

# Privacy Policy

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Thank you for shopping with us. Sculpting Bodies, LLC (“Sculpting Bodies,” “we,” “our” or “us”) is fully committed to protecting your privacy. We’d like to take a minute to explain the information that we collect from and about you, how we do it, how and why we use that information, and how your information may be shared with third-parties.

First, it is important to understand that this Privacy Policy governs and applies to your use of, and any content, products, or services made available from or through, the website [www.sculptingbodies.com](http://www.sculptingbodies.com), including any subdomains thereof (“Website”). The Website is owned and operated by us.

Second, please be sure to read this entire Privacy Policy before using or submitting information to or over the Website. By accessing the Website on any computer, mobile phone, tablet, or other device, you agree to the terms of this Privacy Policy. If you do not agree to the terms of this Privacy Policy, please do not use this Website.

Third, this Privacy Policy is only applicable to the Website and not to any other websites that you may be able to access from the Website, each of which may have data collection, storage, and use practices and policies that differ materially from this Privacy Policy. When you leave the Website via a link to another website, you are subject to that site’s privacy policy, terms of use, and other policies (“Third Party website policies”) applicable to that site and you should review the Third Party website policies.

Fourth, we may modify this Privacy Policy at any time. If we decide to change this Privacy Policy, we will post those changes to the Website. Please check back frequently for updates as it is your sole responsibility to be aware of changes. Your continued use of the Website affirms your agreements to such changes.

Finally, this Website is intended for users who are located in the United States of America. Any users of the Website not located in the United States of America understand and agree to submit to the applicable laws and jurisdiction(s) of the United States of America which govern the use of this Website and the owner’s collection and use of your personal information.

## **Section 1 – What Information Do We Collect?**

We may collect two different types of information, Personally Identifiable Information (“PII”) and Non-Personally Identifiable Information (“Non-PII”). PII is information that identifies you as an individual – for example, your name, address, telephone number, e-mail address, credit or other payment card information, billing address, and shipping information. Non-PII is aggregated information, demographic information, IP addresses, user behavior data from web interaction metrics tools and other information that does not reveal your specific identity. PII and Non-PII may be collected anytime you access or use the Sculpting Bodies website. PII and Non-PII may also be collected by Sculpting Bodies during in-person discussions, telephone conversations, and electronic or other written communications. We also collect information via cookies, as explained below in Section 4.

We collect information from you when you register on our Website, place an order, enter a contest or sweepstakes, respond to a survey or communication such as e-mail, or participate in another Website feature.

When ordering or registering, we may ask you for your name, e-mail address, mailing address, phone number, credit or other payment card information, or other information. You may, however, visit our Website anonymously.

We also collect information about gift recipients so that we can fulfill the gift purchase. The information we collect about gift recipients is not used for marketing purposes.

Like many websites, we use “cookies” to enhance your experience and gather information about visitors and visits to our websites. Please refer to Section 4 below for information about cookies and how we use them.

## **Section 2 – How Do We Use Your Information?**

We may use the information we collect from you when you register, purchase products, enter a contest or promotion, respond to a survey or marketing communication, surf the Website, or use certain other Website features in the following ways:

1. To personalize your site experience and to allow us to deliver the type of content and product offerings in which you are most interested;
2. To allow us to better serve you in responding to your customer service requests;
3. To quickly process and fulfill your transactions;
4. To administer a contest, promotion, survey, or other site feature; and
5. If you have opted-in to receive our e-mail newsletter, we may send you periodic e-mails. If you would no longer wish to receive promotional e-mail from us, please refer to the “How Can You Opt-Out, Remove or Modify Information You Have Provided To Us?” in Section 8 below. If you have not opted-in to receive e-mail newsletters, you will not receive these e-mails. Visitors who register or participate in other Website features such as marketing programs and “members-only” content will be given a choice whether they would like to be on our e-mail list and receive e-mail communications from us.

## **Section 3 – How Do We Protect Visitor Information?**

We implement a variety of security measures to maintain the safety of your PII. Your PII is contained behind secured networks and is only accessible by a limited number of persons who have special access rights to such systems, and are required to keep the information confidential. When you place orders or access your personal information, we offer the use of a secure server. All sensitive/ credit/payment card information you supply is transmitted via Secure Socket Layer (SSL) technology and then encrypted into our databases to be only accessed as stated above.

## **Section 4 – Do We Use “Cookies”?**

Yes. Cookies are small files that a site or its service provider transfers to your computer’s hard drive through your web browser (if you allow) that enables the site’s or service provider’s systems to recognize your browser and capture and remember certain information. For instance, we use cookies to help us remember and process the items in your shopping cart. They are also used to help us understand your preferences based on previous or current site activity, which enables us to provide you with improved services. We also use cookies to help us compile aggregate data about site traffic and site interaction so that we can offer better site experiences and tools in the future.

We may contract with third-party service providers to assist us in better understanding our site visitors. These service providers are not permitted to use the information collected on our behalf except to help us conduct and improve our business.

You can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies. You do this through your browser (like Netscape Navigator or Internet Explorer) settings. Each browser is a little different, so look at your browser Help menu to learn the correct way to modify your cookies. If you turn cookies off, you won't have access to many features that make your site experience more efficient and some of our services will not function properly. However, you can still place orders over the telephone by contacting customer service.

### **Section 5 – Do We Disclose the Information We Collect to Third-Parties?**

Yes. In certain circumstances, we may disclose your PII to third-parties who assist in processing and shipping your order. Specifically, we may share this information with certain suppliers, freight and shipping companies, and manufacturers for the sole purpose of processing and shipping your order. We may also disclose your PII to payment processors and Stripe for the purpose of processing your order.

#### **We may also disclose your PII to third-parties as follows:**

- (a) If we believe it is necessary because we believe there has been a violation of the [www.SculptingBodies.com](http://www.SculptingBodies.com) Terms of Use and Terms & Conditions of Sale or of our rights or the rights of any third party;
- (b) To respond and comply with legal process (such as a search warrant, subpoena, or court order) and to provide information to law enforcement agencies or in connection with an investigation on matters related to public safety, as permitted by law, or otherwise required by law; and/or
- (c) If we or some or all of our assets are acquired by another company, including through a sale in connection with bankruptcy, that company will possess the information collected by us and provided by you, and it will assume the rights and obligations regarding your information as described in this Privacy Policy.

We may also disclose your PII with your express consent.

Except as described above, we do not sell, trade, or otherwise transfer to third-parties your PII unless we provide you with advance notice and obtain your consent. The term "outside parties" does not include [sculptingbodies.org](http://sculptingbodies.org). It also does not include website hosting partners and other parties who assist us in operating our website, conducting our business, or servicing you, so long as those parties agree to keep this information confidential.

Non-PII may be provided to other parties for marketing, advertising, or other uses.

### **Section 6 – Who is Responsible for Safeguarding User Names and Passwords?**

If you acquire a Sculpting Bodies subscription, you will be required to create an account with Sculpting Bodies. You warrant that the information you provide us is truthful and accurate, and that you are not impersonating another person. You are responsible for maintaining the confidentiality of any password you may use to access your Sculpting Bodies account, and you agree not to transfer your password or user name, or lend or otherwise transfer your use of or access to your account, to any third-party. You are fully responsible for all transactions with, and information conveyed to, Sculpting Bodies under your account. You agree to immediately notify Sculpting Bodies of any unauthorized use of your password or user name or any other breach of security related to your account. You agree that Sculpting Bodies is not liable, and you will hold Sculpting Bodies harmless, for any loss or damage arising from your failure to comply with any of the foregoing obligations.

### **Section 7 – Who Owns the Photographs and Testimonials On the Sculpting Bodies Website?**

The short answer is that we do. Anything that you submit or post to the Website and/or provide us, including without limitation, photographs, testimonials, ideas, know-how, techniques, questions, reviews, comments, and suggestions (collectively, “Submissions”) is and will be treated as non-confidential and nonproprietary, and we shall have the royalty-free, worldwide, perpetual, irrevocable and transferable right to use, copy, distribute, display, publish, perform, sell, lease, transmit, adapt, and create derivative works from such Submissions by any means and in any form, and to translate, modify, reverse-engineer, disassemble, or decompile such Submissions. All Submissions shall automatically become our sole and exclusive property and shall not be returned to you.

### **Section 8 – How Can You Opt-Out, Remove or Modify Information You Have Provided to Us?**

To change your email subscription to our updates and newsletters, simply click the “unsubscribe” link at the bottom of our emails. This will allow you to unsubscribe and / or change your notification settings. Please allow up to ten (10) business days for any removal request to be processed. Please note that if you decide not to receive marketing e-mails from us, you may still receive transactional messages regarding your order(s) (i.e., order confirmation, shipping information, customer care notifications, etc.) and your account.

To delete all of your online account information from our database, please email [support@sculptingbodies.com](mailto:support@sculptingbodies.com) and ask to have your membership and /or payment information cancelled / removed. Please note that we may still maintain information about an individual sales transaction in order to service that transaction and for record keeping. The foregoing notwithstanding, the rights granted to us in Submissions as provided in Section 7 above shall continue and be irrevocable.

## **Section 9 – Internet-Based Advertising**

We may partner with third-party service providers to serve ads on our behalf on non-affiliated third party sites. These third party websites and advertisers, or Internet advertising companies working on their own behalf, sometimes use technology to send, directly to your browser, advertisements that appear on our Website. They may also use cookies, web beacons and other technologies to collect anonymous information in order to measure the effectiveness of their ads and to personalize advertising content. Some of those ads may be personalized, meaning that they are intended to be relevant to you based on information we or the online advertising network serving the ad collect about your online activities here and elsewhere over time. For example, anonymous information collected across multiple sites that you visit over time may enable the ad network to predict your preferences and show you ads that are most likely to be of interest to you.

To opt out of these types of ads, please visit the Network Advertising Initiative (NAI) for information about how to opt-out of internet-based advertising by their members. See <http://www.networkadvertising.org> for general information about the NAI and [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp) for the opt-out page. You may also visit <https://www.aboutads.info/consumers/> to learn about internet-based advertising and how to opt-out from online behavioral ads served by some or all participating companies.

**Sculpting Bodies** also may use tools such as Google AdWords and Google Display remarketing services to advertise on third party websites (including Google) to previous visitors to our Website. This could mean that we advertise to previous visitors who haven't completed a task on our Website, for example by using the contact form to make an inquiry. This remarketing could be in the form of an advertisement on the Google search results page, or a site in the Google Display Network. Third-party vendors, including Google, use cookies to serve advertisements based on someone's past visits to the Website. Of course, any data collected will be used in accordance with this Privacy Policy and Google's privacy policy.

You can set preferences for how Google advertises to you, including by opting out of internet-based advertising over Google through the use of cookies, by visiting the Google Ad Personalization page (<https://adssettings.google.com>).

## **Section 10 – Third party links**

In an attempt to provide you with increased value, we may include third party links on our site. As noted above, these linked sites have separate and independent privacy policies. We therefore have no responsibility or liability for the content and activities of these linked sites. Nonetheless, we welcome any feedback about these linked sites (including if a specific link does not work).

Except where expressly stated by Sculpting Bodies, Sculpting Bodies is not affiliated or associated with operators of any third party websites that link to or are linked from any Sculpting Bodies-maintained website. Sculpting Bodies disclaims any responsibility for the accuracy or content of information found on third party websites that link to or are linked from any Sculpting Bodies website. Sculpting Bodies disclaims any responsibility for the security of any information (including without limitation credit or other payment card and PII that you may provide to any third party). Sculpting Bodies reserves the right, at any time and in its sole and absolute discretion, to block links to any Sculpting Bodies-maintained website through technological or other means without prior notice.

### **Section 11 – Changes to Our Policy**

If we decide to change our privacy policy, we will post those changes on the Sculpting Bodies' website under the Privacy Policy tab. Policy changes will apply to information collected after the date of the change. Changes and clarifications will take effect immediately upon their posting on the Website. If we make material changes to this policy, we will notify you here that it has been updated, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we use and/or disclose it.

### **Section 12 – Questions and feedback**

We welcome your questions, comments, and concerns about privacy. Please send us any and all feedback pertaining to privacy, or any other issue.

### **Section 13 – Online Policy Only**

This online privacy policy applies only to information collected through our website and not to information collected offline.



