

Privacy Policy

Welcome to Heartfelt Creations privacy policy.

Heartfelt Creations respects your privacy and is committed to protecting your personally identifiable information. This privacy policy will inform you as to how we look after your personal information when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

This privacy policy is provided in a layered format so you can click through to the specific areas set out below. Please also use the Glossary to understand the meaning of some of the terms used in this privacy policy.

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1. Important information and who we are

This privacy policy aims to give you information on how Heartfelt Creations collects and processes your personal information through your use of this website, including any information you may provide when you place an order on the website, when you register an account with us as a customer or a retailer, when you contact us with a question or comment, when you utilize our "Refer a Friend" feature, when you register for one of our Craft Shows or online classes, when you submit an idea to us, or when you sign up to receive emails about our latest products.

This website is not intended for children and we do not knowingly collect information relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal information about you so that you are fully aware of how and why we are using your

information. This privacy policy supplements other notices and privacy policies and is not intended to override them.

Controller

Heartfelt Creations is the controller and responsible for your personal information (collectively referred to as "COMPANY", "we", "us" or "our" in this privacy policy).

If you have any questions regarding this privacy policy, you may contact us using the information below.

Heartfelt Creations
2147 Eisenhower Dr. N
Goshen, Indiana 46526-8807
info@heartfeltcreations.us
(574) 773-3088

If you are based in the European Union you also have the right to make a complaint at any time to your national supervisory authority for data protection issues. We would, however, appreciate the chance to deal with your concerns before you approach the regulator so please contact us at the above contact information in the first instance.

Changes to the Privacy Policy and Your Duty to Inform Us of Changes

We keep our privacy policy under regular review. This version was last updated on April 1st, 2021. Historic versions are archived here: [Policy Archives](#).

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

2. The personal information we collect from you

Personal information means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal information about you which we have grouped together as follows:

- **Identity Data** includes first name, last name, and date of birth.
- **Contact Data** includes your billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes, as a customer, your PayPal, Google Pay, Apple Pay, and credit/debit card details; and, as a retailer, your VAT/TAX ID.
- **Transaction Data** includes details about payments from you and other details of products you have purchased from us.

- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- **Profile Data** includes your email address and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website and products.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal information but is not considered personal information in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information which will be used in accordance with this privacy policy.

If you are based in the European Union please note that we do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal information

Where we need to collect personal information by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our products). In this case, we may have to cancel a product you have with us but we will notify you if this is the case at the time.

3. How is your personal information collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal information you provide when you:
 - place an order for our products;
 - create an account on our website;
 - subscribe to our publications;
 - utilize our “Refer a Friend” feature;
 - register for one of our events or online classes;

- request marketing to be sent to you;
- open a support ticket;
- enter a competition, promotion or survey;
- provide us feedback on our products; or
- submit an idea to us, or otherwise contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal information by using cookies, server logs and other similar technologies. Please see our [cookie policy](#) for further details.
- **Third parties or publicly available sources.** We will receive personal information about you from various third parties and public sources as set out below:
 - Technical Data from the following parties:
 - analytics providers such as Google based outside the EU
 - advertising networks such as Facebook based outside the EU.
 - Contact, Financial and Transaction Data from providers of technical, payment and delivery services [such as PayPal based outside the EU.
 - Identity and Contact Data from publicly available sources such as Whitepages based outside the EU.

4. How we use your personal information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

[Click here](#) to find out more about the types of lawful basis that we will rely on to process your personal information.

Generally, we do not rely on consent as a legal basis for processing your personal information although we will get your consent before sending third-party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal information

We have set out below, in a table format, a description of all the ways we plan to use your personal information, and which of the legal bases we rely on to do so. We have also identified if you are based in the European Union, what our legitimate interests for processing your personal information are, where appropriate.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer or retailer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (process your purchases, send you updates about your order, deliver, and manage your order, including to collect payments, fees and charges) (b) Necessary for our legitimate interests (to start legal proceedings to recover debts due to us)
To manage our relationship with you which will include notifying you about changes to our terms and conditions or privacy policy	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (to inform you of any changes to our terms and conditions) (b) Necessary to comply with a legal obligation (to inform you of any changes to our privacy policy)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	Necessary for our legitimate interests (to study how customers use our products, to develop them and grow our business)

<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Technical 	<p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise)</p>
<p>To deliver relevant website content</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical 	<p>Necessary for our legitimate interests (to study how customers use our products, to develop them, to grow our business and to inform our marketing strategy)</p>
<p>To use data analytics to improve our website, products, marketing, customer relationships and experiences</p>	<ul style="list-style-type: none"> (a) Technical (b) Usage 	<p>Necessary for our legitimate interests (to define types of customers for our products, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p>
<p>To make suggestions and recommendations to you about products that may be of interest to you</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications 	<p>Necessary for our legitimate interests (to develop our products and grow our business)</p>

Marketing

We strive to provide you with choices regarding certain personal information uses, particularly around marketing and advertising. We have established an email marketing privacy center where you can view and make certain decisions about your personal information use: [EMAIL MARKETING PREFERENCE CENTER](#)

Promotional offers from us

You will receive marketing communications from us if you have requested information from us or purchased products from us and you have not opted out of receiving that marketing.

Third-party marketing

We will get your express opt-in consent before we share your personal information with any third party for marketing purposes.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by emailing us or by following the instructions at the bottom of each email.

Where you opt-out of receiving these marketing messages, this will not apply to personal information provided to us as a result of a product purchase, product/service experience or other transactions.

Cookies

We use cookies on our website. Cookies are small files that a website or its service provider transfers to your computer's hard drive through your Web browser (if you allow) that enables the site's or service provider's systems to recognize your browser and capture and remember certain information.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

For more information about the cookies we use, please see our [Cookie Policy](#).

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Do Not Track signals

We currently do not honor Do Not Track (DNT) signals.

CALIFORNIA RESIDENTS: YOUR PRIVACY RIGHTS

California Civil Code Section § 1798.83 permits users of our website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to privacy@heartfeltcreations.us; or write to us at our mailing address at 2147 Eisenhower Dr. N, Goshen IN 46526-8807, United States, Attn: Privacy Officer

NEVADA RESIDENTS

Nevada residents who wish to exercise their sale opt-out rights under Nevada Revised Statutes Chapter 603A may submit a request to this designated address: privacy@heartfeltcreations.us. However, please know we do not currently sell data triggering that statute's opt-out requirements.

5. Disclosures of your personal information

We may share your personal information with the parties set out below for the purposes set out in the table [Purposes for which we will use your personal information](#) above.

- External Third Parties as set out in the [glossary](#).
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal information in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions.

6. International transfers

We largely operate in the United States, and therefore, if you reside outside of the U.S. you

understand and agree that your Personal Information may be transferred to, stored or processed in, the U.S. by us and our third-party hosting providers. Furthermore, many of our external third-party service providers are also based in the U.S., so their processing of your personal information will, if you reside outside the U.S., involve a transfer of your personal information to the U.S.

You understand that U.S. law may not afford the same level of protection to personal information as those afforded in your country. If you do not agree with your Personal Information being transferred to the U.S. for purposes of our website services please refrain from using our website.

7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In particular:

- Our website is scanned on a regular basis for security holes and known vulnerabilities in order to make your visit to our site as safe as possible.
- Your personal information is contained behind secured networks and is only accessible by a limited number of persons who have special access rights to such systems, and are required to keep the information confidential. In addition, all sensitive information you supply is encrypted via Secure Socket Layer (SSL) technology.
- We implement a variety of security measures when a user places an order enters, submits, or accesses their information to maintain the safety of your personal information.
- All credit card transactions are processed through a gateway provider and are not stored or processed on our servers.

In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Data retention

How long will you use my personal information?

We will only retain your personal information for as long as reasonably necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax,

accounting or reporting requirements. We may retain your personal information for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

In some circumstances you can ask us to delete your information: see *your legal rights* below for further information.

In some circumstances, we will anonymize your personal information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- [Request access to your personal information](#)
- [Request correction of your personal information](#)
- [Request erasure of your personal information](#)
- [Object to the processing of your personal information](#)
- [Request restriction of processing your personal information](#)
- [Request transfer of your personal information](#)
- [Right to withdraw consent](#)

If you wish to exercise any of the rights set out above, please contact us at privacy@heartfeltcreations.us

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person

who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. Glossary

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal information for our legitimate interests. We do not use your personal information for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal information where it is necessary for compliance with a legal obligation that we are subject to.

THIRD PARTIES

- Service providers acting as processors based in the EU, the UK and the U.S. who provide IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK and the U.S. who provide consultancy, banking, legal, insurance and accounting services.
- Regulators and other authorities acting as processors or joint controllers based in the UK and the U.S. who require reporting of processing activities in certain circumstances.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal information to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal information. This enables you to ask us to suspend the processing of your personal information in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the information is unlawful but you do not want us to erase it.
- Where you need us to hold the information even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your information but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal information to you or to a third party. We will provide to you, or a third party you have chosen, your personal information in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide

certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.