

Fulton Seafood Market, LLC PRIVACY NOTICE This Privacy Notice is incorporated into Our Terms of Use. All terms defined in the Terms of Use shall have the same meaning when used herein unless otherwise noted.

Fulton Seafood Market, LLC respects Your privacy. This Privacy Notice (“Privacy Notice”), describes what information We collect from or about You, how it is used, and what choices You may have regarding Your information in connection with Our Website, located at <https://www.tinbuilding.com/> public Wi-Fi service which may be available while visiting The Tin Building, (“Wi-Fi Service”), or any other related website, webpage, application, social media, or other Internet, mobile, or wireless offerings no matter how accessed (all collectively referred to as “Website”) that provide a link to this Privacy Notice or Fulton Seafood Market, LLC’s Terms of Use.

__Please read this Privacy Notice in its entirety By using the Website, Wi-Fi Service, or any of its components you are consenting to the practices described in this Privacy Policy and agree to be bound thereby. If you do not agree with the terms of the Privacy Policy, please do not use the Website.

1. PERSONAL INFORMATION THAT WE COLLECT

a. Types of Information:

Fulton Seafood Market, LLC may collect personal information about You in connection with Your access to, use of, or submissions to the Website and Your consideration and purchase of any Products or Services offered. The type of personal information that We collect depends on what which portions of the Website and its components You choose to access and use. We may collect personal information about You, such as:

- Your full name, nickname or handle, physical address, email address, and telephone number;

- Your use of a credit card or other financial information if You chose to make a purchase or subscribe to a feature that requires a fee, including bank, credit or debit account numbers, or other Payment Information but not the credit card or other financial information itself. Payment Information will be collected and processed by our third-party payment vendors pursuant to the terms and conditions of their privacy policies and terms of use. We do not obtain access to any Payment Information in connection with such purchases or subscriptions.

b.

- Your interactions with the Website, such as Your history of uploads or downloads, Your preferred language for communicating with Us, and Your devices that You use to access and use the Website;

- Information about Your geolocation, such as when You sign in and use the Wi-Fi Service and/or certain Website features and functions which require Your location;

- Information that You share as a result of Your public participation in the <https://www.tinbuilding.com/>

- Your Website, Products and Services history and preferences;

- Your IP address and information about Your browsing, search history and navigation on, to and from the <https://www.tinbuilding.com/>

- Information that You chose to share with Us voluntarily, such as regarding Your consumer preferences and interests. We may also obtain additional information about You that may or may not be directly linkable to You. Examples include, but are not limited to, aggregate information, analytics information using cookie IDs, advertising segment information, advertising IDs/cookie or device information. Sources of Information: Fulton Seafood Market, LLC collects information about You from a variety of sources, including:

- Directly from you, for example when You communicate with Us by email, phone or SMS text, such as in connection with Your purchases, Your visit to The Tin Building, The Website, or Your Products and Services experiences; when You complete webforms; when You participate in surveys, reviews, sweepstakes or contests that may be made available by Fulton Seafood Market, LLC or its partners or affiliates from time to time; or when You submit content for publication on The Website, such as for blogs, social media pages, product review pages, community events, etc.
- Indirectly from you, for example, by observing your actions on our Website or Wi-Fi Service while visiting the Tin Building, or through information we collect while providing Products or Services;
- Directly and indirectly from your activity on the Website, for example, through Website portal or Website usage details that are collected automatically or through your inquiries or submissions on the Website; <https://www.tinbuilding.com/>
- From third parties, for example, third parties that assist Fulton Seafood Market, LLC to provide, maintain, improve or enhance customer experience when accessing or visiting, The Website or the Tin Building.

2.HOW WE USE THE INFORMATION WE COLLECT

Fulton Seafood Market, LLC may use personal information for a variety of Fulton Seafood Market, LLC's business purposes and to the extent and manner permitted by law, including:

- To fulfill or meet the reason for which the information is provided. For example, to provide You with access to the Website, to facilitate delivery of Products and Services, including order selection, processing, returns and/or renewals; to respond to Your questions or communications regarding the Tin Building, Your visit, Our Products and Services, and Your Fulton Seafood Market, LLC Member Account; to communicate with You regarding any changes to your Member Account; and to otherwise provide customer service functions;

- To provide You with communications regarding any changes to Fulton Seafood Market, LLC's policies or account management procedures, notices, or terms of use; information on new events, products or services or updates; sweepstakes, promotions and special offers regarding The Tin Building, Our Products and Services, The Website or programs, or Our partners' or affiliates' products, services or programs that may interest you;
- To carry out Our obligations and enforce Our rights arising from any contracts entered into between You and Us, including for billing and collections;
- To publish content on the Website, under some circumstances, such as when Fulton Seafood Market, LLC publishes testimonial comments or enables public participation forum by Users on the Website; <https://www.tinbuilding.com/>
- To personalize Your Website experience and to deliver content and service offerings relevant to Your interests including via email or text message (with your consent, where required by law);
- To help maintain the safety, security, and integrity of our Website, services, databases and other technology assets, and business on behalf of Fulton Seafood Market, LLC and its Users;
- To investigate or prevent a violation of any individual's contractual or other relationship with Fulton Seafood Market, LLC or where Fulton Seafood Market, LLC has a good faith belief that access, preservation or disclosure of such information is reasonably necessary to protect the rights, property or safety of Fulton Seafood Market, LLC, its Users or the public, or to prevent or respond to any illegal, fraudulent or harmful activity;
- For testing, research, analysis, and product development, including to develop and improve our Website, Products and Services, and Your experience while visiting The Tin Building and with the Website, Products and Services;

- For marketing Fulton Seafood Market, LLC's Events, Products and Services or Programs, including providing You, (via alerts, banner ads, postal mail, event registration, email and other notices) with information about offers, programs, products and services that Fulton Seafood Market, LLC believes may be of interest to You;
- At the request of law enforcement or governmental agencies or in response to subpoenas, court orders or other legal process, or to establish, protect or exercise Fulton Seafood Market, LLC legal or other rights, to defend against a legal claim or as otherwise allowed by law or regulation;
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our Users is among the assets transferred.

3. HOW WE SHARE INFORMATION

FULTON SEAFOOD MARKET, LLC does not sell Your personal information or sensitive information to nonaffiliated third parties for their business purposes, nor do we share information, except as permitted by law, as described in this Privacy Policy or otherwise with Your consent.

FULTON SEAFOOD MARKET, LLC may share information about You to third parties for Fulton Seafood Market, LLC's business purpose, such as with agents, contractors, service providers or affiliates who help Us operate the Tin Building or the Website, assist with Fulton Seafood Market, LLC's marketing, conduct business on Our behalf, or help Us complete a service You requested, such as processing your credit card payment or delivery of Products or Services that You ordered. When We share information for Our business purpose, We do so only to the extent required for Our business purpose and only as permitted by relevant law. We may also share personal information with third parties if and for the purposes that you have authorized Us to do so.

Fulton Seafood Market, LLC may share personal information when it believes that it is reasonably required to do so by Federal or State enforcement officials, when state or federal law requires Us to do so (such as to comply with an inquiry from law enforcement officials), when ordered by a court or by other compulsory legal process or when We believe, in good faith, it is necessary for us to comply with its legal obligations or to investigate or prevent suspected illegal activities or fraud.

4. COOKIES, IP ADDRESSES and OTHER TECHNOLOGY

a. Browser Cookies

“Cookies” are small pieces of information that are stored by Your browser on Your computer’s hard drive. By placing a “cookie”, the web servers operated by Fulton Seafood Market, LLC and Our third-party service providers can remember and distinguish Your web browser over time. We use “cookies” for a variety of functions, such as authentication, other types of security, User logins, to enable collection of analytics information, to market Our Products and Services to You, to optimize Our Website, and to personalize and customize Your experience with the Website and while visiting The Tin Building. As one example, cookies enable Us to remember information You gave to Us so that you don’t have to reenter it each time You visit, such as in regard to Your account information, purchase history, and preferences. If You do not wish to permit “cookies” to be placed by Us, You should turn off or disable cookies on your browser or device. However, disabling cookies will also prevent the Website from being fully functional.

b. IP Addresses

Fulton Seafood Market, LLC maintains internal logs for Internal Protocol (IP) addresses. An IP address is a number that is automatically assigned to Your computer each time You access the Internet. Your IP address does not contain personally identifiable information. Fulton Seafood Market, LLC or its third-party service providers may collect IP addresses in order to conduct system administration, report aggregate information, conduct site analysis, and to detect improper use of the site. We sometimes use IP addresses to identify

the general location of Your computer based on publicly available and third-party information. We may use IP addresses to market to You through internet marketing, mail or call campaigns, or online targeted, interest-based advertising.

c. Other Technical Information We Collect

In addition to using browser cookies to remember Your browser, Fulton Seafood Market, LLC also may use other technologies such as pixels, local shared objects (such as “Flash cookies”), and HTML5 local storage to collect information and remember your device. Some of the technical information We collect is the type of browser You use (such as Google Chrome, Internet Edge, Safari or Firefox), Your Internet protocol (“IP”) address, the name of Your Internet Service Provider (“ISP”), the version of Your operating system, the dimensions and resolution of your display, Your referrer URL (which is the URL for the website that you were viewing prior to visiting the Website), how You were directed to the Website, which specific pages You access on the Website, how long You view each page, the time and date You access our Website, and any other interaction You have with the Website or Fulton Seafood Market, LLC. Most, if not all this information is collected by third party service providers who assist Fulton Seafood Market, LLC in the operation and maintenance of its Website and to server its Users.

d. Your Options

Most popular Internet browser applications will allow You to configure the browser so as not to accept cookies. However, setting Your browser to reject cookies may, in certain instances, prevent You from taking full advantage of the Website and its capabilities, or cause some features of the Website to function improperly, slowly, or not at all.

The Website also uses various third-party services, such as and including Google Analytics. Google utilizes the data collected to track and examine the use of the Website, to prepare reports on its activities and share them with other Google services. Google may use the data collected on the Website to contextualize and personalize the ads of its own advertising. If You would like additional information regarding the security and privacy

practices of Google Analytics, and how You may manage privacy settings, please visit Google's website to review the materials provided by Google

Social media networks

Opting Out of Third-Party Interest-Based Advertising

WI-FI SERVICES

Free public Wi-Fi Service may be made available to Our Guests while they are visiting the Tin Building. You understand and agree that public wi-fi is not secure and it may enable the transmission of viruses or other harmful applications or permit unauthorized third parties to access your computer or files or otherwise monitor your connection. We do not and cannot guarantee that Your access and use of the Wi-Fi Service will be uninterrupted, error free or secure from interference, virus, malware or other harmful activity by third parties.

Your access and use of the Wi-Fi Service is governed by and You agree to be bound by Fulton Seafood Market, LLC's Wi-Fi Policy, this Privacy Notice, and the Terms of Use and Incorporated Notices.

By signing in and using the Wi-Fi Services, You warrant and agree that You will be bound by this Privacy Notice, The Wi-Fi Policy, Terms of Use and all Incorporated Notices, and that you accept all risk and will indemnify and hold harmless Fulton Seafood Market, LLC from any and all claims arising out of, related to or in any way connected to Your access and use of the Wi-Fi Service.

COMMUNICATIONS WITH US

a. E-MAILS

When You choose to use communicate with Fulton Seafood Market, LLC using e-mail, We will respond to You in the same manner. Fulton Seafood Market, LLC may also use the

email address You provide to Us when setting up Your Member Account, or as You may update from time to time, to communicate with You about the Tin Building, The Website, Products, Services or Our promotions, events, or special opportunities. You may opt-out of receiving future email promotions by clicking on the link provided in each email for that purpose. There are certain emails, however, such as those concerning transactions between You and Us, that You may not opt-out of receiving.

While We make reasonable efforts to protect the personal information that You share with us, it is important to note that e-mail messages are unsecured. Please consider the information You chose to include in any email You send. Should you choose to send your information via e-mail, You do so at your own risk. We recommend that if your communication is sensitive or contains personal information, You may want to send it another way.

If You choose to correspond with Us via e-mail, We reserve the right (but not the obligation) to retain the content of Your email messages as well as Your e-mail address or other personal information, and Our responses.

b. SMS Texts

When You provide Your phone information to Fulton Seafood Market, LLC, such as when establishing Your Member Account (or as You may update from time to time) or by providing Your phone information while visiting the Tin Building, making a purchase, etc. You warrant that the information You provide is true, complete and accurate, and that you are the current subscriber or owner of any telephone number that you provide. By voluntarily providing Your telephone number(s), You also expressly agree to receive prerecorded voice messages, and/or autodialed calls and Short Message Service text messages (“SMS”), texts, or other mobile messaging communications from Us, our agents, affiliates, and independent contractors. (collectively “SMS Service”) By consenting to the SMS Service, You agree to receive recurring service-related and promotional messages, including events, offers, updates, alerts, and information (e.g., order updates, account alerts, etc.), promotions, sweepstakes, specials and other marketing offers from and on behalf of Fulton Seafood Market, LLC via text messages through your wireless provider to the mobile number you provided, even if your mobile number is registered on any state or federal Do

Not Call list. Text messages may be sent using an automatic telephone dialing system or other technology. Message frequency may vary. We do not charge for the SMS Service, but standard message and data rates may apply from your wireless carrier. You are responsible for all charges that are incurred. If You have any questions about Your text plan or data plan, it is best to contact Your wireless provider.

You understand that You do not have to sign up for the SMS Service. Your participation in the SMS Service is completely voluntary. You may cancel the SMS Service at any time. Text the keyword STOP to the telephone number, long code, or short code that sends You our initial confirmation message to cancel. After texting STOP to the telephone number, long code, or short code that sends You Our initial confirmation message, You will receive one additional message confirming that your request has been processed. If You unsubscribe from one of our text message programs, You may continue to receive text messages from through any other programs You have joined until You separately unsubscribe from those programs.

You acknowledge that You are aware that SMS messages are not fully secure and could be intercepted by a third party. You acknowledge that if You share Your mobile device with others, they may be able to view Your SMS texts. It is Your responsibility to understand the risks of receiving text messages on Your mobile device.

To the extent permitted by applicable law, You agree that We will not be liable for failed, delayed or misdirected delivery of any information sent through the Service, any errors in such information and/or any action You may or may not take in reliance on the information or SMS Service.

PERSONAL INFORMATION PROVIDED AS PART OF USER CONTENT

On occasion and under certain circumstances, Fulton Seafood Market, LLC may, in its sole discretion, offer Users the opportunity to submit content to the Website, such as questions and endorsements regarding the Tin Building, its culinary marketplace, and restaurants, or Products and Service, Fulton Seafood Market, LLC, general discussions of culinary interests, dining, and other communications with the Fulton Seafood Market, LLC Website community. You should consider what information You chose to share in the content that You submit. If You include personal or sensitive information in the content that You provide

to Fulton Seafood Market, LLC for public postings to the Website, including any bulletin boards, forum posts, etc., such information may be made available to anyone using the Website. Your contact information (which may include, without limitation, Your Account Information such as Your email address) may be part of the content that You post via the Website. Fulton Seafood Market, LLC does not edit or otherwise remove such information from User content before it is posted on the Website. If You do not wish to have Your information made available in this manner, You must remove any such information from the content before posting. Fulton Seafood Market, LLC is not liable for any damages caused or incurred due to information that You have made available in the foregoing manner.

LINKS TO OTHER WEBSITES

The Website may contain links to non- Fulton Seafood Market, LLC websites. Links to other websites are provided to You for information and convenience only and do not constitute an endorsement or recommendation by Fulton Seafood Market, LLC. We are not responsible for, and this Privacy Notice does not apply to, the privacy practices of those websites or of any companies that We do not own or control. We make no representations or warranties regarding the correctness, accuracy, performance, security, privacy or quality of any content, software, service, or application found at any Linked Site. We encourage You to seek out and read the privacy policy and terms of use of each website that you visit.

SECURITY

Fulton Seafood Market, LLC takes commercially reasonable precautions to protect the security of your personal information. We store personal, financial, and other sensitive information in a secure manner and transmit it via a secure internet channel. However, no security measures are perfect or impenetrable, and Fulton Seafood Market, LLC cannot guarantee that the information submitted to, maintained on, or transmitted from its systems will always be secure. Fulton Seafood Market, LLC is not responsible for the circumvention of any privacy settings or security measures contained on the Website by any Users or third parties.

Fulton Seafood Market, LLC shall not be liable for unauthorized disclosure of personal information due to no fault of Fulton Seafood Market, LLC, including, but not limited to,

errors in transmission and unauthorized acts of Fulton Seafood Market, LLC's staff, vendors, employees, affiliates, partners and/or any third parties.

Remember that You are the first and best defense against unauthorized access to Your information. Please do not share your Fulton Seafood Market, LLC Account Information or Password with others and take the necessary steps to assess whether Your personal information is being transmitted to its intended recipient in a reasonably secure manner.

YOUR CHOICES ABOUT YOUR PERSONAL INFORMATION

a. Inquiries concerning the collection and deletion of Your personal information.

We understand that You may have certain questions about Fulton Seafood Market, LLC's access and use of information that We have collected. Under some circumstances, You may be able to opt-out of Our continued collection or use of Your personal information, and/or seek access to or deletion of personal information that We have collected about You in the past.

There are circumstances when Fulton Seafood Market, LLC will not be able to comply with such requests. For example, We may deny a request if We determine, in good faith, that We should not comply because: to do so would violate or conflict with Fulton Seafood Market, LLC's legal obligations; the information is the privileged, proprietary or confidential information of Fulton Seafood Market, LLC or someone other than the person making the request; the identity or authority of the person making the request cannot be confirmed; compliance with the request would compromise the privacy or legal rights of others; the burden or expense of responding would be disproportionate to the requesting individual's privacy risk; the information is commercially necessary for Us to complete transactions or provide products or services that the User requested; or to do so would impede Fulton Seafood Market, LLC detection, correction or prevention of any security incident, intentional or non-intentional interference with the Website, products or services.

Additionally, under some circumstances, even if You opt-out, non-personal information regarding your activities on the Website, and/or information from third-party websites for

non-interest-based advertising purposes may be collected and used to determine the effectiveness of the advertisements.

If You have any questions or concerns about Fulton Seafood Market, LLC collection or use of Your personal information, wish to opt-out of further collection of Your personal information or request deletion of personal information presently in Our possession, please contact Us using one of the methods set forth below.

Upon receiving Your request, We will endeavor to respond to request in a commercially reasonable time.

Please contact us:

EMAIL privacy@tinbuilding.com

US Mail Fulton Seafood Market, LLC ADDRESS: 96 South Street, NY, NY 10038 Attention: General Manager

Phone Number 646-868-6000

Website: <https://www.tinbuilding.com/>

b. Opt-out of specific phone, email, text, or marketing offers.

In accordance with Your prior experience with Fulton Seafood Market, LLC , including in some cases, the permission You have given Us, Fulton Seafood Market, LLC may use a variety of means, such as phone, email, or text, to communicate with You regarding Fulton Seafood Market, LLC's marketing offers and/or the marketing offers of Our partners or others that may be of interest to You.

If You do not wish to receive phone, mail, SMS text. or email marketing offers, You may request that we remove your name from our internal email, direct mail, or internal telemarketing lists.

EMAIL privacy@tinbuilding.com

US Mail Fulton Seafood Market, LLC ADDRESS: 96 South Street, NY, NY 10038

Attention: General Manager

Phone Number 646-868-6000

Website: <https://www.tinbuilding.com/>

If You no longer would like to receive special offer information, sweepstake, or other promotional messages from Us, via email, You may click the link at the bottom of any email You receive from Us and follow the instructions. Your email address will be removed from Our marketing list. However, Fulton Seafood Market, LLC may continue to communicate with you concerning Your Fulton Seafood Market, LLC Member Account, Products and Services, delivery, billing, renewal, and other matters. Please allow us a commercially reasonable period of time in order to satisfy your request, as some promotions may already be in process.

c. Opt-out of Social Media. Fulton Seafood Market, LLC offers our community the opportunity to share their experiences, opinions and questions through social media, such as our group app on Facebook. You are free to leave our group at any time, using the social media's settings. Additionally, if, any time you wish to request deletion of personal information presently in Our possession as a result of Your social media use, please contact Us using one of the methods set forth below. Upon receiving Your request, We will endeavor to respond to request in a commercially reasonable time.

However, there are circumstances that we may be unable to comply with Your deletion request as are more fully described in “a. Inquiries concerning the collection and deletion of Your personal information”

Please contact us:

EMAIL privacy@tinbuilding.com

US Mail Fulton Seafood Market, LLC ADDRESS: 96 South Street, NY, NY 10038

Attention: General Manager Phone Number 646-868-6000 Website:
<https://www.tinbuilding.com/>

CHILDREN

The Website is intended for a general audience. We do not knowingly collect information about children or sell products or services to children. Consistent with the Children’s Online Privacy Protection Act, we will not knowingly collect any information from children under the age of 13. If you are under the age of 13, please do not use the Website. If You are under the age of 16, We request that You obtain Your Parent’s or Guardian’s permission as will need to be recorded when You register for a Member Account.

GOVERNING LAW AND FORUM

This Privacy Notice and use of Fulton Seafood Market, LLC Website, Wi-Fi Service, Products or Service shall be governed by and construed in accordance with the laws of the State of New York, United States of America. You hereby agree that any dispute arising out of, relating to or in connection with relates in any manner to the Privacy Notice and Your use of Fulton Seafood Market, LLC Website, Wi-Fi Service, Products or Service shall be subject to the sole and exclusive jurisdiction of the Federal or State courts located in the State of New York, County of New York and You hereby irrevocably consent to and submit to their jurisdiction to hear and determine any such dispute.

If any provision of this agreement shall be unlawful, void, or for any reason unenforceable, then that provision shall be deemed severable from the other provisions and shall not affect the validity of the other provisions.

HOW WE RESPOND TO “DO NOT TRACK” SIGNALS

Fulton Seafood Market, LLC does not respond to “Do Not Track” signals in your browser, as there is no consensus as to what “Do Not Track” means and We have no way to determine whether partners, affiliates, third party service providers or others can or will honor a Do Not Track signal in your browser while they track your browsing activities in order to serve you content that is tailored to your interests.

NOTICE TO CALIFORNIA RESIDENTS

If You are a California resident that is visiting the Website, You may be aware that, under certain circumstances, not presently applicable to Fulton Seafood Market, LLC, You may be entitled to additional disclosures or to exercise different privacy rights under applicable California law. As a condition of Your access or use any portion of the Website, You understand and agree that the Website, Products and Services are NOT governed by California law and agree to the terms set forth in this Privacy Notice.

VISITING THE WEBSITE FROM OUTSIDE THE UNITED STATES

If You are visiting the Website from outside of the United States of America, please be aware that your information may be transferred to, stored, or processed in the United States. The data protection, privacy and other laws of the United States and other countries might not be as comprehensive as those in your country. By using any portion of the Website, You understand and consent to the transfer of your information to our facilities in the United States and to those third parties with whom We share it as described in this Privacy Notice.

CHANGES TO OUR PRIVACY POLICY

We may update or change this Privacy Notice at any time and from time to time.

We reserve the right to update, change, modify, add, delete, revise, or replace any part of this Privacy Notice at any time. The most recent version of the Privacy Notice and its effective date is reflected by the version and date located at the top of this Privacy Notice. Any update or change will automatically govern Your use of the Website 30 days after it is posted on the Website, unless otherwise noted. We recommend that You regularly check the Terms of Use when visiting the Website, Wi-Fi Service as these Terms of Use may have changed since you last did so. Your continued use of The Website, including the purchase of any Products or Services through the Website, after the Privacy Notice is updated will constitute Your consent and agreement to be bound by the updated terms.

QUESTIONS OR COMMENTS

If You have any questions or concerns about this Privacy Notice, the practices of this Website, or your interaction with this Website, please contact us:

EMAIL privacy@tinbuilding.com

US Mail Fulton Seafood Market, LLC ADDRESS: 96 South Street, NY, NY 10038

Attention: General Manager Phone Number 646-868-6000

Website : <https://www.tinbuilding.com/>