

## Focus 360, LLC Privacy Policy

Focus 360, LLC (“FOCUS”) has created this Policy in order to clearly communicate our commitment to your privacy. This Policy is applicable to the Focus360llc.com website and any other website or online communications facilities owned or operated by FOCUS (the “Site(s)”). FOCUS reserves the right to change this Policy at any time. Using our Sites demonstrates your consent to FOCUS's collection and use of information pursuant to this Policy, and continued use of the Site following the posting of changes to this Policy will signify your acceptance of such changes. This Policy governs the use of your name, e-mail address, IP address, payment information, and similar personal information that you may provide FOCUS in the course of using our website, products or services.

**FOCUS Collects Personal Information.** We collect personal information in order to provide certain products and services to its customers. For example, if you:

- Place a product order, FOCUS will collect and use your name, address, phone number, e-mail address, and credit card information;
- Request promotional items, FOCUS will collect and use your name and address, or e-mail address;
- If you choose to enter a sweepstakes, contest, or other promotion from one of our Sites, in accordance with the terms and conditions of such promotions, your Personal Information may be disclosed to sponsors and third parties who help us to administer the promotion, including, without limitation, sponsorship, winner selection, and prize fulfillment. Your Personal Information may also be disclosed as required by law, such as on a winner's list. Also, by entering a promotion, you are agreeing to the official rules that govern that promotion, including allowing the sponsors to use your entry, name, voice, and likeness in advertising and marketing associated with the promotion in accordance with applicable law.
- Post information on any of our interactive areas, FOCUS will collect information from you in order to e-mail you major updates about the Sites, the products and services;
- Sign-up for the Site's mailing list, FOCUS will collect information from you in order to facilitate the publishing of that mailing list; and
- Send our link to friends through our website or otherwise share content, FOCUS will collect the information from you in order to facilitate the transmission of the e-mail or share.

Information that you submit about yourself may be used by FOCUS to provide your requested services, communicate with you about FOCUS products, improve your online experience, or support our continuing efforts to offer you the information and services you want most.

This Site is operated in the United States and is designed and targeted to U.S. audiences and is governed by and operated in accordance with the laws of the United States. Unless specified otherwise on the Site, all users must be a legal resident of the United States to participate in any activity that requires the submission of Personal Information. We make no representation that this Site is operated in accordance with the laws or governed by other nations. By your participation in our Site activities, you certify that you are in the U.S. If you are located in the European Union or elsewhere outside of the U.S. and you participate in activities on this Site contrary to our policy that only U.S. residents are eligible for certain activities, you do so at your own risk and initiative, and are responsible for compliance with any applicable local laws. Please be aware that any Personal Information you transfer to us will be transferred to the U.S and subject to U.S. law.

By using this Site, participating in any Site activities, and/or providing us with your Personal Information, you consent to this transfer of Personal Information to the U.S., and waive any claims that may arise under your own national laws. All users of the Site are required to provide true, current, complete and accurate Personal Information when prompted and we will reject and delete any entry that we believe in good faith to be false, fraudulent, or inconsistent with this Privacy Policy.

### **Third Party Technologies**

FOCUS may employ third party companies and individuals to perform functions on our behalf. These third parties may have access to our users' Personal Information in order to provide these services to us or on our behalf, but they are prohibited from using it for any other purpose. Other than for the purposes set forth in this Privacy Policy, we currently do not disclose your Personal Information to any third parties without your prior consent. However, we reserve the right to do so in the future. FOCUS does provide aggregate statistics and information about our sales, traffic patterns and related site information to third parties. We also reserve the right to share aggregate statistical data of which your Personal Information is a part, as well as your personally identifiable information sometime in the future. This allows us to apply Contextual Targeting, Behavioral Targeting, Retargeting, Keyword/Browser Language Targeting, Computer Vision Targeting, Geo-Fencing and other tactical techniques such as Homepage Takeovers, Dayparting, Frequency Capping, Viewable Impressions, etc. all designed to deliver impact within your trade area and return on your investment. You are responsible for checking this Policy periodically to monitor any changes to our data sharing practices. This Privacy Policy applies to all of the services offered by FOCUS including services offered on third party sites, and specifically excludes any other non-FOCUS services on such third party site. This Privacy Policy does not apply to services offered by other companies or individuals, including sites that may include FOCUS services, or other sites linked from our services. This Privacy Policy does not cover the information practices of other companies and organizations who advertise our services, and who may use cookies, pixel tags and other technologies to serve and offer relevant ads. This Privacy Policy also does not cover information collected by data providers or other parties that we may do business with, or other parties linked to or otherwise accessible.

### **Anonymous Data**

To be clear in addition to Personal Information we or third party companies we engage may gather certain information automatically. This information includes browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and clickstream data. We may use this information to analyze trends, to administer the site, to track users' movements around the site and to gather demographic information about our user base as a whole.

In addition, FOCUS may, and you hereby authorize us to, disclose your Personal or your non Personal Information when required to do so by law, when FOCUS, in its sole discretion believes that you are in violation of our Terms of Service Agreement, when you violate any state or federal laws, or when FOCUS in its sole discretion deems it necessary or appropriate to protect the personal safety of other users of FOCUS services or to protect the rights or property of FOCUS or the Sites. FOCUS may sell, transfer or otherwise disclose user information in connection with a corporate, merger, consolidation, the sale of substantially all assets, or other fundamental corporate change.

You should also be aware that courts of equity, such as U.S. Bankruptcy Courts, may have the authority under certain circumstances to permit your information to be shared or transferred to third parties without your permission.

### **California Residents**

Under California Civil Code Section 1798.83, California residents who have an established business relationship with FOCUS may choose to opt out of our sharing your Personal Information with third parties for direct marketing purposes. If you are a California resident and you have already granted us this permission and (1) you now wish to opt out; or (2) you wish to request certain information regarding our disclosure of your Personal Information to third parties for the direct marketing purposes, please contact us as described below.

**FOCUS's E-mail Announcements and Newsletters.** FOCUS uses e-mail to send announcements regarding new products, services, contests and/or promotions, and informational newsletters. Announcements via email are on an opt-in basis only. By posting material on any of our interactive areas, you are opting in to receiving these e-mail announcements. You can choose to unsubscribe to FOCUS e-mail at any time by sending an email to [unsubscribe@FOCUS.fm](mailto:unsubscribe@FOCUS.fm). FOCUS will also send replies to customer e-mail via e-mail. Finally, if you have sent a request to FOCUS about which we need to communicate with you, we may do so by e-mail.

**Security is a Top Concern.** Although FOCUS carefully selects its third party service providers, advertisers and other affiliates, is sensitive to the privacy and security of your Personal Information, and intends to safeguard such information, FOCUS and any such third parties cannot guarantee absolute security for such information. Such Personal Information may be transmitted through or using the Internet, other public telecommunications networks, servers, hardware and software ("systems") that are not owned, operated, or controlled by FOCUS, and FOCUS makes no assurances that such Personal Information will remain private when transmitted by FOCUS through such systems. Although we use industry standard practices to protect your privacy, we do not promise, and you should not expect, that your personally identifiable information or private communications are impenetrable to hackers. We may retain your information for as long as needed to provide you services or for so long as needed to comply with our legal obligations, resolve disputes and enforce our agreements.

**FOCUS Uses Cookies Anonymous Identifiers and Pixel Tags.** FOCUS collects certain information about how website visitors and users use the FOCUS website by using technology called "cookies", "anonymous identifiers", "pixel tags", Cookies are bits of information that a website transfers to an individual's hard drive for record keeping purposes. Anonymous identifiers are like cookies but for mobile devices. A pixel tag is a type of technology placed on a website for the purpose of tracking activity on websites and is often used in combination with cookies. All three can enhance your online experience by automatically saving your preferences. We use them because they help us to provide you a better online experience. The information we collect through the use of anonymous identifiers, pixel tags or cookies, does allow FOCUS to know when and for how long you logged on to the FOCUS website, so that we can try to understand how to better serve your needs. If you object to the use of any of the foregoing for any reason, you may "opt-out" by setting your Internet browser to notify you when you receive a cookie, giving you the opportunity to decide whether to accept it. If, however, you decline to receive anonymous identifiers or pixel tags, cookies, you may have difficulty in using certain features of this site. Please note that if you change devices or browsers or use multiple computers or browsers or delete cookies, you will need to repeat this process for such computer and in each browser.

**FOCUS's Interactive Areas.** FOCUS IS NOT LIABLE FOR INFORMATION POSTED IN INTERACTIVE AREAS. FOCUS provides interactive areas such as discussion forums to enhance the user experience and build a healthy community around our website's products, services. You acknowledge that should you participate in such interactive areas, the information you voluntarily post about yourself and third parties in such areas might be accessed, collected and used by third parties outside of FOCUS. DO NOT POST ANY PERSONALLY IDENTIFIABLE INFORMATION SUCH AS YOUR EMAIL ADDRESS IN OUR PUBLIC AREAS. In addition, you may not post any defamatory, obscene, slanderous, or otherwise illegal material, or any material which infringes any third-party copyrights or other intellectual property rights on any interactive areas. Violators will be subject to termination of accounts and possible legal action. Although FOCUS employs advanced security technology, it cannot guarantee complete security in personal or password-protected areas, and FOCUS will not be held liable for any user's or other visitor's disclosure of personal information on FOCUS or any other website operated by FOCUS.

We may use the name you provide for your access to FOCUS products or Sites across several of the Sites we offer that require a submission of Personal Information. We may combine Personal Information from one service with information, including Personal Information, from other FOCUS products or Sites.

**A Special Note about Children.** This is not a website directed to children under the age of 13. We strictly adhere to the Children's Online Privacy Protection Act (COPPA) and will not knowingly register or otherwise collect personally identifiable information from any child under the age of 13. Children are not eligible to use our services and FOCUS asks that minors (under the age of 13) do not submit any personal information to FOCUS. If you are under the age of 13, you can use this service only with the consent of your parents or guardians.

If a child under the age of 13 has provided us with personal information, a parent or guardian of that child may contact us, by visiting the "Contact Us" section of this site if they want this information deleted from our records.

**Disputes.** FOCUS Privacy Policy disputes are handled by its customer service team with the highest concern for your privacy.

**FOCUS Links.** FOCUS may contain links to websites not owned or controlled by FOCUS. FOCUS is not responsible for the privacy policies or practices of any such sites.

**Contact; How Information Can Be Accessed or Modified** The Site is owned and operated by the Focus 360, LLC For further information about Focus 360, LLC., the Site, or if you have any concerns about privacy procedures at on the Site or wish to access or modify your personal information collected at the Site, please visit the "Let's Chat" section of the Site. To protect your privacy and security, we will take reasonable steps to help verify your identity before granting access to making corrections. You may have this same information sent to you by e-mail by sending a letter to Focus 360, LLC 500 Post Road E., Suite 206, Westport, CT 06880 with your e-mail address and a request for this information. We encourage you to keep us informed about any changes in your personal information. Although it is not always possible to remove or modify information in the databases, we make reasonable efforts to do so.