

## Mexico Privacy Notice

EFFECTIVE AS OF November 09, 2020

This Mexico Privacy Notice (this "Notice") explains how information about you is collected, used and disclosed by American Eagle Mexico Retail, S. de RL de CV, which is a part of the American Eagle Outfitters, Inc. (a United States of America entity) group of companies and our affiliates and subsidiaries (collectively, "AEO", "we", "us", or "our") with its principal business office located at 77 Hot Metal Street, Pittsburgh, PA 15203. This Notice applies to information we collect when you access or use our technology platforms (including, without limitation, our websites, mobile applications and other AEO-controlled properties that link to this Notice) (collectively, the "Platforms"), shop in our stores, engage with us via social media, or when we otherwise interact (by email, telephone or otherwise). By providing us with your Personal Information (as defined below) or otherwise interacting with us, you consent to the collection, use and disclosure of such information in accordance with this Notice. AEO will be responsible for collecting your Personal Data (as defined below) in the terms of this Notice, and to protect them in accordance to the Ley Federal de Protección de Datos Personales en Posesión de los Particulares (the "Law") and any applicable regulation. We may supply different or additional notices of our information practices specific to certain programs or activities. We may also provide different notices of our information practices with respect to certain subsidiaries or affiliates, in which case this Notice will not apply.

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#### 1. COLLECTION & USE OF PERSONAL INFORMATION.

"Personal Information" is information that identifies, relates to, or describes, directly or indirectly, you as an individual, such as your name, e-mail address, telephone number, home address, or payment information (e.g., account information or credit card number).

We may collect Personal Information when you interact with AEO or any of our brands, such as when you:

- Purchase, return, reserve or try-on merchandise at one of our stores or through our Platforms;

- Consent to receive our promotional email, SMS/text messages, or other communications;
- Visit or register through our Platforms;
- Visit our stores;
- Participate in our contests, sweepstakes or promotions, or participate in one of our surveys or other customer research;
- Submit product ratings and reviews;
- Contact or visit our Customer Service Department, or otherwise contact us or one of our service providers with a comment, question or complaint; or
- Enroll in one or more of our loyalty or other reward programs.

**Purchasing, returning, reserving or trying-on merchandise.** When you purchase or return merchandise through one of our stores or through our Platforms, we collect and use the Personal Information that you provide, such as your personal identifiers (including name, address, email address and telephone number), commercial transaction information (including order details) and financial information (including payment card information), for the purposes of fulfilling your order, processing your return or exchange, improving our service and merchandise offerings, security and anti-fraud efforts, tailoring our marketing efforts, auditing, updating you on the status of your order/return and reporting internally. When you reserve or try-on merchandise in-store, we may collect Personal Information such as your personal identifiers (contact information), store location and commercial transaction information (the items you wish to reserve or try-on) for the purposes of fulfilling your request.

We receive personal characteristics (such as size information and locale) when you provide the information to us. We use size information to provide you with the products you order and save your preferences.

In certain circumstances, we may also collect Personal Information that you provide to us regarding other people. For example, you may provide us with personal identifiers (such as the name and address) for a gift recipient. When you provide us with this Personal Information, we use it for the purposes of processing the shipment and, in some cases, to communicate with the intended recipient. We rely on you to obtain any necessary consent from the intended recipient to our use of their Personal Information for these purposes.

**Promotional email, SMS/text messages, job postings or other communications.** When you consent to receive information from us such as promotional emails, SMS/text messages, job postings or other information, we collect and use your personal identifiers (such as contact information) for the purposes of fulfilling your request. You can unsubscribe from promotional communications by following the instructions in the message, or for SMS/text messages, replying with 'STOP'. If you have any questions about unsubscribing from our messages, please contact us as outlined below.

**Visit or register through our Platforms.** If you choose to visit and register with one of our Platforms, we will collect the registration information that you provide, such as your personal identifiers (including your name, email address, telephone number, password, shipping addresses), financial information (including payment card information) and combined it commercial transaction information (including purchase history with AEO) (described below) for the purposes of administering and securing your account on our Platforms.

We also collect certain information through our Platforms automatically, such as:

- *Usage and Geolocation Information.* Whenever you visit or interact with our Platforms, we, as well as our service providers and trusted partners (collectively, "Vendors"), may use a variety of technologies (such as cookies, beacons and pixels) that automatically or passively collect information ("Automated Technologies") about how the Platforms are navigated, accessed and used ("Usage Activity Information"), and geo-location data. Usage Activity Information may include the pages served, the time/date of your visit, the preceding page views, and your use of and pathway through the Platforms.
- *Device Identifiers and Characteristics.* We and our Vendors may use Automated Technologies to collect personal identifiers (including your IP address(es) and other unique device identifiers) and device characteristics (including browser type, device type, operating system and application version) for the device (e.g., computer, mobile phone, tablet or other device) you use to access the Platforms.
- *Automated Technologies.* The Automated Technologies used on the Platforms to collect Usage Information include, but are not limited to, cookies (data files placed on a device when it is used to visit the Platforms), mobile analytics software, pixel tags (a transparent graphic image, sometimes called a web beacon or tracking beacon, placed on a Platform to indicate that a page or e-mail has been viewed), and similar technologies. Both session cookies (which expire once you close your web browser) and persistent cookies (which remain on your device, sometimes until you delete them) may be used. Some Automated Technologies may tell your browser to get third party content, such as customer reviews, from third parties.

We collect this information automatically through our Platforms for security and anti-fraud purposes (including protecting the integrity of the Platforms and our stores), to better understand and enhance user navigation on our Platforms, for marketing and analytics purposes (including allowing the selection of personalized ads or offers believed to appeal to you, based on your interests, preferences, location, or demographic information), and for internal operations and auditing. Additionally, Automated Technologies may be used to associate you with social networking sites (e.g., Facebook, Twitter and Snapchat), and, if you so choose, enable interaction between your activities on the Platforms and your activities on such social networking sites.

If you would prefer not to accept or disable cookies, most browsers will allow you to: (i) change your Device browser settings to notify you when your Device receives a cookie, which lets you choose whether or not to accept it; or (ii) set your Device

browser to automatically reject any cookie. Removing or rejecting browser cookies does not necessarily affect third party flash cookies used in connection with our Platforms. To delete or disable flash cookies, please visit the following link <http://helpx.adobe.com/flash-player/kb/disable-local-shared-objects-flash.html> for more information.

**Visiting our stores.** To help protect you and others, we monitor and record video and take photographs of the public areas of stores for security, anti-fraud, loss prevention, incident reporting and other operational purposes. We may also use facial recognition services on the video and photographs to generate biometric information (e.g., face scans) for the above purposes and for legal and internal research purposes. We may also collect personal identifiers (including IP Address and other unique device identifiers) and geo-location information of visitors' devices in and around our stores to monitor foot traffic to help us understand how shoppers move around our stores, identify what shoppers seem interested in and improve the shopping experience.

**Participating in our contests, sweepstakes, promotions, surveys or customer research.** We collect the Personal Information (including personal identifiers and responses) that you provide if you choose to participate in one of our contests, sweepstakes, promotions, surveys or other customer research, for the purposes of administering them. We will also use the Personal Information you provide to analyze and better understand how customers interact with our brands.

**Product ratings and reviews.** We collect the Personal Information through purchase and product review forms on the Platforms, such as personal identifiers (including your nickname and email address), your personal characteristics (including your height and weight) and commercial transaction information (including information about the product you purchased and your rating and review information). We use this information to display publicly on the Platforms and other locations (such as in stores, on television, and on social media pages). We also use the information to better understand your needs and preferences, enhance and personalize our product offerings to you and improve the Platforms and our service and merchandise offerings.

**Contacting customer service.** We use the Personal Information (including personal identifiers, commercial transaction information and financial information) you provide to us when you contact our Customer Service Department for the purposes of reviewing any questions you raise and responding to you. Depending upon the nature of your query, we may request additional Personal Information for the purposes of verifying your identity. We may record the audio information in customer service telephone calls for quality purposes and to meet our legal obligations.

**Information we receive from others.** We may obtain Personal Information from other sources and combine that with information we collect directly from you. For example, we may collect personal identifiers, commercial transaction information, and personal characteristics (such as gender and birth date) from third parties to ensure we have up-to-date contact information for you, to detect fraud or theft, to facilitate your use of a third-party application or feature (such as one of our Facebook, Twitter or Snapchat applications or a similar application or feature on a third-party website), or from third-party analytics and advertising

providers as further described below. We may also receive commercial transaction information (including purchase history) when you use the AEO credit card. We apply the applicable provisions of this Notice to such combined information, so long as it is combined.

**Inferences from the information listed above.** We will use the information listed above to draw inferences about your preferences (including your preferred brands and styles) to help us provide you with personalized content and offers and help us develop and provide better merchandise and services.

**De-identified or aggregated information.** We de-identify and/or aggregate data we receive and may use and disclose it for any business purpose.

## 2. SHARING OF INFORMATION.

Except as described in this Notice, we will not provide your Personal Information to third parties without your consent. We may, however, share aggregated, non-personal or de-identified information, which cannot reasonably be used to identify you, with third parties. We may also share any of your Personal Information (listed above) for our business and commercial purposes and as more specifically described below:

**Service Providers Providing Services on Behalf.** We may share your Personal Information with service providers that perform functions on our behalf or assist with our business operations, such as those that host or operate our Platforms, analyze data, and provide customer service; advertisers; or other service providers that participate in or administer our promotions, contests, sweepstakes, surveys or provide marketing or promotional assistance; and “powered by” partners who power product reviews on our products or services. These service providers may use the Personal Information only for the purposes of providing the services to you and us.

**Third Parties/Trusted Partners Providing Services on Our Behalf.** We may share your Personal Information with trusted partners that provide you and us with services, such as those that process transactions and payments, process gift card orders and use, facilitate and publish product ratings and reviews, perform anti-fraud services, and fulfill, ship, and deliver orders. In these situations, you are using and directing us to intentionally disclose Personal Information (including personal identifiers and financial information) so our merchandise and services can be provided to you.

**Publicly.** If you choose to participate in a product review or rating or rate a review as helpful or not helpful, the submissions may be published on the Platforms, in emails, on television, and on social media platforms. Published ratings and reviews may identify the author’s personal identifiers (such as nickname), personal characteristics, locale and the content of the submissions. You consent to making this information available to the public.

**Your Consent to Have Your Personal Information Shared.** While utilizing our Platforms, you may have the opportunity to opt-in to receive information and/or marketing offers from someone else or to otherwise consent to the sharing of your information with a third party. If you agree to have your Personal Information shared, your Personal Information will be disclosed to the third party and the Personal Information you disclose will be subject to the privacy notice and business practices of that third party.

**Business Transfers.** We may share your Personal Information with other entities and their advisors in connection with an actual or potential bankruptcy, merger, acquisition, financing, reorganization or sale of company assets, or negotiation thereof.

**Legal and Additional Disclosure.** We may transfer and disclose your information to law enforcement, the courts, our advisors, attorneys, and others who participate in the legal process to comply with a legal obligation; when we believe in good faith that the law or a governmental authority requires it; to verify or enforce applicable policies; to detect and address fraud, security or technical issues; to respond to an emergency; otherwise to protect the rights, property or security of AEO or third parties, or as otherwise required or permitted by law.

### 3. CHOICE AND ACCESS.

**Accessing/Updating/Deleting Your Personal Information.** If you wish to access, modify, verify, correct, object or cancel any of your Personal Information collected through the Platforms, you may contact us using the contact information provided below. You are also entitled to oppose to certain data processing practices or to revoke consent previously granted, to the extent permitted by the law. Alternatively, you may access, modify, verify, correct, object or cancel your registered user information through our Platforms. We may refuse requests that risk the privacy of others or are not allowed for legal obligations.

In accordance with our routine record keeping, we may delete certain records that contain Personal Information you have submitted through the Platforms or we have otherwise received. We are under no obligation to store such Personal Information indefinitely and disclaim any liability arising out of, or related to, the destruction of such Personal Information. It may not always be possible to completely remove or delete all of your information from our databases without some residual data remaining due to backups and other reasons. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements and obligations.

- **Promotional Communications.** You may opt out of receiving promotional communications from us at any time by: (i) logging into your online account and updating your preferences; (ii) contacting us by phone, email or postal mail, or (iii) following the removal instructions in the communication that you receive.

**Location Information.** When you first launch any of our mobile applications that collect device geo-location information, you will be asked to consent to the application's collection of geo-location information. If you initially consent to our collection of this location information, you can subsequently stop the collection of this information at any time by changing the preferences on your device. You may also stop our collection of device geo-location information by following the standard uninstall process to remove all of our mobile applications from your device.

**For Our Users With Disabilities.** AEO seeks to provide an environment in which every individual has an opportunity to be a part of our community and where full inclusion and respect for all people encourages creativity and authenticity. When our Platforms are not accessible, we recognize the significance of the impact it can have on people with disabilities.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this site interferes with your ability to access information or perform any functions, please contact Beth Henke, Chief Compliance Officer, at [compliance@ae.com](mailto:compliance@ae.com) or 412.432.3374. To enable us to respond in a way most helpful to you, please describe the nature of your accessibility problem, the preferred format in which to receive the material, the specific Web address of the requested material, and your contact information.

**Selling.** We do not currently and will not sell your Personal Information for monetary payments without your consent. You may have the right to opt out of our future selling of certain Personal Information for monetary payments. Please contact us at [privacy@ae.com](mailto:privacy@ae.com) to make this request and include your state of residence when making such request.

#### 4. TARGETED ADVERTISING/ANALYTICS.

We may use analytics and ad network providers to help analyze the usage of and present ads on the Platforms, third-party mobile applications, or other sites, as well as other service providers to provide analytics services. These entities may use cookies, web beacons and other technologies to collect information about your use of our Platforms, including personal identifiers (your IP address) and device characteristics (web browser, mobile network information) and usage activity (such as pages viewed, time spent on pages, links clicked and conversion information). This information may be used by us and others to, among other things, analyze and track data, determine the popularity of certain content, deliver advertising and content personalized to your interests and better understand your online or offline activity. For example, you may see advertisements for AEO on third party sites after you have visited AEO's website.

#### 5. SECURITY OF YOUR INFORMATION.

We take industry-standard administrative, technical and physical measures to help protect information about you from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction. Unfortunately, the Internet cannot be guaranteed to be 100% secure, and we cannot ensure or warrant the security of any information you provide to us.

#### 6. PRIVACY OF CHILDREN.

We do not knowingly collect, maintain, or use Personal Information from children 17 years of age and under, and no part of the Platforms is directed to children age 17 or younger. If you learn that your child has provided us with Personal Information without your consent, you may alert us at [privacy@ae.com](mailto:privacy@ae.com). If we learn that we have collected any Personal Information from children under 17 or under, we will promptly take steps to delete such information and terminate the child's account.

#### 7. CONSENT TO PROCESSING AND TRANSFER OF INFORMATION.

We are based in the United States, and the information we collect is governed by U.S. law. By accessing or using the Platforms, or otherwise providing information to us, you consent to the collection, processing, transfer and storage of information about you in and to the United States and other applicable territories in which the privacy laws may not be as comprehensive as or equivalent to those in the country where you reside and/or are a citizen. Please use the

contact information below if you have a question or complaint about the policies, practices or manner in which we or our Vendors treat your Personal Information.

#### 8. LINKS TO THIRD PARTY WEBSITES.

The Platforms may contain links to third party websites and online services. This Notice does not apply to the practices of other websites and online services, and we are not responsible for the actions and privacy policies of the third parties that operate or interact with those other websites.

#### 9. CHANGES.

We may update this Notice from time to time. If we make changes, we will notify you by revising the date at the top of the Notice and, in some cases of a material change to the Notice, we may provide you with additional notice (such as adding a statement to our homepage or sending you a notification). We encourage you to review this Notice whenever you interact with us to stay informed about our information practices and the ways you can help protect your privacy.

#### 10. CONTACT US.

As it relates to questions you might have about this Notice or if you have a concern that AEO may have failed to adhere to this Notice, please contact us as follows:

Please note, the role and department responsible for compliance with the obligations under this Notice is:

Associate General Counsel, Privacy: Legal Department, [privacy@ae.com](mailto:privacy@ae.com)

Should you have any questions or concerns in connection with how we handle your personal data or wish to exercise your rights above, or make any other type of request please contact us at the email mentioned above. Our Department may inform you: (i) the information that you or your legal representative will be asked to provide (if any) and documents that you may need to enclose with your request; (ii) timeframes to receive a response from us regarding any request; (iii) forms and templates available for submitting the request (if any) and; (iv) how we will deliver the information to you (which usually would be copies of documents or data messages).

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