easier for you to use. For instance, we may use cookies to store preferences or to store items in your shopping cart between visits. We may also store PII in cookies to improve our services and facilitate your use of the Website. Acceptance of cookies is not a requirement to browse our Website, however certain features and services may require the use of cookies to work properly, including our shopping cart and check out features. If you would like to place your order without the use of cookies, please email one of our Customer Service Specialists at [info@brooklynyc.com](mailto:info@brooklynyc.com).

PII is individually identifiable information about you that could permit one to identify or contact you. At various places on the Website, we may request certain PII, such as your name, phone number, e-mail, billing address, shipping address and other personal information. You may choose to provide PII in order to access or use certain features or services of the Website, such as making a purchase, registering on the Website, entering a contest or sweepstakes, filling out a survey, or providing feedback. Where possible, we indicate which fields of information are required and which fields are optional. You can always choose not to provide information, but you may not be able to use a particular service or feature on the Website.

### Our use of your information

We use All to collect from you for specific and limited purposes, including improving our products and services, making your shopping experience more efficient and relevant, and providing you with a personalized service. We may also use your All internally to administer this Website.

When you enter a contest or other promotion, we may ask you for certain PII such as your name, address and/or e-mail address in order to administer the contest, to send you promotional emails, notify winners and make the winners' list publicly available pursuant to applicable law. Your consent to such promotional use and disclosure of this information is a condition of your participation. In cases where the sweepstakes or promotional offer is co-branded with or sponsored by another party, we may share your information, with your consent, with that party. Entering such contests and providing the required PII in these instances is solely your choice; you do not need to provide such information or enter such

contests to browse this Website.

If you provide us with your e-mail address as part of a purchase transaction on our Website, or if you opt-in to receive communications from BrooklyNYC, we may periodically send you newsletters, e-mails featuring exclusive sales and promotions, and e-mails requesting your feedback on our products and services. In addition, if you make a purchase on our Website, we will send you order and shipping confirmation emails. You can remove your e-mail from our e-mail list at any time by visiting the "Account" section above to change your preferences, or clicking on the "unsubscribe" link in every BrooklyNYC e-mail.

Does BrooklyNYC share the information it receives?

BrooklyNYC may share your PII: (i) with third parties who are under obligations of confidentiality with BrooklyNYC or with BrooklyNYC's affiliates or subsidiaries, (ii) if BrooklyNYC is required by law to do so, (iii) in the event of a transfer of ownership of BrooklyNYC, merger or other similar transaction, or (iv) as otherwise set forth in this Privacy Policy. The following describes some of the ways that your PII may be disclosed to third parties:

We may employ other third parties to perform services or functions on our behalf in order to improve our Website, merchandising, marketing and promotional efforts, communications or other services. Those third parties may include authorized contractors, consultants and other companies working with us (collectively, "agents"). They only have access to PII needed to perform their functions, and they may not share any PII with others or use it for any other purpose than providing or improving BrooklyNYC's services and offerings.

We may work with third party advertising companies, to serve and track our ads. These third parties may serve other cookies. Our advertising partners may use the All they collect from our Website, in the aggregate, to help us better market and serve our customers.

This Privacy Policy applies only to the Website and does not address the practices of third parties who may collect your PII. You may visit other websites, through links on our Website, which may collect, use and share your PII in accordance with their own privacy policies. The information practices of those websites linking from or to our Website are not covered by this Privacy Policy, and we encourage you to be very cautious before you disclose your PII to others. If you register for BrooklyNYC on another website or use a website providing a service for BrooklyNYC, that website may provide PII about you and your transactions back to BrooklyNYC.

In order to provide you with the information or products or services which you have requested, we may share or transfer your PII with our affiliates.

BrooklyNYC may be obligated to cooperate with various law enforcement inquiries. BrooklyNYC reserves the right to share or transfer PII to comply with a legal requirement, disclose any activities or PII about you to law enforcement or other government officials as we, in our sole discretion, determine necessary or appropriate, in connection with an investigation of fraud, for the administration of justice, intellectual property infringements, or other activity that is illegal or may expose us or you to legal liability.

#### Accessing and Updating Your Information

You always have the opportunity to review and change the information you provide to us by logging into the site and entering in the new information yourself. You can edit your name, contact information and preferences by logging into the "My Account" section of the site.

You may ask to have your account information removed from our active databases; however, because we keep track of past purchases, we cannot delete information associated with past purchases. Also, as a security measure we "back up" the data stored on our systems, and such prior information cannot be completely removed from our databases. Therefore, you should not expect that all of your PII will be completely removed from our databases in response to your requests.

#### A special note about children's privacy

You must be at least 13 years old to have our permission to use this Website, and at least 18 years old to make any purchases in our online store. We do not knowingly collect, use or disclose Personally Identifiable Information about visitors under 13 years of age. If you are under the age of 13, you can use this service only in conjunction with your parent's or guardian's permission.

#### Privacy Policy Changes

BrooklyNYC reserves the right to change, modify, add or remove portions of this Privacy Policy at any time. Any changes will be posted in this document and will become effective immediately upon being posted unless we tell you

otherwise.

#### Transfer of Data Abroad

If you are visiting this Website from a country other than the countries in which our servers are located (currently the United States), the various communications will necessarily result in the transfer of information across international boundaries. By visiting this Website and communicating electronically with us, you consent to the processing and transfer of your data as set out in this Privacy Policy.

#### Governing Law

This Privacy Policy forms part of our Website Terms of Use and as such shall be governed by and construed in accordance with the laws of the State of New York in the United States of America without regard to conflicts of a law principles. You hereby consent and waive all objection to jurisdiction of the federal and state courts of the state New York and to venue therein.

#### Contacting Crocs with questions or comments

If you have further questions about BrooklyNYC's Privacy Policy or comments on how we can improve the BrooklyNYC shopping experience, please do not hesitate to email us at [info@BrooklyNYC.com](mailto:info@BrooklyNYC.com)

Need more help? You can refer to our Help Center or email one of our friendly Customer Service Specialists at [info@brooklynyc.com](mailto:info@brooklynyc.com).

You may also contact us at:

Privacy Manager  
BrooklyNYC, LLC.  
40 South Oxford Street, Brooklyn, NY 11217

(718) 222-0375

We always enjoy hearing from you and appreciate your business.