

Model Privacy and Data Policy for John Deere Dealerships

This Privacy and Data Policy is designed for equipment dealership operations in the United States who obtain and use personal information and machine data collected from customers, either directly or through third parties (such as manufacturers), including systems such as John Deere's JD Link™ Telematics system. It includes certain parameters regarding how a customer's data will be secured and protected, as well as the limitations on any transfers or sharing of such data. It is designed to serve as a universal privacy and data policy applicable for all facets of a dealership's operations including information obtained in stores and through dealer or third-party websites, mobile applications or remote access to equipment information.

The Privacy and Data Policy Overview page is an optional supplement, which can be provided to customers along with the full policy. It is not required to be included, but it has become fairly standard to provide a summary of your privacy policy. If used, it is recommended that the Overview be the first section on privacy that a customer would view on your website with the full policy linked or set out below the Overview.

We contemplate that you will post the privacy policy on your website(s) and applications and otherwise make the policy available to your customers. If you provide, facilitate, or otherwise assist any customer in obtaining financing for purchases made for personal, family, or household use, then you must comply with the Gramm-Leach-Bliley Act (the "GLB Act") related to the privacy of personal information collected during the financing process. The Federal Trade Commission website contains guidance to auto dealerships on compliance with the GLB Act. This guidance would also be generally applicable to equipment dealerships so we encourage you to visit this website through the following link: (<http://business.ftc.gov/documents/bus64-ftcs-privacy-rule-and-auto-dealers-faqs>). This policy and its opt-out provisions are designed to comply with the GLB Act (See "Financial Data" on page 2) but each dealer must ensure that it delivers an initial physical copy of the policy to its customers when required by the GLB Act. Generally, consumer purchasers using financing must be provided a physical copy of the policy when the customer signs the contract for purchase or lease of the goods or services and a copy of the policy on an annual basis thereafter as long as the customer relationship continues. In the typical situation where a dealer assigns a retail installment contract to a third-party finance company, then the dealer is not required to provide the annual notices; however, the dealer must continue to comply with its policy related to personal information collected from the customer prior to assignment. Providing only an electronic copy of the policy on your website is sufficient only if the goods or services financed are purchased electronically. In addition, the GLB Act requires that you have, and regularly update, a written information security plan that is appropriate to the size of the company and the sensitivity of the information collected. The written information security plan must (1) designate an employee to coordinate information security; (2) identify and evaluate the risks to customer information; (3) implement appropriate safeguards to protect customer information; (4) require other service providers to implement security policies; and (5) evaluate and revise the information security plan in light of any changes or new threats.

If you send marketing related emails to a mailing list then you are obligated under the CAN-SPAM Act to honor any unsubscribe requests for a particular email address within ten business days for marketing

messages. Please note that even if you receive an unsubscribe request, you may still use the customer's email address to send transactional or relationship messages that are not marketing messages.

This document has not been reviewed for compliance with either the European Union or Canadian privacy requirements and is not designed for use outside of the United States. If you provide or exchange any customer information with entities that do not operate in the United States then you should contact an attorney to ensure your compliance with all applicable laws.

Please note that this summary and model Privacy and Data Policy is only a guide and is not intended to constitute legal advice. You should review this policy thoroughly and ensure that its provisions are appropriate for your dealership's specific business practices and you should consult an attorney if you have any questions or concerns. Please note that this policy is only intended as a guide. We cannot guarantee that this policy complies with every law and it is possible that you will also need to update this policy to take into account changes in the law after the date listed below.

Privacy policies are flexible and can generally be modified to meet your specific needs and intended uses of data that you collect. Policies can also be changed and the changed terms will apply to data collected after the changes go into effect. Please remember that the most important component of an effective privacy and data policy is that the dealer actually complies with its own rules.

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Privacy and Data Policy Overview

NORTHWEST IMPLEMENT, INC

Effective Date: 02/15/14

This is only a summary of our Privacy and Data Policy. For more information you can review a complete version of our Privacy and Data Policy located on our website at [www.northwestimplement.net] or by requesting a copy at [[660-783-2311](tel:660-783-2311)].

This Privacy and Data Policy Overview provides a description of the privacy and data use practices of [Northwest Implement, INC] (“**us**”, “**we**” or “**our**”) in connection with our receipt, collection and use of data and information from you as our customer, visitor, or user, as applicable. The policy may be changed or updated from time to time. If there is any conflict between this Overview and our full Privacy and Data Policy, the terms of our full Privacy and Data Policy will control.

Collection of Data:

The types of information we collect and share depend on the products or services you purchase, license or access from us or third parties through which you have authorized us to receive information (such as through John Deere’s JD Link™ Telematics system or Trimble’s “Connected Farm” system). We generally receive, collect, use and share both Customer Data (including social security numbers, names, addresses, phone numbers, and other personal information) and Machine Data (information related to the performance, use, and location of equipment or computers with various information collection devices) as described in this Policy (collectively “**Data**”). **You agree to notify all personnel that use any tracked equipment that their use and location is remotely monitored.** If you need to update or change any information which you previously provided to us then you may contact us at [Customer Call Center at 660-783-2311].

Protection of Data:

We strive to protect your Data using commercially reasonable standards. We use a variety of commercially reasonable security technologies to help protect your Data from unauthorized access, use, or disclosure. However, the use of such standards and security technologies is not, and should not be considered to be, any type of guarantee or warranty by us that your Data will not be accessed by third parties.

Sharing and Use of Data:

We use your Data to provide products, services and information to you. Some of the services are designed to allow faster communications and responsiveness between you and us to ensure that we provide services to you as efficiently as possible. We may also review equipment diagnostic information remotely to diagnose and recommend equipment maintenance and repairs. We share your information with certain third parties in order to better serve you or upon your request or approval. These third parties may include equipment suppliers, financing institutions or other third party service providers who assist us in providing the products and services you request or their respective subsidiaries or affiliates. We also may share your information with our marketing, technical, accounting, legal or other professionals to assist us in our business operations. If you purchase products for personal, family, or household use through financing that is provided by us or facilitated by us, you may request that we not share your personal information derived from that transaction with unaffiliated third parties by returning the opt-out form at the bottom of our Privacy and Data Use Policy.

If you have any additional questions, please contact us at [Customer Call Center @ ccc@nwjd.com].

Privacy and Data Policy
NORTHWEST IMPLEMENT, INC

Effective Date: 02/15/14

THE FOLLOWING PRIVACY AND DATA POLICY (“**POLICY**”) DISCLOSES THE PRIVACY AND DATA USE PRACTICES OF [Northwest Implement, INC] (“**US**,” “**WE**,” OR “**OUR**”) FOR ALL DATA OR INFORMATION WHICH WE RECEIVE FROM YOU, EITHER DIRECTLY OR THROUGH A THIRD PARTY, INCLUDING, WITHOUT LIMITATION, IN PERSON OR BY PHONE AT OUR RETAIL LOCATIONS OR THROUGH WEBSITES, APPLICATIONS, EQUIPMENT, DEVICES OR THE PROVISION OF PRODUCTS OR SERVICES TO YOU. WE CREATED THIS POLICY TO COMMUNICATE OUR PRIVACY AND DATA POLICIES TO EACH OF OUR CUSTOMERS (COLLECTIVELY A “**CUSTOMER**,” “**YOU**” OR “**YOUR**”) WITH RESPECT TO YOUR INFORMATION.

1. What and How Information is Collected

We collect and share both your Customer Data and Machine Data (collectively “**Data**”) as described in this Policy.

a. Customer Data. To purchase, access, receive, download, upload or use goods or services from us, you may be required to create an account with us, John Deere or another equipment supplier and/or provide various information, which may include personally identifying information (collectively, “**Customer Data**”). Personally identifying information is information that can be used to identify, locate or contact you. If you have a user account with us then you are responsible for maintaining the confidentiality of your user name and password and all uses of your account and password. You agree to immediately notify us of any unauthorized use of your account. If a Customer directly or indirectly communicates with us by e-mail, posts or uploads content or information to a website or application to which we are provided access or otherwise completes online forms, any information provided in such communication will also be collected by us as Customer Data (or Machine Data, as applicable). Data may be collected by us directly from you or your equipment or it may be delivered to us by third parties if you authorize such access be provided by the third party (such as through the JD Link™ Telematics system for John Deere Equipment). By providing Customer Data directly to us or granting us access to Customer Data from a third party, you grant us a royalty-free, non-exclusive, perpetual license to use such Customer Data in accordance with this Policy.

Customer Data may consist of the following types of information:

Personal Data. Personal Data includes your name, user name, mailing address, e-mail address, phone number, zip code, social security number and similar personal information. We use Personal Data to send Customers e-mail, written or other forms of communications regarding:

- i. Goods or services requested or purchased by Customers;
- ii. Promotional or informational materials about our company, affiliates and/or third parties with whom we conduct business and the related goods and services provided by such businesses;

- iii. Machine-specific information to participating Customers; and
- iv. Updates, advertisements, offers and announcements relating to the goods and services of our company, affiliates and/or third parties with whom we conduct business.

You consent to receive communications from us electronically, but have the ability to opt-out of receiving future e-mails of the type described in (ii)-(iv) by contacting us at the following email address [ccc@nwjd.com for [opt-out here](#).] or changing your account preferences, if applicable. Notwithstanding anything to the contrary in this Policy, we may communicate with each Customer by e-mail if such e-mail communication is sent for the purpose of protecting the interests of Customer, including any Customer Data, property or other data, or to provide Customer with any notification or disclosure that may be required under applicable law or our Policy. Accordingly, as a Customer, you agree that all communications, disclosures, and notices sent to you by e-mail satisfy any requirement that notice be provided in writing.

Transaction and Demographic Data. We collect transaction information about your purchases, inquiries and customer accounts to fulfill orders or for our general business needs, including maintenance and warranty services. We also may collect general demographic or preference data regarding your interests, goals or needs to understand who you are and what products and services may interest you or meet your needs.

Financial Data. We may collect financial information from you to complete purchases of goods or services, such as credit card information or your billing address. If you purchase products for personal, family, or household use through financing that is provided by us or facilitated by us, then you have the right to request that we not share any of your personal information derived from that transaction with unaffiliated third parties outside of the requirements to complete your requested transaction by submitting the opt-out form attached to the bottom of this Privacy and Data Use Policy. We may also assist you in applying for financing with certain third parties or engage in direct financing with you. **We may report information about your account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.**

b. *Machine Data.* Machine Data includes information that is generated by, collected by or stored on your equipment or any hardware or device interfacing with your equipment, and may be provided directly through such equipment, hardware or device or indirectly when reported to us through you or a third party (collectively, “**Machine Data**”). Machine Data includes, without limitation, the following data, which we may track, collect, receive and use in accordance with this Policy:

- i. Technical information including IP addresses, persistent identifiers, statistical utilization, transmission and access methods and sources, and preference information that is collected by cookies, web beacons, or other similar device based collection technologies. This may include any search that led you to our website, your connection speed or type, and your browser or device information. You may block all cookies by following the instructions applicable to your browser at <http://www.aboutcookies.org/page-1>;
- ii. Equipment use history including fuel usage, number of engine hours, diagnostic data, software and hardware version numbers, geolocation data, and other equipment data; and

- iii. Agronomic information including plant, chemical and fertilizer application rates, recorded yields, soil types and moisture levels, and similar crop or field based information.

Machine Data may be collected by us directly from you or your equipment or it may be delivered to us by third parties if you authorize or allow such delivery or access from the third party (such as through the JD Link™ Telematics system for John Deere Equipment). By providing Customer Data directly to us or granting us access to Machine Data from a third party, you grant us a royalty-free, non-exclusive, perpetual license to use such Machine Data in accordance with this Policy. We are not liable for any errors, omissions, interception, loss of data, lack of capacity, lack of coverage or lack of availability, or other errors related to the transmission of any Machine Data by any third party.

YOU AGREE THAT YOU WILL CLEARLY AND CONSPICUOUSLY NOTIFY ANY AFFECTED PERSONNEL THAT THE MACHINE DATA IS CONTINUOUSLY MONITORED AND DELIVERED, INCLUDING POTENTIALLY PERSONAL AND LOCATION DATA, AND THAT YOU WILL OBTAIN ALL NECESSARY CONSENTS AND APPROVALS FROM YOUR PERSONNEL AS REQUIRED BY APPLICABLE LAW TO COLLECT AND PROVIDE SUCH DATA TO US.

2. Confidentiality, Security and Storage of Data

Except as otherwise provided in this Policy, we will keep all of your Data that personally identifies you (e.g., your name and address) as private and will not share it with third parties, unless such disclosure is necessary to:

- i. Comply with a law (or based upon our good-faith belief that disclosure is necessary to comply with a law);
- ii. Protect our rights or property; or
- iii. Enforce this Policy or any of our other policies and guidelines.

We may also share your Data as provided below, when required by a third party through whom you authorized or allowed Data to be transmitted to us or when otherwise authorized or requested by you.

We will not sell your Data to third parties except in the case of a sale of substantially all of our business or assets or the business or assets of one or more of our locations or business divisions or as otherwise permitted below with respect to aggregate Data. We may permanently delete or destroy any and all Data at any time as determined by us. We use a variety of commercially reasonable security technologies to help protect your Data from unauthorized access, use, or disclosure. However, the use of such security technologies is not, and should not be considered to be, any type of guarantee or warranty by us that your Data will not be accessed by third parties, or that we will use all available security technologies to prevent unauthorized access to, use, or disclosure of your personally identifying information.

3. Sharing and Use of Information

We share your Data with our affiliates, suppliers, vendors, and/or their agents and employees as we deem necessary for the provision of goods and services to you. Specifically, we may share your Data: (i) with third parties assisting us in the provision, administration, and management of goods and services generally; (ii) with third parties that assist us in providing goods and services

that you request; (iii) with third parties that support our business operations or provide marketing or advertising services on our behalf, including marketing, technical, accounting, legal or other professionals; and (iv) as otherwise permitted by law or approved by you. We may use your Data for our general business operations and goods and services provided by us if it is in a form that is not capable of being personally identified with you or if it is combined with Data from one or more other customers in aggregate form that does not personally identify any particular customer. We may also sell, license or otherwise provide such de-identified or aggregated data to third parties.

While we use commercially reasonable efforts to safeguard your Data when transmitted to third parties, we do not warrant that your Data will be transmitted without unauthorized interception or modification or that your Data will not be accessed or compromised by unauthorized third parties.

4. Collection of Your Information by Third-Party websites

Our website may contain links to other websites. We are not responsible for the privacy practices or the content of such websites. **[Note – we recommend adding the following highlighted language if you allow third party advertisements on your websites.]** [We may allow third-party advertisers to place ads on our website. These third-party advertisers may use cookies or similar technologies to help present the advertisements to you or to help measure the effectiveness of their advertisements. Some advertisers may use cookies to serve ads to our users or Customers based on their visits to our website and other websites on the Internet. The use of such technologies is subject to the privacy policies of the third-party advertisers and is not covered by this Policy. As a result, if you respond to any such third-party advertisers by clicking on the advertisements and/or visiting their websites or the websites of any other third party, be sure you evaluate their privacy policies before providing them any of your information. To opt-out of a third party's use of cookies, you must visit such third party's website and follow its specified opt-out procedures. You may opt-out of Google's use of the DoubleClick cookie by visiting the Google Advertising Policies and Principles page at <http://www.google.com/policies/privacy/ads/>. You can opt out of some, but not all, of third-party advertiser cookies in one location at the Network Advertising Initiative opt-out website, located at www.networkadvertising.org/managing/opt_out.asp. You may block all cookies by following the instructions applicable to your browser at <http://www.aboutcookies.org/page-1>.]

5. Updates and Changes to Policy

We reserve the right, at any time and without notice, to add to, change, update, or modify this Policy by posting such addition, change, update, or modification on our website. Any such addition, change, update, or modification will be effective immediately upon posting on our website.

6. Eligibility; Compliance with Children Privacy Issues

We do not knowingly collect or maintain personally identifiable information from children under the age of 13. If you know of someone using our website that is under the age of 13, please notify us immediately. If we are informed that anyone under the age of 13 is using the website, his or her account will be cancelled and all of his or her information will be deleted from the website as soon as practical.

7. How to Contact Us

If you have any questions or concerns about this Policy, or need to request corrections or deletions to the information you have provided to us, then please contact ccc@nwjd.com with Subject Line as "Privacy".] or [(660) 783-2311].

Opt-Out Mail-In Form (Check as applicable)

- Do not share information about my creditworthiness with your affiliates for their everyday business purposes.
- Do not allow your affiliates to use my personal information to market to me.
- Do not share my personal information with nonaffiliates to market their products and services to me.

Your information:

Name: _____

Address: _____

Mail to:

[Northwest Implement, Inc]

[29197 US HWY 71]

[Maryville, MO. 64468]

Note: This form is only applicable to customers who purchase for personal, family, or household use