



Privacy Policy

Effective Date: September 10, 2020

I. Introduction

The Energy Bar Association (“EBA”) is committed to maintaining your confidence and trust with respect to any information we may collect from you on the <https://www.eba-net.org/> website, EBA social media sites, and other EBA-owned online platforms, mobile applications, or services (collectively, “EBA Sites”). This Privacy Policy sets forth the information we may collect about you, how we may use this information, and the choices you have about how we may use such information.

By using EBA Sites, you consent to the terms and conditions of this Privacy Policy and to EBA processing your data for the purposes stated below. If you do not agree to the terms and conditions of this Privacy Policy, please understand that your use of EBA Sites may not be optimized and in some instances you may not be allowed access to EBA Sites that require EBA to verify you as an authorized user (for example, logging into your EBA account).

EBA Sites may contain links to other websites that are beyond our control. In the event you choose to access such websites, EBA is not responsible for any actions or policies of such third parties. We recommend you check the applicable privacy policy of such party before submitting any information to it.

II. Changes to the Privacy Policy

We reserve the right to amend the Privacy Policy at any time, for any reason. Any changes to our Privacy Policy will be posted on this page. The date of the last revision to the Privacy Policy will be indicated by the "Effective Date" at the bottom of this page.

III. Data EBA Collects

1. Personal Data

"Personal Data" is Data that you provide to us online, by phone, or by paper, or that we may otherwise collect, that identifies you directly. We will not collect or use Personal Data except as stated in this Privacy Policy. Personal Data may include, among other things, name, postal address, telephone number, email address, payment and billing information, subscriptions, membership status, volunteer history, donation history, professional certifications, licenses or credentials. Personal Data may also include sensitive information such as racial or ethnic origin, sexual orientation, disability status, or religious preferences.

EBA Sites collect this information for a variety of business reasons, including but not limited to, applying for membership, registering for an EBA event or program, purchasing EBA products or services, or otherwise interacting with the EBA.

2. Non-Personal Data

“Non-Personal Data” is information that does not directly identify you as you interact with EBA Sites. Non-Personal Data may be tied together with other data to identify you. Some examples of Non-Personal Data we collect includes EBA Sites usage (e.g., Internet protocol address, browsing history, search terms, number of clicks, referring/exit pages, date/time stamp, time spent on EBA Sites); products and services viewed, including advertisements for such products and services; computer type, operating system and platform type; and information about your employer.

3. Cookies

EBA collects information regarding your use of EBA Sites through the use of cookies. Cookies are anonymous, unique alphanumeric identifiers sent to your browser from a website’s computers and stored on your computer. We collect the following types of information as a result of a cookie being stored on your computer: the Internet Protocol address used to connect your computer to the internet; computer and connection information such as browser type and version, operating system, and platform; and click stream data, including date and time, cookie number and content you viewed or searched for on EBA Sites.

We collect and use, and may from time to time supply third parties with, non-personally identifiable information as anonymous, aggregated user data for the purposes of site usage analysis, quality control, and improving the EBA Sites. We use temporary “session” cookies to maintain information we need to have for you to view content and browse from page to page. We use “persistent” cookies to give you a more personalized browsing experience and to help you navigate the EBA Sites more efficiently. In all cases in which cookies are used, the cookie will not collect Personal Data except with your explicit permission. You can prevent your browser from accepting new cookies, have the browser notify you when you receive a new cookie, or disable cookies altogether by accessing your browser’s preferences menu.

IV. How We Use Your Data

WE USE YOUR DATA TO CONTACT YOU, PROVIDE SUPPORT FOR YOUR MEMBERSHIP, PERSONALIZE OUR SERVICES TO YOU, AND FULFILL AND DELIVER EBA PRODUCTS AND SERVICES.

Except to the extent necessary to fulfill our business obligations as described in this Privacy Statement, we do not sell, transfer, or otherwise disclose to third parties any of the Personal Data that we collect directly from or about you.

We use your Personal Data in the following ways:

- To provide member related services;
- To deliver services, such as educational programs, information, or newsletters you request or purchase;

- To alert you to special offers, updated information, and other new services from EBA, other third parties, or to forward promotional materials;
- To process your order and, if necessary, to contact you regarding the status of your order;
- To fulfill the terms of a promotion;
- To ensure EBA Sites are relevant to your needs;
- To help us create and publish content most relevant to you;
- To request your feedback about your experience with EBA;
- To allow you access to password-protected areas of EBA Sites;
- To publish membership directories, membership lists and registration lists to allow other lawyers and the public to find you; and
- For other business purposes that help optimize your experience as you interact with EBA Sites.

We use Non-Personal Data to improve the usability of EBA Sites and for other business reasons. We or other third-party companies also use the Non-Personal Data to provide advertisements and targeted advertisements to you (ads based on the Non-Personal Data). We do not provide Personal Data to third parties with whom we share your Non-Personal Data. Please note that, when you select an advertising link or other link that takes you to sites not operated by EBA, you may be subject to the privacy policies of these third-party sites.

V. How We Share Your Data

Personal Data collected will not be shared with third parties except to further the purpose for which you provided the Personal Data and in the following instances:

- To fulfill a service to you including answering questions, completing an order, fulfilling a purchase, or to follow through on a sweepstakes entry.
- To affiliates, strategic partners, agents, third party marketers or other unaffiliated parties who are offering products or services that we believe may be of interest to you, if you have opted in to receive such communications.
- To unaffiliated third-party service providers, agents or independent contractors who help us maintain EBA Sites and provide other administrative services to us (including, but not limited to, order processing and fulfillment, providing customer service, maintaining and analyzing data, sending customer communications on EBA's behalf, and entry collection, winner selection and prize fulfillment for contests, sweepstakes and other promotions). We seek to ensure that these unaffiliated third parties will not use the Personal Data for any other purpose than to provide the administrative services for which they are responsible.
- To comply with the law or in the good faith belief that such action is necessary to conform to the requirements of law or comply with legal process served on us, protect and defend our

rights or property, including the rights and property of EBA and EBA Sites or act in urgent circumstances to protect the personal safety of our end users.

- To third parties as part of any corporate reorganization process including, but not limited to, mergers, acquisitions, and sales of all or substantially all of our assets.

VI. Your Rights Regarding Personal Data

a. Personal Data Retention

We keep your Personal Data for as long as you are an EBA member or as long as your relationship with EBA continues and as required by law. We retain your Personal Data while your membership is active or as necessary to continue to provide internet or mobile-based services. This includes Personal Data you provided to us and Personal Data obtained from your use of our services. There may be some instances where we retain Non-Personal Data in a depersonalized or aggregate form.

b. Right to Access and Control Your Personal Data

You can access, update or delete your Personal Data if you have a user account through the EBA website by logging into your account. You can also email us at privacy@eba-net.org.

For Personal Data that we have about you:

- **Delete:** You may ask us to erase or delete all or some of your Personal Data, and we will work hard to honor all requests in a timely manner. In some instances, we may not be able to delete your Personal Data in order to comply with applicable financial transaction laws or other laws (for example, it is necessary to keep the financial records of a transaction with you).
- **Change or Correct:** You may edit some of your Personal Data through your EBA account. You may also ask us to change, update or fix your data in certain cases, particularly if it is inaccurate.
- **Object to, Limit or Restrict:** You may ask us to stop using all or some of your Personal Data.
- **Right to Access:** You have the right to see your Personal Data and take it with you. We will work with you to be sure we can provide the most complete set of your Personal Data and a secure way to transfer your Personal Data.
- **Account Closure:** We will keep some of your Personal Data, even after you end your membership with EBA or close your EBA account, in order to fulfill any final service requests. Please note that we will retain your Personal Data even after you have cancelled your membership or closed your EBA account if reasonably necessary to comply with our legal obligations (including law enforcement requests), meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, enforce a user agreement, or fulfill your request to “unsubscribe” from further messages from us. We will retain de-personalized Data after your account has been closed.

VII. California Privacy Rights

California law entitles California residents who provide Personal Data to request and obtain from us, once a calendar year, information about the Personal Data we shared, if any, with other businesses for marketing uses. To request this information, please email us at privacy@eba-net.org or in writing to Privacy, EBA, 2000 M Street, N.W., Suite 715, Washington, D.C. 20036.

VIII. Canada Anti-Spam Law

The EBA complies with the Canada Anti-Spam Law. Non-EBA members or associates who provide us a Canadian mailing address will not receive unauthorized Commercial Electronic Messages (as defined under the Canada Anti-Spam Law) unless these individuals have “opted-in” to receive Commercial Electronic Messages.

IX. Children

We do not knowingly collect Personal Data from or market to children under the age of 13.

X. Our Commitment to Data Security

We recognize that your privacy is important to you, and therefore, we use commercially reasonable security measures to help protect against unauthorized access to or unauthorized alteration, disclosure, or destruction of Personal Data. Personal Data about each user is stored on servers that are behind a firewall and physically housed within a secure data center. We restrict access to Personal Data to certain companies, bound by confidentiality obligations, who need the data to operate, develop, or improve our services.

Despite our efforts to protect your Personal Data, EBA cannot guarantee or warrant the security of the Personal Data you transmit to us, or to or from EBA Sites. If you have questions about this Privacy Policy, please contact us.

XI. For our Members/Customers in the EU

This Privacy Policy includes information applicable to residents of the European Economic Area ("EEA") and users accessing EBA Sites from within the EEA. If you are an EEA resident, this Privacy Policy provides you with information regarding your rights under the EU General Data Protection Regulation (EU) 2016/679 ("GDPR").

a. Data Controller

EBA is the data controller for the Personal Data collected from its members and customers. EBA can be contacted at:

Attn: Privacy
Energy Bar Association
2000 M Street, N.W., Suite 715

Washington, D.C. 20036

privacy@eba-net.org

By phone at 202-223-5625

b. Transfer of Personal Data to Other Countries

EBA and our internet services are based in the United States and, regardless of where you access the website, the information collected as part of that use will be transferred to and maintained on systems located in the United States. By submitting your Personal Data to us, you agree to the transfer, storage, and processing of your Personal Data in the United States.

c. Your Rights

The GDPR provides you with certain privacy rights, including the right to access, correct or update your personal information. You may also request to have your information deleted, although we may retain information for backups, prevention of fraud and abuse, satisfaction of legal obligations or other ongoing legitimate interests. You have the right to receive a copy of your information in a structured, machine-readable format for portability. You may decline to share certain personal data, in which case we may not be able to provide you with some features and benefits. You also have the right to object to the way we process Personal Data if the objection is based on legitimate interests or concerns. Finally, you have the right to be free from decisions we make based on automated processing of your Personal Data unless we are contractually obligated to process Personal Data in an automated manner.

If you wish to exercise any of the rights granted to you by the GDPR, or wish to lodge a complaint about how we have handled your Personal Data, contact us via email to privacy@eba-net.org or calling 202-223-5625 or via mail to the address set forth above.

XII. Contact Information

If you have questions, comments, or complaints concerning our privacy practices or if you wish to change, access, or remove your Personal Data, please contact us as indicated below.

Energy Bar Association

2000 M Street, N.W., Suite 715

Washington, D.C. 20036

privacy@eba-net.org

By phone at 202-223-5625