

# Privacy Policy

## Internet Privacy Policy -- Tokyo Century (USA) Inc.

Effective date: November 1, 2016

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**This web site is not intended for visitors under 18 years of age. We do not knowingly solicit or collect personal data from or about children, nor do we knowingly market our products or services to children. If you are under 18 years of age, please leave this site immediately.**

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### INTRODUCTION

The privacy of the users of this website ("you"; related references: "your", etc.) is important. This Privacy Policy ("statement" or "policy") is intended to provide you with information concerning the privacy policies and practices employed by Tokyo Century (USA) Inc. and its affiliates (collectively "TCUSA" or "we", "us"; related references: "our", etc.), including the types of information gathered and tracked, how the information is used, and with whom the information may be shared.

In order provide quality service for customers and prospective customers, we may collect maintain and use certain financial and other information about you as described below. We recognize and respect your privacy concerns and expectations and we want you to know about our privacy policies and practices, and what we do to protect the information you share with us.

**By visiting our website, you agree to be bound by this Privacy Policy.**

### PERSONALLY IDENTIFIABLE INFORMATION WE COLLECT FROM VISITORS - USE

In general, you can visit TCUSA web sites without telling us who you are and without giving us personal data about yourself. There are times, however, when we may need personally-identifiable information ("PII" or "information") from you in order to act on your request. (NOTE: If you give us information about someone else, such as a spouse, we will assume that you have their permission to do so.)

PII is information that identifies or can be used to identify an individual for example by name, address, telephone number, account number, or e-mail address. Instances where we collect PII include the following: (1) your application for a job (if permitted), (2) your use of this site to apply for, or supplement an existing application for, credit (if permitted), (3) your use of this site to check the status of your account (if offered), and (4) your delivery of e-mail or a request for information. We may use the information that you provide in these circumstances to: (1) consider you for employment and to contact references; (2) to conduct a credit review, (3) to respond to your inquiry; (4) to reply to your e-mail.

If you **tell us in writing** (using the contact information shown below) that you do not want us to use the information you provide to make further contact with you beyond fulfilling your request, we will respect your wishes.

### OTHER WAYS IN WHICH WE MAY USE THE INFORMATION WE COLLECT

We may also use the information that you provide to help us improve the content and function of this or other sites, to better understand our customers, to improve services, to enhance promotional

efforts, and to contact you, electronically or otherwise, about services that we believe will interest you. If required by law, such communications will explain how to “opt out” from receiving promotional information. You may not, however, opt out from receiving communications about your account(s), such as service announcements and administrative notices.

#### **OTHER DATA WE AUTOMATICALLY COLLECT**

When you visit this site, we may collect certain non-personal data by various means, one of which is “cookies.” A cookie is a unique electronic identifier that our system stores on your computer. The cookie allows us to recognize your computer when you revisit our site. Cookies help to improve the use of our site, for example, by providing quick login, and/or saving you from retyping information in a form. Cookies also allow web sites to analyze aggregate traffic on the site, in order to streamline navigation and keep the content fresh for visitors. You may configure your browser to reject cookies. Cookies do not contain personal data, nor can they read or transmit any data on your computer’s hard drive.

In addition to cookies, all web browsers transmit the IP address of the computer on which they are running (so that our system knows where to send web page you’re looking for). IP address information may be used by us to: (1) diagnose service or technology problems, (2) estimate the number of users visiting our site from specific geographies, (4) track visits to our site, (5) help determine whether you have signed up for access to certain areas of our site that contain non-public content.

#### **SHARING DATA**

Unless there is a valid non-disclosure or confidentiality agreement in place between you and us, the terms governing our sharing of information are as shown here. We reserve the right to share some or all of the information that you provide to us under the following circumstances:

- a. Affiliated companies, investors and business partners; subject to applicable confidentiality arrangements:
  1. We may share your name, address, and information about your transactions and experiences with us.
  2. We may also share other personal data that you provide in order to provide you with information about products or services that may interest you.
  3. TCUSA is a global organization, with legal entities, business processes, management structures, and technical systems that cross borders. We may share your personal information within TCUSA and transfer it to countries in the world where we do business. When that happens, we will handle your information as required by applicable law.
- b. Agents and Service Providers: In order to establish, administer, and manage our customers’ accounts, evaluate credit, provide customer service and benefits, process account transactions and account statements, conduct research and analysis, or process job applications, we may disclose personal data to companies and/or financial institutions that provide services to us or on our behalf. We may also share personal data with companies that perform marketing services on our behalf, or with other financial institutions (including insurance companies) with which we have relationships.
- c. Third Parties: in certain instances we are permitted and even required to disclose your personal data to third parties. Examples of this type of permitted disclosure include reporting information about transactions you may enter into with us to credit reporting agencies, responding to regulators or auditors, protecting against fraud, or providing information in connection with proposed or actual business transactions involving our companies or

accounts. We may also disclose your personal data to third parties when legally compelled to do so, or when we believe that such disclosure is appropriate to comply with the law, to enforce our terms of use, or to protect the rights, property, or safety of TCUSA, its employees, customers, visitors to the site, and others. Be advised that these disclosures can usually be made without your consent.

## **MERGERS AND ACQUISITIONS**

Circumstances may arise where, whether for strategic or other business reasons, TCUSA decides to sell, buy, merge or otherwise reorganize businesses in some countries. Such a transaction may involve the disclosure of PII to prospective or actual purchasers. It is TCUSA's practice to seek appropriate protection for information in these types of transactions.

## **SECURITY**

TCUSA uses reasonable measures to protect personal data from unauthorized access, deletion, or alteration.

However, e-mail communications are not encrypted; therefore, you should not send any personal data by email.

## **LINKS**

TCUSA web sites may have hyperlinks to or pop-up windows from other web sites. TCUSA is not responsible for their content or privacy practices. We urge you to review the privacy policy of any web site to which you are redirected.

## **CASE STUDIES**

*TCUSA web sites may contain "case studies" describing scenarios where TCUSA customers benefitted from TCUSA's services and expertise. Because no two customers are alike, these case studies should only serve as examples of other customers' experiences, and thus may differ from your experience.*

## **NOTICES AND REVISIONS**

TCUSA may revise this privacy policy from time to time. You should periodically check the revision date at the top of this Web page to learn of any revisions. **Your use of this web site at any time is deemed acceptance of the privacy policy then in effect.**

## **FOREIGN VISITORS**

***If you are visiting this site from outside the United States, please do not provide any personal information – financial or otherwise – through this site or by e-mail, as this privacy policy may not comply with your local law.***

## **ELECTRONIC MARKETING PRACTICES**

We are committed to complying with applicable U.S. laws regarding the use of electronic means to market products and services. TCUSA maintains written policies requiring compliance with the so-called Junk Fax Prevention Act, and the CAN-SPAM Act. If you have questions or concerns about information you may receive from us, please contact us using the information shown below.

## **CONTACT TCUSA**

To "opt out" or make other choices about receiving communications, to update your personal information, to discuss with someone the services provided by TCUSA, or to submit comments or ask questions about our privacy policy, please contact us in writing at:

Tokyo Century (USA) Inc.

Attention: General Counsel  
2500 Westchester Ave  
Suite 310  
Purchase, New York 10577.