

## **DIABOLICA WINES ONLINE PRIVACY POLICY**

This document sets forth the Diabolica Wines Online Privacy Policy (the "Privacy Policy") for this Diabolica Wines website (the "Site"). If you have objections to the Privacy Policy, you should not access or use this Site.

### **INTRODUCTION**

At Diabolica Wines, we respect our customers' privacy. We have a long-standing policy of protecting the privacy of our customers in all of our business operations. That's why our Privacy Policy is based on the Canadian Standards Association's "Model Code for the Protection of Personal Information" (the "CSA Model Code").

The CSA Model Code also forms the basis for the Canadian federal government's privacy legislation, the "Personal Information Protection and Electronic Documents Act", which came into effect on January 1, 2001. We believe that our Privacy Policy fully complies with this new legislation.

We've created this link on our site to inform you about our privacy practices. We want you to understand the purposes for which we collect personal information, and we want to be sure that we have your consent to continue to collect, use and disclose your personal information for those purposes.

### **CHANGES IN PRIVACY POLICY**

All personal information that we collect and maintain will be subject to the version of the Privacy Policy in effect at the time of such collection. Diabolica Wines reserves the right to change this Privacy Policy at any time at our sole discretion. However, if at any time you limit how your personal information will be used in accordance with the arrangements outlined in the Privacy Policy, Diabolica Wines will not change your preference in this regard without your express consent.

### **COLLECTION AND USE OF PERSONAL INFORMATION**

Who collects personal information? Diabolica Wines of West Kelowna, Okanagan Valley, British Columbia, Canada.

Personal information on this Site is collected by Diabolica Wines and certain of its affiliated companies or contract service providers.

What personal information is collected? As a visitor to this Site, you can engage in many activities without providing any personal information. In connection with other activities, such as subscribing to any services offered on the Site, Diabolica Wines may ask you to provide certain information about yourself by filling out and submitting an online form. It is completely optional for you to engage in these activities. If you elect to engage in these activities, however, Diabolica Wines may ask that you provide us personal information, such as your first and last name, mailing address (including postal or ZIP code), e-mail address, employer, telephone and fax numbers, images, and other personal information.

When you use the Site, Diabolica Wines or third parties authorized by Diabolica Wines may also collect certain technical and routing information about your computer to facilitate your use of the Site and its services. For example, we may log environmental variables, such as browser type, operating system, CPU speed, and the Internet Protocol (IP) address of your computer. We use these environmental variables to facilitate and track

your use of the Site and its services. Diabolica Wines also uses such environmental variables to measure traffic patterns on the Site.

When you submit personal information to Diabolica Wines through this Site, you understand and agree that this information may be transferred across national boundaries and may be stored and processed in any of the countries in which Diabolica Wines and its affiliates and subsidiaries maintain offices, including, without limitation, the United States of America, Canada, Ireland and Barbados. You also acknowledge that in certain countries or with respect to certain activities, the collection, transferring, storage, and processing of your information may be undertaken by trusted vendors of Diabolica Wines. Such vendors are bound by contract not to use your personal information for their own purposes or provide it to any third parties.

Also, please note that Diabolica Wines is not responsible for the content or privacy practices of any third party websites to which this Site may link. You should review the privacy policy of such sites before using the sites.

**Use of cookies** When you visit this Site, you can browse the Site and access important information without revealing your identity. In order to improve our Site, we use "cookies" to track your visit. A cookie is a small amount of data that is transferred to your browser by a Web server and can only be read by the server that gave it to you. It functions as your identification card, and enables Diabolica Wines to record your passwords, purchases, and preferences. It cannot be executed as code or deliver viruses.

Most browsers are initially set to accept cookies. You can set your browser to notify you when you receive a cookie, giving you the chance to decide whether to accept it. (For some Web pages that require an authorization, cookies are not optional. Users choosing not to accept cookies will probably not be able to access those pages.)

While Diabolica Wines uses cookies to track your visit to this Site, and our Web servers automatically log the IP/Internet address of your computer, Diabolica Wines does not use this information to identify you personally.

**How is your personal information used?** Diabolica Wines collects your information in order to record and support your participation in the activities you select. As an example, if you enter a contest, information is collected to qualify the entry and contact you regarding the contest or prize awards. Your personal information may also be used to keep you informed about product upgrades, special offers, and other products and services of Diabolica Wines and selected third parties.

Diabolica Wines may collect information about the use of the Site, such as the types of services used and how many users we receive daily. This information is collected in aggregate form, without identifying any user individually. We may use this aggregate, non-identifying statistical data for statistical analysis, marketing, or similar promotional purposes.

There are a variety of other circumstances where Diabolica Wines may need to disclose some personal information about our customers. Here are some examples:

1. We may disclose a customer's personal information to a person who, in our judgement, is seeking the information as an agent of the customer;
2. We may share a customer's personal information among Diabolica Wines business units and affiliates to help us serve our customers better and to provide them with services, particularly where customers are from different jurisdictions or areas;

3. We may disclose a customer's personal information to a company or individual employed by Diabolica Wines to perform functions on its behalf, such as research or data processing, provided that any such disclosure of a customer's personal information outside of Diabolica Wines will be made on a confidential basis with the information to be used only for the purpose for which it was disclosed;

4. In conjunction with special offers or programs, we may disclose customers' personal information to our program partners, or to third-party agents responsible for administering such offers or programs. Any such disclosure will be made on a confidential basis with the information to be used only for the purpose for which it was disclosed;

5. Diabolica Wines may provide your personal information if necessary, in our judgment, to comply with laws or regulations of a governmental or regulatory body or in response to a subpoena, warrant, or order, or to protect the rights of Diabolica Wines or others.

How do we protect your personal information? In order to protect your personal information and your right to privacy, Diabolica Wines:

1. will not collect, use or disclose your personal information for any purpose other than those identified above, except with your consent;

2. will strive to protect your personal information with appropriate security safeguards;

3. will strive to protect the confidentiality of your personal information when dealing with other companies;

4. will strive to keep your personal information as accurate and up-to-date as is necessary for the purposes identified above; and

5. will honour any request you may make for access to your personal information.

What are your choices? We would like to have your consent to continue to collect, use and disclose your personal information for the purposes identified above. However, you do have choices and can refuse or withdraw your consent as follows:

1. You may have your name removed from our telephone, mail or e-mail marketing lists. We use these lists to inform you of relevant products, services and special offers that may be of benefit to you;

2. You may refuse to provide personal information to us. You may also withdraw your consent at any time, subject to legal or contractual restrictions and reasonable notice;

3. You have the right to access and correct your personal information and privacy preferences at any time by writing Diabolica Wines at: [info@checkmatewinery.com](mailto:info@checkmatewinery.com)

Please provide your name, address, and/or e-mail address when you contact us. No specific form is required to notify us of changes to your address or privacy preferences, however we may have to contact you if any of your instructions are unclear.

Privacy-related complaints If you believe that we have not complied with this Privacy Policy with respect to your personal information, you may write the Diabolica Wines's Privacy Officer at the address indicated above.

In your letter, please describe in as much detail as possible the ways in which you believe that the Privacy Policy has not been complied with. We will investigate your complaint promptly.

## CONSENT

Unless you contact us to provide other instructions concerning your personal information, you will be deemed to have, and Diabolica Wines will assume that you have, consented to the collection, use and disclosure by Diabolica Wines and its agents of your personal information collected by Diabolica Wines or its agents from you through your use of this site for the purposes and in the manner described above.

## LEGAL NOTATIONS

This Privacy Policy does not limit the collection, use or disclosure by Diabolica Wines of information that is publicly available. This includes: (a) a customer's name, address, telephone number, images, and e-mail address, when listed in any public directory or available through directory assistance; and (b) other information about the customer that is publicly available and is specified by regulation pursuant to the "Personal Information Protection and Electronic Documents Act".

This Privacy Policy and the privacy practices described in this site are subject to the provisions of all applicable legislation and regulations.