

# Luxand™ Online Privacy Policy

## A. INTRODUCTION

PLEASE READ THIS DOCUMENT CAREFULLY. IT CONTAINS IMPORTANT INFORMATION THAT YOU SHOULD KNOW BEFORE CONTINUING TO USE OUR WEBSITE, SERVICE OR SOFTWARE. BY CONTINUING TO USE OF A WEBSITE, SOFTWARE AND SERVICES YOU WILL BE DEEMED TO HAVE ACCEPTED THIS PRIVACY POLICY.

At Luxand, Inc. ("**Luxand**," "**we**" or "**us**") we respect your privacy rights and are committed to protecting the information we collect from you online. To further this commitment, we have developed the following Website Privacy Policy ("**Privacy Policy**") which explains how we collect, use, disclose, and protect information you provide to us on any of the websites covered by this Privacy Policy, which include to include the Luxand's home page located at [www.luxand.com](http://www.luxand.com) and every web site that links directly from the home page (second-level web sites), unless the site is not on a Luxand's server or the site is licensed from a vendor (each a "**Website**," and together the "**Websites**"). This Privacy Policy applies only to information submitted and collected online through a Website. It does not apply to information we collect offline unless, with your permission, that information is combined with information collected or submitted online. This privacy statement was last updated on **October 21, 2010**.

Questions regarding this statement should be directed to the site coordinator at [info@luxand.com](mailto:info@luxand.com).

If you have any concerns or feel that there are certain problems or issues relating to compliance with the policies outlined in this privacy statement, please submit a report at [info@luxand.com](mailto:info@luxand.com).

We will not sell or rent your personally identifiable information or a list of our customers to third parties. However, as described in more detail below, there are limited circumstances in which some of your information may be shared with third parties, under strict restrictions, so it is important for you to review this Privacy Policy.

This Privacy Policy contains numerous general and technical details about the steps we take to respect your privacy concerns. We have organized this Privacy Policy by major processes and areas so that you can quickly review the information of most interest to you. The bottom line is that meeting your needs and expectations forms the foundation of everything we do - including protecting your privacy.

### **Changes in Privacy Policy**

Luxand wants you to be always aware of what personal information we collect, how we use it and under what circumstances we disclose it. All personal information, as further described below, that we collect and maintain will be subject to the version of the Privacy Policy in effect at the time of such collection. Luxand reserves the right to change the Privacy Policy from time to time at its sole discretion, and will prominently post any material changes on the home page of the Website. You will be given the opportunity to opt-out. You will be deemed to have been

made aware of, and will be subject to, the changes to the Privacy Policy by your continued use of the Website after such notice has been posted for thirty (30) days with the following exception: if at the time you provide personal information to Luxand you limit how such information will be used to communicate with you, either by Luxand or by third parties, Luxand will not change your preference in this regard without your express consent.

### **Third Party Websites**

Luxand does not control the information collection and distribution policies on Internet domains other than those Internet domains that are under the control of Luxand itself. When you are on the Luxand Websites, you may be directed to other sites that are beyond our control. These other sites may independently collect data, solicit personal information, or send their own “cookies” to you. Luxand is not responsible for any use of the information including click-stream data created when using such third party sites.

This Website may also contain advertising and other links to other Websites. Please be aware that we are not responsible for the privacy practices or content of those other sites. Also we do not send random marketing emails to personal email addresses (spam). This Website may contain hyper links to external Websites owned and operated by third parties. Luxand has no control over or association with such third party sites and Luxand is not responsible for the accuracy, completeness and quality of the information contained within them. Any and all contents on these external Websites do not reflect products, services or information provided by Luxand. You should direct any concerns regarding any external link to the site administrator or webmaster of such site.

### **Legal Issues**

This Website may be subject to the laws of various jurisdictions, including the laws of the United States of America, Russian Federation and European Union and other jurisdiction because the access to our Website may use internet traffic of different jurisdictions, including without limitation the United States of America and European Union. Luxand will disclose personally identifiable information without your permission when required by law, or in good faith belief that such action is necessary to investigate or protect against harmful activities to Luxand guests, visitors, associates, or property (including this Website), or to others. As mentioned above, laws related to personal identifiable information vary by country. For example, personally identifiable information collected in the European Union and its Member States is subject to the EU Directives concerning personal data, privacy and electronic communications, including but not limited to Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector and Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and the subsequent legislation adopted in the EU Member States.

## **B. COLLECTED INFORMATION**

As a visitor to the Website, we may collect both personal and non-personal information about you. Non-personal information includes anonymous information such as demographic data. Under all circumstances, we will only collect the information deemed reasonably necessary to

fulfill your online requests and our legitimate business objectives. Below for your review is a short description of the information that we may collect from you:

- **Personal Information** is information that can be used to identify you such as your name, address, telephone number, or email address. We do not collect any Personal Information about you unless you choose to provide it to us by, for example, filling out and submitting an online form. If you choose not to provide Personal Information, you may be unable to use certain features on our Websites.
- **Demographic information** is anonymous information such as your age, date of birth, gender, hobbies, interests, zip/postal code or country. If demographic information is collected for an activity that also requires Personal Information, we may combine the demographic information with your Personal Information. Combining data allows us to customize the notices we send you and the content we provide you according to your interests and preferences. Demographic information is not considered Personal Information unless it is linked to Personal Information about a specific user. If you choose not to provide certain demographic information, you may not be able to use certain features on our Websites.
- **Aggregate information** is anonymous data about individuals that is grouped together to study a group or category of services or users. Aggregate information is not considered Personal Information unless it is linked to Personal Information about a specific user.

### **C. COLLECTION AND USE OF PERSONAL INFORMATION**

We request Personal Information and demographic information to respond to your requests and provide services to you such as: sending email newsletters; participating in online; processing orders through our online store; setting up repair orders; and sending email correspondence. Each category below describes how we handle the requested information.

#### **Browsing the Website**

When you use the Website, we or third parties, authorized by us, may also collect certain technical and routing information about your computer to facilitate your use of the Website and our services. When you surf the Internet, your Internet browser (such as Mozilla Firefox or Microsoft Internet Explorer) automatically transmits some information to us every time you access content on one of our internet domains within the Website. Examples of such information include the URL of the Web page you were just on, the IP (or Internet Protocol) address of the computer you are using, or the browser version you are using to access our site. All of this information may be collected by us and used to help improve our offerings to you.

#### **Online Store**

If you purchase goods or services through our online store or elsewhere on our Websites, you may need to provide a valid credit card number, expiration date and credit card security code, in addition to your name, mailing and billing addresses, phone number and email address. Please note that you must be over the age of eighteen (18) to place orders online. All financial

information is transmitted through the use of encryption, i.e. a Secure Socket Layer (SSL) protocol via our secure server.

### **Email Correspondence and Other Communication**

We may respond to your email correspondence and communications if such correspondence includes a return email address. Because an email address is Personal Information, we protect the privacy of the sender by limiting access to these email messages. Only employees with a legitimate business need to access the emails are allowed to do so. For quality control purposes, email messages may be kept for a period of time. There may, however, be certain cases where hard copies may be kept on file, such as emails concerning product safety or consumer complaints. Information from email messages will not be used for marketing purposes and will be maintained in a secure location.

### **Online Interaction**

Our Website may make chat rooms, forums, message boards, and/or newsgroups (“*Public Forums*”) available to users. Please remember that any information disclosed in Public Forums becomes public information and you should exercise caution when deciding whether to disclose your Personal Information in these Public Forums. We do not permit children under thirteen (13) to participate in Public Forums unless they are monitored, the child’s parent or guardian has provided verifiable consent, or the Public Forum complies with the relevant legal requirements in another manner.

## **D. NETWORK AND INFORMATION SECURITY**

The security and confidentiality of your information is extremely important to us. For this reason we operate secure data networks protected by industry standard firewall and password protection systems. Our security and privacy policies are periodically reviewed and enhanced as necessary, and only authorized individuals have access to the information provided by our users. We take steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, no data transmission over the Internet can be guaranteed secure. As a result, while we strive to protect your personal information, we cannot guarantee the security of any information you transmit to us or from our online products or services, and you use these services at your own risk.

Because laws applicable to personal information vary by country, our offices or other business operations may put in place additional measures that vary depending on the applicable legal requirements. Information collected on the sites covered by this Privacy Policy is processed and stored in the United States and possibly other jurisdictions and also in other countries where we and our service providers conduct business.

We will notify users of a data breach involving unencrypted Personal Information by email or by posting a notice on the affected Website. We also strive to limit access to Personal Information to employees performing a legitimate business function. We review our security procedures periodically to consider appropriate new technology and updated methods. Despite our efforts, no security measure is ever perfect or impenetrable.

It is your responsibility to keep your password confidential. Do not share this information with anyone. If you are sharing a computer with anyone you should always log out before leaving a site or service to protect access to your information from subsequent users.

## **E. USE AND DISCLOSURE OF INFORMATION**

We are the sole owner of the information it gathers on the Website. We do not sell or rent Personal Information to third parties. We may share Personal Information with vendors who help us perform various internal functions necessary to operate our business. We may disclose Personal Information (a) in the good faith belief that we are required to do so by law; (b) if doing so is reasonably necessary to comply with legal process; (c) to respond to any claims; (d) to enforce the terms and conditions of our Websites; or (e) to protect the rights, property, or personal safety of our customers, or the public. We also may disclose your email address to our partners solely to send you email messages you have requested, or to ensure that you do not receive such messages if you have opted out of receiving them. Any vendors or partners with whom we may share Personal Information are permitted to obtain only the Personal Information they need to deliver the services requested. They are required to maintain the confidentiality of the information and are prohibited from using it for any other purpose. In addition, information about our customers, including Personal Information, may be disclosed as part of any merger, sale, transfer of company assets, or acquisition, if permitted by and done in accordance with applicable laws.

Luxand operates secure data networks protected by industry standard firewall and password protection systems. Our security and privacy policies are periodically reviewed and enhanced as necessary, and only authorized individuals have access to the information provided by our users. Luxand takes steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, no data transmission over the Internet can be guaranteed secure. As a result, while we strive to protect your personal information, we cannot guarantee the security of any information you transmit to us or from our online products or services, and you use these services at your own risk.

We treat the information you provide to us as confidential information; it is, accordingly, subject to our company's security procedures and corporate policies regarding protection and use of confidential information. After personally identifiable information reaches Luxand it is stored on a server with physical and electronic security features as customary in the industry, including utilization of login/password procedures and electronic firewalls designed to block unauthorized access from outside of Luxand. Because laws applicable to personal information vary by country, our offices or other business operations may put in place additional measures that vary depending on the applicable legal requirements. Information collected on the sites covered by this Privacy Policy is processed and stored in the United States and possibly other jurisdictions and also in other countries where Luxand and its service providers conduct business. All Luxand employees are aware of our privacy and security policies. Your information is only accessible to those employees who need it in order to perform their jobs.

## **F. USE OF COOKIES AND IP ADDRESSES**

Our Website uses "cookie" technology. "Cookies" are short pieces of data generated by a web server that a website stores on a user's computer. These files identify your computer and record your preferences and other data about your visit so that when you return to the Website, it knows who you are and can personalize your visit. Cookies may be linked to Personal Information about you. In addition, cookies are used to:

- measure usage of various pages on our Website to help us make our information more pertinent to your needs and easy for you to access;
- identify and categorized the internet webpages from which the visitor came to the Website and observe the browsing patterns; and
- provide functionality such as online orders, our services and other functionality that we believe would be of interest and value to you.

The types of cookies that we use are referred to as “session” cookies and “persistent” cookies. Session cookies are temporary and are automatically deleted once you leave the Website. Persistent cookies remain on your computer hard drive until you delete them. We do not use cookies to gather information concerning your visits to other websites, nor ascertain any personally identifiable information about you apart from what you voluntarily provide to us in your dealings with us. Cookies do not, under ordinary circumstances, corrupt or damage your computer, programs, or computer files.

You may set your browser to block cookies (consult the instructions for your particular browser on how to do this), although doing so may adversely affect your ability to perform certain transactions, use certain functionality and access certain content on our Website.

We maintain log files, which contain Internet Protocol (“*IP*”) addresses. An IP address is a numeric address that is assigned to your computer by your Internet Service Provider. We do not link IP addresses to Personal Information, unless we notify you or unless necessary to enforce our Websites’ terms and conditions. In general, we use log files to monitor traffic on our Websites and to troubleshoot technical problems. In the event of abuse, however, we may block certain IP addresses.

### **Choices available to you**

You can always choose whether or not to disclose personally identifiable information and that choice will not prevent you from using the Website. Please note, however, if you should choose to withhold requested information, we may not be able to provide you with some of the services dependent upon the collection of this information and you will be given an opportunity to “opt-in” and make your preference choices for any items that are optional and which are not prerequisite for our rendering such services.

You can choose at anytime to opt out of receiving emails from Luxand or from having your personally identifiable information shared with selected companies. If you want to opt out, you can do so by editing your preferences with respect to email or the sharing of information. If you elect to “opt out” we will not, as applicable, share your personal information with third parties or send you emails. However, we may continue to use your personal information for internal purposes, to enhance your user experience or as necessary to administer the site or comply with applicable law.

If you wish to opt out of receiving emails, the sharing or retention of any personal identification information, or otherwise change your personal preferences, you must contact us by email at: [info@luxand.com](mailto:info@luxand.com).

To ensure that your request is honored, you must provide Luxand with information sufficient for us to accurately identify and access your records. The information we require is your full name, address and the email address you provided to Luxand when you requested services or

products. We reserves the right to contact you to verify that we have accurately identified your record.

## **G. CHILDREN'S PRIVACY POLICY**

We do not collect Personal Information from visitors under the age of 13 (“*children*” or “*child*”) in connection with the registration on our Website. Nor do we collect any information from children in a manner inconsistent with the Children’s Online Privacy Protection Act (“*COPPA*”). COPPA provides parents with specific rights regarding their children’s privacy. For additional information and resources on COPPA, please visit the Federal Trade Commission Web site at <http://www.ftc.gov/>. The Luxand Web site and any products or services available on that site are not directed at children and, therefore, COPPA does not apply. However, we recognize that children may access this Web site and subscribe to the newsletter, purchase products and services, or download software programs. The collection of information is covered above. Parents and legal guardians may request from us to review, delete or stop the collection of the Personally Information of their child. You may do so by contacting us by email at: [info@luxand.com](mailto:info@luxand.com).

For more on how we use information collected from users, including child users, please see our section “Collection and Use of Personal Information” above.

## **H. LAW**

We protect our records in accordance with our obligations as defined by applicable Virginia statutes, including, but not limited to, the Virginia Privacy Protection Act of 1976, the Virginia Freedom of Information Act, and by any applicable U.S. federal laws. (See also [Commonwealth of Virginia: Internet Web Page Privacy Statement Guidelines](#))

## **I. PRIVACY-RELATED INQUIRIES AND COMPLAINTS**

We take and address our users’ privacy concerns with utmost respect and attention. If you believe that there was an instance of non-compliance with this Online Privacy Policy with regard to your personal information or you have other related inquiries or concerns, you may write or contact us by email at: [info@luxand.com](mailto:info@luxand.com).

In your message, please describe in as much detail as possible the nature of your inquiry or the ways in which you believe that Online Privacy Policy has not been complied with. We will investigate your inquiry or complaint promptly.

Please note that if you provide us with inconsistent privacy preferences (for example, by indicating on one occasion that third parties may contact you with marketing offers and indicating on another occasion that they may not), we cannot guarantee that your most recent privacy preference will be honored.

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