

PRIVACY POLICY

By creating an account, making a purchase, or by visiting <http://www.sylviamontesdesigns.com> (the “Website” or “Site”), you are consenting to the following Privacy Policy.

SYLVIA MONTES DESIGNS LLC, respects your privacy and is committed to protecting it.

This policy describes the kinds of information we may collect from you or that you may provide to us and our practices for collecting, using, maintaining, protecting and disclosing that information.

This policy applies when we are in control of how data is collected, stored, and processed. (When we are the data controller.) Including the information we collect:

- on our Website, including any subdomains
- in e-mail or other electronic messages between you and our Website
- via our email marketing service provider, such as Flodesk (or other email utility).

It does not apply to information collected by:

- us offline or through any other means
- any third-party content that may be linked to or be accessible from our Website

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it.

Our Website incorporates privacy controls affecting how we process your personal data. You can opt out of our email newsletter, request your personal information, request to update and change your personal information or request to delete your personal information. You may make any of these requests by emailing sylvia@sylviamontesdesigns.com.

If you wish to opt out of our email newsletter, you can click the unsubscribe link at the bottom of every email we send.

What information we collect and how we use it

We collect several types of information about you, including information that:

- identifies you personally, such as name, postal address, e-mail address, telephone number, or opens or clicks within email newsletters
- is about you but cannot be used to identify you, such as purchases made via Amazon Affiliate links
- is about your internet connection, the equipment you use to access our Website, and how you use our Website

Usage Information

As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about you including:

- how you interact with our Website, including what pages you visited, when you last logged into your account, and if you open or click on our email newsletters
- information about your computer and internet connection, including your IP address, location, operating system, and browser type

We collect this information via Google Analytics, Fathom Analytics, Restrict Content Pro, and Flodesk using cookies and web beacons. This information helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- estimate our audience size
- understand how you use our Website
- understand what content interests you most
- 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. 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.
- **web beacons.** Pages of our Website and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us to count users who have visited pages, opened an email, and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. If you block cookies, you will not be able to use all the features on our website.

The Usage Information we collect is used to monitor and improve our website and services. (GDPR Basis: Legitimate Interest)

Account Information -

When you create an account or access our Website, you voluntarily provide us your name, email address, and possibly, select a password. We collect this information on a WordPress website using a plug-in called Restrict Content Pro.

The Account Information we collect is used to facilitate your membership. (GDPR Basis: Contract)

Publication Information -

If you comment on content on our Website, you voluntarily provide us your name, email address, and a comment. We will process this information in order to post the comment as you've requested. (GDPR Basis: Consent)

Correspondence Information -

When you fill out a contact form, you voluntarily provide us your name, email address, and a comment. We will process this information according to the instructions you provide. (GDPR Basis: Consent)

Transaction Information –

When you make a purchase through our website, you voluntarily provide us your name, email address, credit card and/or PayPal account information.

We collect this information via Restrict Content Pro, PayPal, and Stripe. This information is used to supply you with the product purchased and keep accurate records of your transaction. (GDPR Basis: Contract)

Email Newsletter or Opt-in Information

When you sign up for our email newsletter, you voluntarily provide us your name and email address.

Additionally, when you interact with our emails, Flodesk and/or Convertkit or other email utility will track which emails you open, and any links you click. From time to time, these clicks will be tracked to identify what kind of creative business you run and the issues that are most relevant to your creative business. We do this so that we can only send you the most relevant information to your inbox.

We will process this information per your request to provide you with relevant information and newsletters. (GDPR Basis: Consent)

Legal Information

We may process any personal information we have on you when required by a court order, legal obligation, court proceeding. (GDPR Basis: Legitimate Basis)

Automatically Collected Information through Tracking Technologies

When you visit or access the Website, including our email communications, we use tracking technologies like cookies, pixels, web beacons, tags, and other tracking technologies to collect information about your engagement, as well as your browsing and purchasing behavior. These tracking technologies include:

- **Clickstream Data:** Through web site access logs, we do collect clickstream data and HTTP protocol elements, which generate certain kinds of non-identifying site usage data, such as the number of hits and visits to our Website. This information is used for internal purposes for research and development, user analysis and business decision making, all of which provides better services to our users. The statistics garnered, which contain no personal information and cannot be used to gather such information, may also be provided to third parties for data processing.
- **Cookies:** A cookie is a small amount of data that is sent to a website users browser from a Web server and is stored on the computer's hard drive. We use non-identifying cookies to provide easier site navigation. Our Website can still be used if your browser is set to reject cookies. Our cookies do not generate personal data, do not read personal data from your machine and are never tied to anything that could be used to identify you. Information gathered through cookies may include the date and time of visits, the pages viewed, time spent at our site, and the websites visited just before and just after our own, as well as your IP address. By clicking “Agree” or “Approve” on any cookie agreement pop-up appearing on the Site, you agree to our use of cookies and to the terms of this Privacy Policy.

- A cookie is a very small text document, which often includes an anonymous unique identifier. When you visit a website, that site's computer asks your computer for permission to store this file in a part of your hard drive specifically designated for cookies. Each website can send its own cookie to your browser if your browser's preferences allow it, but (to protect your privacy) your browser only permits a website to access the cookies it has already sent to you, not the cookies sent to you by other sites.
- The Company reserves the right to use technological equivalents of cookies, including social media pixels. These pixels allow social media sites to track visitors to outside websites so as to tailor advertising messages users see while visiting that social media website. The Company reserves the right to use these pixels in compliance with the policies of the various social media sites.
- **Web Beacon Technologies.** We may also use Web beacon or other technologies to better tailor our Platforms to provide better customer service. If these technologies are in use, when a visitor accesses these pages of the Website, a non-identifiable notice of that visit is generated which may be processed by us or our data processors. Web beacons usually work in conjunction with cookies. If you do not want cookie information to be associated with your visits to these pages, you can set your browser to turn off cookies; however, Web beacon and other technologies will still detect visits to these pages, but the notices they generate cannot be associated with other non-identifiable cookie information and are disregarded.

We use these tracking technologies to deliver, measure, and improve our Website – whether accessed through a browser or a mobile device - in various ways. In particular, these technologies help:

- make our Website easier to use;
- better tailor our Website to your interests and needs;
- carry out profiling activities in order to learn more about you;
- offer you tailored advertising based on your behavior on our Website;
- provide better customer service, and
- compile anonymous, aggregated information that allow us to better understand our customers and visitors.

You have a number of options to control or limit how we and our partners use cookies:

- You can opt out of Google Analytics. For more information on opting out of being tracked by Google Analytics across all websites you use, visit this Google page: <https://tools.google.com/dlpage/gaoptout>.
- To learn how to manage privacy and storage settings for Flash cookies, visit: http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager07.html.
- Further information about deleting and blocking cookies can be found at <http://www.allaboutcookies.org>.
- Further information about advertisers' use of cookies can be found at:
 - European Interactive Digital Advertising Alliance: <http://www.youronlinechoices.eu/>
 - Internet Advertising Bureau (US): <https://www.iab.com/>

Email Policies

We are committed to keeping your e-mail address confidential. We do not sell, rent, or lease our subscription lists to third parties, and will not disclose your email address to any third parties except as allowed in the section titled Disclosure of Your Information.

We will maintain the information you send via e-mail in accordance with applicable federal law.

In compliance with the CAN-SPAM Act, all e-mails sent from our organization will clearly state who the e-mail is from and provide clear information on how to contact the sender. In addition, all e-mail messages will also contain concise information on how to remove yourself from our mailing list so that you receive no further e-mail communication from us.

Our emails provide users the opportunity to opt-out of receiving communications from us and our partners by reading the unsubscribe instructions located at the bottom of any e-mail they receive from us at any time.

Users who no longer wish to receive our newsletter or promotional materials may opt-out of receiving these communications by clicking on the unsubscribe link in the e-mail.

Disclosure of Your Information

We may disclose aggregated information about our website visitors (information that is not identifiable to you) without restriction.

We do not sell, rent, or share our email list containing your personal information to third parties.

However, we may disclose information that can be directly tied to you to:

- contractors, service providers and other third parties that we reasonably use to support our business
- fulfill the purpose for which you provide it
- fulfill any other purpose disclosed by us when you provide the information
- process your payment, including refunds, complaints, queries with PayPal and Stripe only to the degree necessary

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
- to enforce or apply any agreements between us, including for billing and collection purposes.
- if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of us, our customers or others. For example, exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

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. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- **Promotional Offers from Us.** If you do not wish to have your email address used by us to promote our own or third parties' products or services, you can opt-out by clicking the unsubscribe link at the bottom of every email or by emailing sylvia@sylviamontesdesigns.com. This opt-out does not apply to information provided to us as a result of a product purchase or transaction.

Retaining and Deleting Your Information

We will keep your data for no longer than is necessary for the purpose you gave it to us.

We will keep your personal data as follows:

- Usage information will be kept for a minimum of one year and a maximum of three years from each visit you make to our website.

- Account information will be kept for a minimum of seven years and a maximum of ten years from the date your account is canceled. (We keep this data for this time period because it is associated with your purchase data. Your purchases are tax deductible, we keep this information to support any tax audits, either yours or ours.)
- Account information will be kept for a minimum of seven years and a maximum of ten years from the date your account is canceled. (We keep this data for this time period because it is associated with your purchase data. Your purchases are tax deductible, we keep this information to support any tax audits, either yours or ours.)
- Purchase information will be kept for a minimum of seven years and a maximum of ten years from the date your account is canceled. (Your purchases are tax deductible, we keep this information to support any tax audits, either yours or ours.)

In some cases, it is not possible for us to specify in advance the periods for which your personal data will be kept. In those instances, we will use the following criteria to decide how long to keep your personal data:

- We will use the availability of blog post comments, the nature of the comment, and the post availability to decide how long to keep publication information.
- We will use the content of your message and the response required to decide how long to keep correspondence information.
- We will keep email newsletter or opt-in information for either the length of your subscription or the length of our contract with our email newsletter service provider.

Data Security and International Transfers

Our offices are based in the United States, along with our hosting facilities and service providers.

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure both during transfer and storage.

The safety and security of your information also depends on you. Where you have chosen a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

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. 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.

Children Under the Age of 13

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any information to our Website. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information to our Website or provide any information about yourself to us, including your name, address, telephone number, e-mail address or any username you may use.

If we learn we have collected or received personal information from a child under 13, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at sylvia@sylviamontesdesigns.com.

Your California 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 email to sylvia@sylviamontesdesigns.com.

Notice To California Residents

If you are a California resident, you have the right to request certain details about what personal information we share with third parties for those third parties' direct marketing purposes. To submit your request, send an email to sylvia@sylviamontesdesigns.com with the phrase "California Shine the Light" and include your mailing address, state of residence, and email address.

Since the internet industry is still working on Do Not Track standards, solutions, and implementations, we do not currently recognize or respond to browser-initiated Do Not Track signals.

European Union Privacy Rights

The EU General Data Protection Regulation permits users of our Website that are European Union residents certain rights. Your rights include:

- the right to access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to object to processing;
- the right to data portability;
- the right to complain to a supervisory authority; and
- the right to withdraw consent.

To access a copy of your data, correct it, restrict how it is used, or erase it, please email sylvia@sylviamontesdesigns.com. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.

If you believe that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

If you wish to withdraw your consent for us to process your data, you can opt-out by emailing sylvia@sylviamontesdesigns.com.

Visitors' GDPR Rights

If you are within the European Union, you are entitled to certain information and have certain rights under the General Data Protection Regulation. Those rights include:

We will retain the any information you choose to provide to us until the earlier of: (a) you asking us to delete the information, (b) our decision to cease using our existing data providers, or (c) the Company decides that the value in retaining the data is outweighed by the costs of retaining it.

You have the right to request access to your data that the Company stores and the rights to either rectify or erase your personal data.

You have the right to seek restrictions on the processing of your data.

You have the right to object to the processing of your data and the right to the portability of your data.

To the extent that you provided consent to the Company's processing of your personal data, you have the right to withdraw that consent at any time, without affecting the lawfulness of processing based upon consent that occurred prior to your withdrawal of consent.

You have the right to lodge a complaint with a supervisory authority that has jurisdiction over issues related to the General Data Protection Regulation.

We require only the information that is reasonably required to enter into a contract with you. We will not require you to provide consent for any unnecessary processing as a condition of entering into a contract with us.

If you are outside the European Union and opt to receive any free resources, participate in any free training programs, register for a webinar, register for a live event, register for a seminar, or purchase any products sold by the Company on this Website, we will automatically enroll you to receive our free email newsletter. If you do not wish to receive this newsletter, you can unsubscribe anytime. We include an "unsubscribe" link at the bottom of every email we send. If you ever have trouble unsubscribing, you can send an email to sylvia@sylviamontesdesigns.com requesting to unsubscribe from future emails.

If you are in the European Union and opt to receive any free resources, participate in any free training programs, register for a webinar, register for a live event, register for a seminar, or purchase any products sold by the Company on this Website, we will only enroll you to receive our free email newsletter if you affirmatively consent to it. If you do not wish to receive this newsletter, you can unsubscribe anytime. We include an "unsubscribe" link at the bottom of every email we send. If you ever have trouble unsubscribing, you can send an email to sylvia@sylviamontesdesigns.com requesting to unsubscribe from future emails.

Data Breach

A privacy breach occurs when there is unauthorized access to or collection, use, disclosure or disposal of personal information. You will be notified about data breaches when The Artists' Lawyer, LLC believes you are likely to be at risk or serious harm. For example, a data breach may be likely to result in serious financial harm or harm to your mental or physical well-being. In the event that The Artists' Lawyer, LLC becomes aware of a security breach which has resulted or may result in unauthorized access, use or disclosure of personal information The Artists' Lawyer, LLC will promptly investigate the matter and notify the applicable Supervisory Authority not later than 72 hours after having become aware of it, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons.

Controls For Do-Not-Track Features

Most web browsers and some mobile operating systems and mobile applications include a Do-Not-Track ("DNT") feature or setting you can activate to signal your privacy preference not to have data about your online browsing activities monitored and collected. No uniform technology standard for recognizing and implementing DNT signals has been finalized. As such, we do not currently respond to DNT browser signals or any other mechanism that automatically communicates your choice not to be tracked online. If a standard for online tracking is adopted that we must follow in the future, we will inform you about that practice in a revised version of this privacy policy.

Miscellaneous Fine Print

In no event will our liability (regardless of the form of action, whether in contract, tort or otherwise) exceed \$100.

There is no promise or representation that you will make a certain amount of money, or any money, or not lose money, as a result of using our products and services. As with any business, your results will vary and will be based on your personal abilities, experience, knowledge, capabilities, level of desire, and an infinite number of variables beyond our control, including variables we (or you) have not anticipated. There are no guarantees concerning the level of success you may experience. Each person's results will vary. There are unknown risks in any business, particularly with the Internet where advances and changes can happen quickly. The use of our information, products, and services should be based on your own due diligence and you agree that we are not liable for your success or failure.

You agree to defend, indemnify and hold us from and against any claims, liabilities, damages, judgments, awards, losses, costs, expenses or fees (including reasonable attorneys' fees) arising out of or relating to your violation of these terms or your use of the site.

These terms shall be governed by the laws of the State of TEXAS without giving effect to any choice or conflict of law provision or rule.

Any legal suit, action or proceeding arising out of, or related to, these terms or this site shall be instituted exclusively in the federal courts of the United States or the courts of WEBB County, TEXAS.

Updates and Date Last Updated

These terms of service and privacy policy will be periodically reviewed and updated to reflect the current functions of the site. Registered users will be notified via e-mail of material changes before they take effect. If you do not agree to the changes, you may cancel your account. The revised terms will apply to you if you continue to use the Site.

The last update was made on APRIL 23, 2023.

Contact Information

This website is owned and operated by SYLVIA MONTES DESIGNS LLC, a TEXAS limited liability company. The Company's mailing address is 1508 Sanders Ave, Laredo, Texas 78040.

To ask questions about or comment on this Privacy Policy and/or our privacy practices, please contact us at

sylvia@sylviamontesdesigns.com