

# **PRIVACY POLICY**

Last modified: January 31, 2024

## **INTRODUCTION**

Jimmy The Greek Incorporated and our affiliates and subsidiaries (collectively, the “**Company**”, “**Us**”, or “**We**”) respect your privacy and are committed to protecting it by complying with this policy.

This policy describes:

- How we collect, use, disclose, and protect the personal information of our customers, potential customers, and website users (“**you**”).
- The types of information we or third parties may collect from you or that you may provide when you visit our website (www.jimmythegreek.com) (our “**Website**”), enter contests and promotions, or purchase “Jimmy The Greek” gift cards, among other interactions.
- Our practices for collecting, using, maintaining, protecting, and disclosing that information.

Privacy laws in Canada generally define “personal information” as any information about an identifiable individual, which includes information that can be used on its own or with other information to identify, contact, or locate a single person.

This policy applies to information we collect (including from third parties), use, or disclose about you:

- On this Website.
- In e-mail, text, and other electronic messages between you and us, including via this Website.
- When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to our Website.
- When you purchase “Jimmy The Greek” gift cards from us or our third-party service providers.
- When your information is provided to us by a “Jimmy The Greek” franchisee.
- When you respond to any survey we may conduct from time to time, or participate in any contest or loyalty program we may offer from time to time.
- When you otherwise correspond with us.

The Website may include links to third-party websites, plug-ins, services, social networks, or applications. Clicking on those links or enabling those connections may allow the third party to collect or share data about you. If you follow a link to a third-party website or engage a third-party plug-in, please note that these third parties may have their own privacy policies and we do not accept any responsibility or liability for these policies. We do not control these third-party websites, and we encourage you to read the privacy policy of every website you visit.

This policy DOES NOT apply to information that:

- We collect offline or are provided through any other means, including on any third-party website, other than with respect to the “Jimmy The Greek” gift card program.
- You provide to, or is collected by, any third party, including our affiliates and subsidiaries, as well as independently franchised “Jimmy The Greek” restaurants, except to the extent that any such information is shared with us.

Please read this policy carefully to understand our policies and practices for collecting, processing, and storing your information. If you do not agree with our policies and practices, your choice is to not use our Website, purchase “Jimmy The Greek” gift cards, or otherwise continue to interact or do business with us. By engaging in any of the aforementioned activities, you indicate that you understand, accept, and consent to the practices described in this policy. This policy may change from time to time (see “Changes to Our Privacy Policy”, below). Your continued use of this Website, or continued engagement in the aforementioned activities, after we make changes indicates that you accept and consent to those changes, so please check the policy periodically for updates.

### **INFORMATION WE COLLECT ABOUT YOU**

We collect and use several types of information from and about you, including:

- **Personal information**, that we can reasonably use to directly or indirectly identify you, which may include your name, mailing address, e-mail address, birthday, telephone number, order information and history, Internet protocol (IP) address used to connect your computer to the Internet, user name, or other similar identifier, billing and account information, credit card information, and any other identifier we may use to contact you (collectively, “**personal information**”).

We provide an opportunity for any user to opt out of contact for marketing purposes on an ongoing basis by using the unsubscribe mechanism at the bottom of our e-mails, or by e-mailing [hello@jimmythegreek.com](mailto:hello@jimmythegreek.com).

- **Non-personal information**, that does not directly or indirectly reveal your identity or directly relate to an identifiable individual, including (but not limited to) demographic information or statistical or aggregated information. Statistical or aggregated data does not directly identify a specific person, but we may derive non-personal statistical or aggregated data from personal information. For example, we may aggregate personal information to calculate the percentage of users accessing a specific Website feature or purchasing “Jimmy The Greek” gift cards.

- **Technical information**, including (but not limited to) the method used to access our Website (mobile or desktop), your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, or information about your internet connection, the equipment you use to access our Website, and usage details.
- **Non-personal details about your Website interactions**, including the full Uniform Resource Locators (URLs), clickstream to, through and from our Website (including date and time), products or services you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from the page, or any phone number used to call our customer service number.

## **HOW WE COLLECT INFORMATION ABOUT YOU**

We use different methods to collect your information, including through:

- **Direct interactions with you when you provide it to us**, for example, by filling in forms when you interact with our Website, or by corresponding with us by phone, e-mail, or otherwise.
- **Automated technologies or interactions**, as you navigate through our Website. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other technologies.
- **Third parties and franchisees**, for example, our business and technology providers who offer and manage our online ordering platform, payment platform, e-mail distribution platform, gift card platform, and other technology, delivery, and marketing programs, including when you order meals via delivery or takeout or purchase a “Jimmy The Greek” gift card. Moreover, when you provide certain information to independently-franchised “Jimmy The Greek” restaurants, to the extent that any such information is in turn provided to us.

### **Information You Provide to Us**

The information we collect directly from you or third parties may include:

- Information that you provide by filling in forms on our Website. This includes information provided at the time of requesting services or making inquiries of us. We may also ask you for information, including when you enter a contest or promotion sponsored by us, and when you report a problem with our Website.
- Information you have provided to us or to third parties we do business with, including with respect to any gift cards you may purchase and any delivery orders you may place, to the extent that such information is administered and shared with us by third parties.
- Information you may provide to independently-franchised “Jimmy The Greek” restaurants, to the extent that such information is shared with us by such franchisees.

- Records and copies of your correspondence (including e-mail addresses), 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 our Website, or through any franchisees or third parties we do business with, and of the fulfillment of your orders. You may be required to provide financial information before placing an order through our Website, via a third-party delivery website or application, or when purchasing a “Jimmy The Greek” gift card.
- Other information we may require in order to provide you with the products and services you have requested, including (as an example) your order preferences and choices, your payment information and methods, and your address if you are seeking delivery of “Jimmy The Greek” products.
- Your usage information as you use our Website or any mobile applications, which information is automatically collected.

#### **Information We Collect Through Cookies and Other Automatic Data Collection Technologies**

As you navigate through and interact with our Website, we may use cookies or other automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our Website, including traffic data, location data, and other communication data and the resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

The information we collect automatically is statistical data and does not include personal information, and we may maintain it or associate it with personal information we collect in other ways, that you provide to us, or that we receive from third parties. It helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our Website.
- Speed up your searches.
- Recognize you when you return to our Website.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting, you may be unable to access certain

parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.

- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are generally not managed by the same browser settings that are used for browser cookies.

## **HOW WE USE YOUR INFORMATION**

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

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us.
- To assist our third-party franchisees, service providers, and vendors in providing you any information, products, or services that you may request from us but that they may provide to you on our behalf (such as our gift card technology partners, Paystone and Datacandy, our online ordering partners, Uber Eats, SkipTheDishes, DoorDash, and Hunger Hub, our mail distribution partner, Canada Post, or our payment processing partner, TD Merchant Solutions, among others).
- To fulfill the purposes for which you provided the information or that were described when it was collected, or any other purpose for which you provide it.
- To carry out our obligations and enforce our rights arising from any contracts with you, including for billing and collection, or to comply with legal requirements.
- To notify you about changes to our Website or any products or services we offer or provide though it.
- To improve our Website, products or services, marketing, gift cards, or customer relationships and experiences, including through the review and analysis of analytics generated by customer usage, purchases, and trends.
- To measure or understand the effectiveness of the advertising we serve to you and others, and to deliver relevant advertising to you.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may also use your information to contact you about goods and services that may be of interest to you, as permitted by law. If you do not want us to use your information in this way, please use the unsubscribe mechanism at the bottom of our e-mails or e-mail us at

hello@jimmythegreek.com. For more information, see “Choices About How we Use and Disclose Your Information”.

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

### **DISCLOSURE OF YOUR INFORMATION**

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy:

- To our subsidiaries and affiliates.
- In accordance with applicable law, to a buyer, prospective buyer, or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Jimmy The Greek Incorporated's assets or shares, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our customers and users is among the assets transferred or belonging to the entity whose shares are being transferred.
- To advertisers and advertising networks that require the information to select and serve relevant advertisements to you and others. We do not disclose data about identifiable individuals to our advertisers, but we may provide them with aggregate information about our users (for example, we may inform them that 400 men between 30 and 45 have clicked on their advertisement on a specific day). We may also use such aggregate information to help advertisers target a specific audience (for example, individuals of a certain age group in a specific location). We may make use of the personal information we have collected from you to enable us to display our advertisers' advertisement to that target audience.
- To contractors, service providers, and other third parties we use to support our business (such as gift card service providers who administer our gift card program, analytics and search engine providers that assist us with Website improvement and optimization, and third-party delivery services, if necessary) and who are contractually obligated to keep personal information confidential, use it only for the purposes for which we disclose it to them, and to process the personal information with the same standards set out in this policy.
- To fulfill the purpose for which you provide it, including to our independently-franchised “Jimmy The Greek” restaurants if necessary to fulfill such purpose.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request, in accordance with applicable law.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Jimmy The Greek Incorporated, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

### **TRANSFERRING YOUR PERSONAL INFORMATION**

We may transfer personal information that we collect or that you provide as described in this policy to third-party “Jimmy The Greek” franchisees, contractors, service providers, and other third parties involved in our business (such as gift card services providers and analytics and search engine providers that assist us with Website improvement and optimization), and who are contractually obligated to keep personal information confidential, use it only for the purposes for which we disclose it to them, and to process the personal information with the same care and standards set out in this policy.

We (or our third-party service providers who assist us in administering our business) may process, store, and transfer your personal information in and to a foreign country, with different privacy laws that may or may not be as comprehensive as Canadian law. In these circumstances, the governments, courts, law enforcement, or regulatory agencies of that country may be able to obtain access to your personal information through the laws of the foreign country. Whenever we engage a service provider, we require that its privacy and security standards adhere to this policy and applicable Canadian privacy legislation.

By submitting your personal information to us or engaging with the Website, you consent to this transfer, storage, or processing.

### **CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR INFORMATION**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of our Website may not be accessible or may not function properly. For more information about tracking technologies, see “Information We Collect Through Cookies and Other Automatic Data Collection Technologies.”
- **Promotional Offers from the Company.** If you have opted in to receive certain e-mails from us but no longer wish to have your contact information used by the Company to promote our own or third parties' products or services, you can opt out by sending us an e-mail stating your request to [hello@jimmythegreek.com](mailto:hello@jimmythegreek.com). If we have sent you a promotional e-mail, you may unsubscribe by clicking the unsubscribe link we have included in the e-mail. This opt-out does not apply to information provided to the Company as part of a product purchase or other transactions.

We do not control third parties' collection or use of your information to serve interest-based advertising or for other purposes.

### **DATA SECURITY**

The security of your personal information is very important to us. We use physical, electronic, and administrative measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website or any applications. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website or in any application.

### **DATA RETENTION**

Except as otherwise permitted or required by applicable law or regulation, we will only retain your personal information for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Under some circumstances we may anonymize your personal information so that it can no longer be associated with you. We reserve the right to use such anonymous and de-identified data for any legitimate business purpose without further notice to you or your consent.

### **CHILDREN UNDER THE AGE OF 13**

No one under the age of 13 may provide any personal information to us, including on the Website or when ordering our products, or to any of our third-party service providers. We do not knowingly collect personal information from children under the age of 13. If we learn we have collected or received personal information from a child under the age of 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under the age of 13, please contact us at [hello@jimmythegreek.com](mailto:hello@jimmythegreek.com).

### **ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes. By law you have the right to request access to and to correct the personal information that we hold about you.

If you want to review, verify, correct, or withdraw consent to the use of your personal information you may also send us an e-mail at [hello@jimmythegreek.com](mailto:hello@jimmythegreek.com) to request access to, correct, or delete any personal information that you have provided to us. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

We may request specific information from you to help us confirm your identity and your right to access, and to provide you with the personal information that we hold about you or make your requested changes. Applicable law may allow or require us to refuse to provide you with access to some or all of the personal information that we hold about you, or that we may have destroyed, erased, or made your personal information anonymous in accordance with our record retention obligations and practices. If we cannot provide you with access to your personal



information, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

If you are concerned about our response or would like to correct the information provided, you may contact our Privacy Officer at [hello@jimmythegreek.com](mailto:hello@jimmythegreek.com).

### **WITHDRAWING YOUR CONSENT**

Where you have provided your consent to the collection, use, and transfer of your personal information, you may have the legal right to withdraw your consent under certain circumstances. To withdraw your consent, if applicable, contact us at [hello@jimmythegreek.com](mailto:hello@jimmythegreek.com). Please note that if you withdraw your consent, we (or our third-party franchisees or service providers) may not be able to provide you with a particular product or service, including “Jimmy The Greek” products, services, or gift card services. We will explain the impact to you at the time to help you with your decision.

### **CHANGES TO OUR PRIVACY POLICY**

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users' personal information, we will notify you through a notice on the Website home page.

We include the date the privacy policy was last revised at the top of the page. You are responsible for ensuring we have an up-to-date, active, and deliverable e-mail address for you, and for periodically visiting our Website and this privacy policy to check for any changes.

### **CONTACT INFORMATION AND CHALLENGING COMPLIANCE**

We welcome your questions, comments, and requests regarding this privacy policy and our privacy practices. Please contact us at:

#### **Jimmy The Greek Incorporated**

961 Coxwell Avenue  
Toronto, Ontario, M4C 3G4

-or-

[hello@jimmythegreek.com](mailto:hello@jimmythegreek.com)

We have procedures in place to receive and respond to complaints or inquiries about our handling of personal information, our compliance with this policy, and with applicable privacy laws. To discuss our compliance with this policy please contact us using the contact information listed above.