

## **POLICY UPDATED AUGUST 21, 2019**

### **VAIL RESORTS GLOBAL PRIVACY AND COOKIE POLICY**

Vail Resorts Inc., through its subsidiaries, provides a variety of resort services around the world (together, **“Vail Resorts”**). We value you as a guest and know that you care how information about you is collected and used. This Privacy Policy (the **“Privacy Policy”** or **“Policy”**) informs you about what information we collect and how we use it. This Policy is part of the Terms of Use published on our Sites. Click here to review the [Terms of Use](#).

The Policy applies to the Personal Information we collect when you visit any Vail Resorts website or use a Vail Resorts online or mobile application—including Epic Mix<sup>®</sup>, Emma<sup>™</sup>, or the Perisher Dashboard—where the Policy is referenced (our **“Sites”**). The Policy also applies to the Personal Information we collect when you visit any of our resorts, retail locations, rental locations, events sponsored in whole or in part by Vail Resorts, lodging or other service providers worldwide (our **“Locations”**).

#### **Personal Information We Collect**

When we use the term **“Personal Information”** we mean information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a natural person or household, such as a real name, postal address, e-mail address, telephone number, payment information, pass or lift ticket ID number or identities, profile photographs and location information. When other information (such as consumer preferences, demographic information, or opinions about an identified individual or reasonably identifiable individual) is directly associated with Personal Information, we treat this other information as Personal Information. Information that is de-identified or anonymized will not be considered Personal Information.

When visiting our Sites, interacting with us (e.g., over the phone, by email) or providing information at any of our Locations, we collect the following types of Personal Information:

- identification data (e.g., first name, last name, postal address, phone number, email address);
- payment details or methods and transaction information (e.g., when you purchase lift tickets, event tickets, or goods, or book accommodations online);
- location data (e.g., the location where you stay or ski, the location of an event at one of our Locations that you attend, location data sent by your device, the runs that you ski or ride, the ski lifts that you ride, a top level domain name such as .com, .gov., .au, .ca);
- connection data (e.g., IP address, connection speed, type of browser used and information communicated by your browser, mobile network information, data automatically communicated by your device);
- device information (e.g. device type, screen size, operating system);
- data regarding your use of our Sites (e.g., date and time of visits, viewing information, pages viewed, keystroke activity, time spent on pages, scroll activity, click/touch information, content you provide, such as through email or messages, and mouse movements);

- information relating to your preferences and activities (e.g., vertical distance by day; calories burned; time spent skiing or riding; individuals with whom you form groups for skiing or riding, as reflected in your use of our applications; frequency with which you use or visit various facilities, services, programs, or Locations; events attended)
- details of ski-related accidents and other incidents;
- an assessment of your skiing/riding ability;
- photographs and video of you at our Locations or that you otherwise submit; and
- demographic information (e.g. household information, number of children, age ranges, gender).

Please note that such data may either be directly collected from you (e.g., when you fill out a form at one of our Locations or on one of our Sites) or indirectly from you. In this latter case, the following sources enable us to obtain the Personal Information:

- when a third party provides information about you (e.g., if someone orders a gift, gift card, or gift certificate online and wants to send it directly to you, he/she must provide us with your name and address; if third parties, including travel agents or business partners with whom we have joint marketing or service providing arrangements, provide information about you);
- when your electronic communications devices, such as smartphones, tablets, or computers, automatically submit information;
- when technology implemented at our Locations provides us with information (e.g., when your ski pass is automatically scanned at a chairlift, event, or some other Location);
- when we are provided information from other business partners;
- when you are at one of our Locations, and we take photographs or video of you; and
- when such information is available from public sources.

In addition to the above, we may combine information you have provided to us on our Sites with information you have provided to us offline, including information you have provided to us at one of our Locations, and we may store this information together in your customer profile. For example, we may combine data automatically collected when you use your season ski pass, attend an event, rent equipment at one of our Locations, or otherwise visit one of our Locations, or data you provide to us when you stay at one of our hotels or resorts, with your customer profile. This enables us to provide the best experience possible when you visit our Locations.

### **How We Use Your Personal Information**

We use your Personal Information for the following purposes, all of which relate to the relationship between you and us, and the services we provide:

- to provide you or the person of your choice with the services and/or products you requested (e.g., passes, reservations, services offered by various Vail Resorts applications—including EpicMix—such as the summary of your ski day, and ability to share), to perform transactions, in

particular to check your identity or the identity of the person you designated, as well as for billing and shipping purposes;

- providing you with souvenir, photography and video services; and
- to provide you and/or the person you designated with after-sale support in case you encounter any difficulties following your transaction with us.

We also may process your Personal Information for the purposes listed below, which are necessary for us to pursue our legitimate interest and provide you with quality services and products:

- for security and fraud prevention purposes as well as for protecting our rights, pursuing available remedies and enforcing our [Terms of Use](#);
- to administer our systems, debug, and improve the performance and accessibility of our Sites and Locations;
- to monitor and optimize the use of our facilities (e.g., when you scan your pass and ride one of our chairlifts, we use such information for monitoring the use of our chairlifts; improvement of facilities based on number of attendees at events);
- to better understand your use of our products, services, programs, and events; and
- to improve our Sites, Locations and, more generally, our products, services, programs, and events.

In addition, with your consent, we may also process your Personal Information:

- to provide you with marketing communications, recommendations and special offers regarding our products and services, as well as products and services of third parties which might be of interest to you, and to give you the opportunity to enroll in our loyalty program; and
- to combine your data and implement profiling activities in order to better understand your needs, expectations and preferences and provide you with personalized content and targeted advertising accordingly.

We may also use your information for secondary purposes closely related to the purposes above, in circumstances where you would reasonably expect such use or disclosure to occur.

Please refer to the Your Choices and Rights section below for information regarding how you can manage your options and exercise your rights with respect to your data.

### ***Cookies and Technology; Third-Party Advertisers***

We use technology such as “cookies” to help us provide customized services and as a means to collect dependable and consistent traffic data. A “cookie” is a small piece of data that is sent to a user’s browser from a web server and stored on a user’s hard drive.

These cookies, along with other technologies, such as web beacons, may also be used by Vail Resorts corporate partners and on co-branded websites to help us understand how you use our products and Sites and better provide advertising to you.

In addition, we may use third-party advertising companies to customize the advertisements you see on our Sites, on other websites, or on your mobile or other devices. These companies may use cookies, web beacons, or other technologies to collect information about your use of our Sites and other websites and applications, including in particular your IP address, web browser, mobile network information, pages viewed, time spent on pages or in applications, and links clicked. We may use this information to analyze data, determine the popularity of certain content, deliver advertising and content targeted to your interests, and better understand your online activity.

Our service providers are bound by contract to keep your Personal Information confidential and use it only for the purposes laid out in the contract on our behalf. For more information about online behavioral advertising, or to learn about your choices related to such practices, please visit <http://www.aboutads.info/choices> or <http://www.networkadvertising.org/choices>.

You can modify your cookies preferences and choose to refuse cookies. However, if you decide to block all cookies, you may not have full access to all functionalities and pages of our Sites.

Please note that most browsers allow you to manage your cookies preferences by changing your settings. You may set your browser to: (i) automatically accept or refuse all cookies; (ii) automatically accept or refuse first party cookies and/or third parties cookies; (iii) notify you before any cookies are placed, so that you get the opportunity to decide whether you are willing to accept it or not.

Consequently, if you accept cookies in the first place but later change your mind and want to opt out, you may use your browser settings for deleting cookies already placed on your electronic devices and/or change your browser settings to refuse any further cookies or particular further cookies.

In addition, you may wish to visit [www.aboutcookies.org](http://www.aboutcookies.org), which contains comprehensive information on how to do this on a wide variety of browsers, or <http://www.youronlinechoices.com/>, which enables you to manage the advertisement cookies placed on your devices.

Vail Resorts participates in the Adobe Marketing Cloud Device Co-op to better understand how you use our Sites across the various devices you use, and to deliver tailored promotions to our guests. Go to <https://cross-device-privacy.adobe.com> to learn more about how Adobe does this and to manage your choices relating to this linking of devices.

Some of Vail Resorts' websites use Mouseflow, a third-party analytics tool, to track page content and viewing information, pages viewed, keystroke activity, time spent on pages, scroll activity, click/touch information, and mouse movements. You can opt-out at <http://mouseflow.com/opt-out>.

### **Disclosure of Your Personal Information**

Vail Resorts does not sell your Personal Information to third parties. Under limited circumstances we may disclose the Personal Information we collect to third parties for all or part of the above-mentioned purposes. Examples of those circumstances are described below, along with some of the steps we take to limit the manner in which your Personal Information is used.

#### ***Service Providers***

We may share your information with companies that provide support services to us (such as credit card processors, mailing houses, web hosts, application developers, event co-sponsors, concessionaires, Resort Management Boards responsible for management and planning for the development, promotion

and use of our Locations, or providers of online reservation services) or that help us market our products and services (such as email or text messaging vendors). These companies may need information about you in order to perform their functions. These companies are only authorized to use the Personal Information we share with them for the purpose of delivering the service we work with them to provide. In addition, we only disclose the information they need to provide the specific service or function.

#### ***Ski Pass Partners***

Vail Resorts sometimes enters into contractual relationships with other resorts that we do not own. We enter those relationships so that our customers can access skiing or other resort services at those resorts. To facilitate those services we may share information about you with the other resort company so that they can provide the service and validate your ski pass and identity. We share that information pursuant to written contracts with the partner resorts and limit the information to what is needed for the specific purpose.

#### ***With Other Vail Resorts Entities***

In order to provide you with services and operate our business, including in connection with the uses disclosed above, Personal Information we collect may be shared, consistent with this policy, with subsidiaries of Vail Resorts, including current or future parents, affiliates, subsidiaries, and entities sharing common ownership with Vail Resorts. All of the Vail Resorts entities are bound to this Privacy Policy.

#### ***Partner Promotions***

We may occasionally feature web pages on which you can register for special promotions or services provided in conjunction with our business partners. When we feature pages like these on our Sites, we will give you a clear notice that you are providing information to another party. We may also arrange to send you marketing and promotional information of other companies that we think might be of interest to you, only if you tell us that you want to receive these sorts of materials.

#### ***In Connection with Events Sponsored in Whole or in Part by Vail Resorts***

Vail Resorts may at times co-sponsor an event with business partners. We may share your information with those business partners to help us market or improve our products and services. We only disclose the information they need to provide help to us with that marketing or improvement. In addition, we share that information pursuant to written contracts with the business partners and limit the information to what is needed for the specific purpose, including providing aggregated or de-identified data when possible.

#### ***In Connection with Corporate Events***

In the event of a merger, reorganization, acquisition, joint venture, assignment, spin-off, transfer, or sale or disposition of all or any portion of our business, including in connection with any bankruptcy or similar proceedings, we may transfer any and all Personal Information to the relevant third party. Your Personal Information would remain subject to this Policy.

#### ***In Special Circumstances***

In certain special cases, we may disclose your Personal Information when we have reason to believe that disclosing this information is necessary to identify or contact you, or to provide you with emergency medical services, or bring legal action against someone who may be causing injury to you, Vail Resorts or

someone else. We may disclose your Personal Information to a person who is seeking the information as your agent. We may disclose your Personal Information when we believe the law requires it, in response to any demand by law enforcement authorities in connection with a criminal investigation, in response to civil or administrative authorities in connection with a pending civil case, governmental authorities or administrative investigation, or in connection with an investigation conducted by Vail Resorts.

### **Links to Third-Party Websites**

Our Sites contain direct links to sites offered by third parties (e.g. our strategic alliance partners' sites, co-branded event sites, or websites belonging to community partners). Those third-party sites are not covered by this Privacy Policy.

Some of the sites may give you the option of sharing your thoughts, Personal Information, or skiing and snowboarding experiences automatically on their platforms. If you choose to share information with a third-party site such as Twitter or Facebook, or a third-party service such as Apple Health, the information you choose to share is not subject to this Privacy Policy. You should review the privacy policies of those sites or services to make an informed decision about whether to share your information. Further, you should review your account settings on those sites to ensure that you are comfortable sharing your information with the audience chosen in that account.

### **EpicMix and Other Vail Resorts Accounts**

In addition to other purposes outlined in this Policy, Vail Resorts will use information collected through your EpicMix and/or other Vail Resorts accounts, such as the Perisher Dashboard, to establish, maintain and manage your account. Depending on the notification options you choose, we may also send you emails, push notifications, or text messages related to your account, such as a summary of your day when you ski or snowboard, or awards or special offers when certain milestones have been achieved. You may unsubscribe from receiving such messages by managing your account settings.

#### *Privacy Settings*

You can manage the content and information you share when using your account through the privacy settings you select. The settings allow you to consent to the following:

Private: You will be able to view your own statistics on certain applications, earn badges and set goals. Your information will not be visible to other application members or to the public. You will not be visible on leaderboards and your name/email address will not be searchable on these applications.

Share within application: Your name (or display name if preferred) will be shown on leaderboards and the number of days, lift rides, and vertical distance you have skied or ridden will be publicly available. Other application members who have been accepted as Friends will be able to see more details about you, including your photo, social media accounts connected to the application, badges earned, streak (number of days you have skied/ridden in a row), date of becoming a Vail Resorts skier/rider, date last active at Vail Resorts, goals and progress towards goals, and vertical distance by day. If you permit, Friends will also be able to see daily detail, which includes each scan of your ski pass (location, date and time).

Share Socially: Your name (or display name if preferred) will be shown on leaderboards and details about you will be publicly available, including name, photo, display name, social media accounts connected to the application, position on Leaderboard, vertical skied/ridden, lifts ridden, badges earned, days skied/ridden, streak (number of days you have skied/ridden in a row), date of becoming a Vail Resorts skier/rider, date last active at Vail Resorts, goals and progress towards goals, and vertical by day and other information you share through the application. If you permit, daily detail, which includes each scan of your ski pass (location, date and time) will also be publicly available. If you choose to link your application account to third party sites, such as Facebook, you can manage what information you want to share with each of these sites automatically, or you can choose what content to share manually. As described in this Policy, if you choose to share information with a third-party site, the information you share on that site is not subject to this Privacy Policy. You should review the privacy policies of those sites to make an informed decision about whether to share your information.

#### *Location Information*

When you open a Vail Resorts application account, such as an EpicMix or Perisher Dashboard account, we will combine your ski/snowboard pass scan data described in this Policy with the information you provide to us through that account. Location information collected and combined in that manner is subject to this Policy.

To provide the EpicMix Time service, we use information from devices that broadcast Wi-Fi and Bluetooth signals. EpicMix Time uses those signals anonymously to calculate the line times at participating chair lifts. We do not connect information broadcast from your device in this manner to Personal Information about you. If you do not wish for your information to be included the wait time calculation, you can turn off your device's Wi-Fi and Bluetooth services.

We use Global-Positioning System ("GPS") signals broadcast by your mobile device to enable personalized services on EpicMix Maps. If you use the EpicMix Maps functionality, your phone's GPS Signal will be used to display your location on a map in order to provide you with the customized map functionality. Your current location is only used to update your location on the map and is not stored by EpicMix. If you do not wish to see your personal location on the map, you can turn off GPS location services on your device at any time.

For more information about Epic Mix accounts, [visit these FAQs](#).

#### **Children's Privacy**

We do not knowingly collect Personal Information on our Sites from children under the age of 13 without the prior consent of the child's parent or guardian.

#### *Children and Vail Resorts Applications*

Children under age 13 may only open a Vail Resorts Application account (such as an EpicMix or Perisher Dashboard account) with parental consent. After parental approval is received and verified, the child's account will be created. Parents who approve the creation of a child account understand that we will collect the following information about the child: an email account, name, date of birth, gender, state, zip or postal code, country. We will maintain that information in the application account and combine it with information collected offline, such as the child's chair lift rides at our resorts, attendance at events sponsored in whole or in party by Vail Resorts, information about the child's ski school experience,

pictures taken by Vail Resorts photographers, and race times. We will only collect information about your child for the purpose of providing the account services you have enabled and for providing account features and notifying you and your child of information related to the account. We will not use the information to market other products or services to your child and will not sell or share the information with others for those purposes.

Application profiles created for children under 13 have restricted privacy features and are only viewable by you, your child, and other family members linked to your account. The child's information is not visible to other application members or to the general public, and is not visible on leaderboards or searchable on Vail Resorts applications such as EpicMix. In addition, children under age 13 are not able to link to third party sites, such as Facebook.

If you believe that a child under age 13 (or other age applicable in a different jurisdiction) has provided Personal Information to us without the consent of a parent or guardian, has created an account of any kind without the consent of a parent or guardian, or if you wish to delete your child's Vail Resorts application account or revoke consent, please notify us at [comments@vailresorts.com](mailto:comments@vailresorts.com) (or in Australia, by emailing [privacy@perisher.com.au](mailto:privacy@perisher.com.au) or on the telephone at 1300 655 822) as soon as possible so their data may be deleted.

### **Your Choices and Rights**

If you agreed to receive communications from us, our Sites give you the option of not receiving future communications by sending an email to [comments@vailresorts.com](mailto:comments@vailresorts.com) (or if you are in Australia, by sending an email to [response@mail.perisher.com.au](mailto:response@mail.perisher.com.au)) or by clicking on the link enabling you to unsubscribe displayed at the bottom on each of our communications.

If you have a snow.com or epicpass.com account, you can manage your information and privacy preferences by logging into your account at [www.snow.com](http://www.snow.com) or [www.epicpass.com](http://www.epicpass.com).

If you have an Epic Mix account, you can manage your information and privacy preferences by logging into your account at [www.epicmix.com](http://www.epicmix.com) (or in Australia, by logging into your account at [www.epicaustraliapass.com.au](http://www.epicaustraliapass.com.au)).

You may also access, correct or delete your Personal Information collected and held by us (including through our Site or other interactions with us). You are also entitled to object, at any time, to the further processing of your Personal Information. You have the right to receive your Personal Information in a structured and standard format.

You can exercise your above-mentioned rights by emailing [comments@vailresorts.com](mailto:comments@vailresorts.com) or by telephone at 1-800-842-8062 (in Australia, by emailing [privacy@perisher.com.au](mailto:privacy@perisher.com.au) or by telephone at 1300 655 822).

If you have a complaint, please send an email describing your complaint to [comments@vailresorts.com](mailto:comments@vailresorts.com) (in Australia, by emailing [privacy@perisher.com.au](mailto:privacy@perisher.com.au)) with "Privacy Compliance" in the subject line. A representative of Vail Resorts will review your complaint and will respond to your email within 30 days.

You also have the right to lodge a complaint with a competent data protection authority regarding the processing of your Personal Information. For more information, please contact your local data protection authority.



## **Notice to California Residents**

If you are a California resident, you may have certain additional rights. California Civil Code Section 1798.83 may permit you to request information regarding the disclosure of your Personal Information by Vail Resorts to third parties for the third parties' direct marketing purposes. California Business and Professions Code Section 22581 permits registered users who are minors to request and obtain deletion of certain posted content. For additional information or to make a request, please contact [comments@vailresorts.com](mailto:comments@vailresorts.com) or call 1-800-842-8062.

## **Notice Regarding European Law**

Under European law, companies are required to have a legal basis for processing personal data. We process personal data as necessary to perform our contracts with you, including based on our Terms of Use, and the disclosures above. We further process personal data based on our legitimate interests or the interests of a third party, for compliance with a legal obligation, to protect your interests or those of another person, and for tasks carried out in the public interest. We also process personal data based on your consent in certain instances. Exemplary instances are detailed further in the disclosures above, including the disclosures regarding "How We Use Your Personal Information." For processing based on public interest, you have a right to object to such processing, which we will assess. For additional information or to make a request, please contact [comments@vailresorts.com](mailto:comments@vailresorts.com) or call 1-800-842-8062.

## **Data Security and Retention**

Vail Resorts has implemented physical, technological, and organizational safeguards and security measures designed to protect against the loss, misuse, or unauthorized access or disclosure of your Personal Information under our control. We also take measures to protect the Personal Information we disclose to third parties, for example by entering into contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used. Please be aware though that, despite our efforts, no security measures are perfect or impenetrable. You can help us by protecting and keeping your passwords safe at all times, and not using the same password for different applications or sites. You also can protect yourself and help us reduce the risk of fraud by promptly notifying us if you suspect that your credit card, pass product with Resort Charge, other resort-specific payment product, user name, or password is lost, stolen or used without permission.

We will retain your Personal Information for the length of time needed to fulfill the purposes outlined in this Policy. Personal Information that is no longer required for those purposes will be destroyed or made irreversibly anonymous.

## **Changes to the Policy**

We may change this Policy from time to time, and will post the revised Policy on our Sites. The changes will only apply to Personal Information we collect after we have posted the revised Policy. If we make material changes to the way we collect, use or disclose Personal Information, we will notify you by means that are appropriate, including potentially posting a clear and prominent announcement on our Sites or alerting you through a direct communication. To the extent allowed by applicable law, your continued access to or use of Vail Resorts Sites or Locations following notice of material changes to this Policy shall constitute consent to any amendments and/or modifications. Where required by law we will provide separate notice or seek separate consent for changes to our privacy policy or practices.

## **International Data Transfers**

Vail Resorts' headquarters are located in the United States. Through our affiliates, we operate Locations in the U.S., Canada, and Australia. Your Personal Information may be transferred, stored or processed by Vail Resorts entities or third parties located in the United States or other locations around the world as described in this Policy. Data protection standards in those countries may differ from the country where you reside.

For individuals in Australia, please note that your personal information may be transferred to our affiliates in the United States or Canada for the purposes described in this Policy. Vail Resorts affiliates will handle your personal information in a manner consistent with the *Privacy Act 1988* (Cth) and Australian Privacy Principles (APPs), and may also be subject to other countries' privacy and data protection laws that impose requirements similar to the APPs.

## **Contact Us**

If you have questions about this Privacy Policy or our data security practices, please contact:

The Vail Corporation dba Vail Resorts Management Company  
Attn: Privacy  
390 Interlocken Crescent, Suite 1000  
Broomfield, CO 80026  
1-800-842-8062  
[comments@vailresorts.com](mailto:comments@vailresorts.com)

Whistler and Blackcomb Mountains  
Attn: Privacy  
4545 Blackcomb Way,  
Whistler, B.C. V8E 0X9  
Canada  
1-800-842-8062  
[comments@vailresorts.com](mailto:comments@vailresorts.com)

Perisher Blue Pty Limited  
Attn: Privacy  
PO Box 42,  
Perisher Valley,  
NSW 2624 Australia  
1300 655 822  
[privacy@perisher.com.au](mailto:privacy@perisher.com.au)