

## **PRIVACY POLICY**

This Statement of Privacy applies to [www.katemdevine.com](http://www.katemdevine.com), [www.moodbarre.com](http://www.moodbarre.com) and Kate M Devine / Mood Barre and governs data collection and usage. Kate M Devine / Mood Barre “we,” “us,” or “our”) commits to protecting your privacy. This policy “Privacy Policy”) applies to our website ([www.katemdevine.com](http://www.katemdevine.com)) (our “Website”) and our related services (“Services”).

This Privacy Policy has been compiled to inform you as to how your personal information (including Personally Identifiable Information (or PII)) (collectively, “Information”) is being collected, maintained, used, protected, or otherwise handled by us.

“Personally Identifiable Information” or “PII”, as described in US privacy law and information security, is information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context. Examples of PII include names, home addresses, email addresses, phone numbers, credit card information, and internet protocol (IP) addresses.

Please read this Privacy Policy carefully to get a clear understanding of how we collect, maintain, use, protect, or otherwise handle your Information. By using our Website, you consent to our practices described in this Privacy Policy (if you do not agree with our practices, you should not use our Website or the Services or otherwise provide us with your Information).

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### **1) INFORMATION THAT WE MAY COLLECT FROM YOU**

(a) When you use the Website, the Services, or otherwise contact us through the Website or otherwise via email, social media, SMS, telephone, or other methods, we may collect and use the following Information:

- (i) Information you provide to us, including:
  - (A) Information entered into forms filled out by you on our Website or otherwise submitted to us in using our Services;
  - (B) Information you provide in the content of any correspondence with us (via email, social media, SMS, phone or other methods);

(C) Information provided when you register an account via our Website or otherwise sign up for our newsletter(s) and any related user preferences;

(D) Information provided by you in subscribing for any Services or placing orders on the Website;

(E) Information provided by you in any discussion boards or other through any other social media functions on our Website;

(F) Information provided by you when entering into any of our competitions, promotions, or surveys; and

(G) Information you may provide when reporting any Website or Services issues or requesting any support for your use of the Website or Services.

(ii) Internet, Device, Network Activity, or Usage Information that we collect when you use our Website or Services (which may be through the use of cookies or similar technology or local storage, such as browser-based or plugin-based local storage), including:

(A) Information related to your web-browsing behavior, cookies, or search history;

(B) Standard technical Information automatically collected when you interact with our Website or Services, including:

1. browser and device information such as unique device identifiers, mobile phone carrier, internet protocol (IP) addresses (which may identify your general geographic location), and browser types;

2. information about your visit including the dates and times of your interactions;

3. which Website pages you visited and how much time was spent on the page, page response times, download errors, page interaction details (for example, any scrolling, mouse clicks or mouse overs);

(C) The online audio, visual, and audiovisual content that has been viewed or otherwise consumed on an aggregate basis or by you individually

via our Website or Services (by viewing videos via the Website or Services, you agree we can track your video viewing history); and

(D) Information regarding your user preferences.

(iii) Information provided from other third parties and sources, which may include:

(A) Through your use of any features on our Website or via our Services that connect with such social media accounts, such Information that you permit or otherwise consent to be shared through your settings on such connect social media accounts (if you use any such features on our Website or through our Services, please review your connected account's privacy settings to control what information may be provided to us); and

(B) Information received from third parties with whom we work closely with in providing Services (including third parties who provide payment and delivery services or enable sign-on functionality and social network integration with the Website).

(b) Categories of Information that we may collect include:

(i) Identifiers, which may include your name, mailing address, email address, and phone numbers;

(ii) Demographic Information, which may include your age, date of birth, and gender;

(iii) Information about your location or time zone;

(iv) Financial Information, which may include credit cards numbers or other information used to process payments made via the Website or through the Services; and

(v) Other Internet, device, network activity, or usage Information, which may include such Information as described in Section 1)(a)(ii) above.

## **2) HOW YOUR INFORMATION MAY BE USED**

We may use Information about you that we collect or receive, or that you provide, in the following ways (all to the extent permitted by applicable law):

(a) To provide, support, and better tailor the features of the Website or Services and to keep the Website and Services secure;

- (b) To administer our Website and Services, including troubleshooting, analysis, testing, and research;
- (c) To Improve our Website and the Services, including by understanding and analyzing usage trends and preferences, monitoring and analyzing the effectiveness of our Website or Services, and developing new products, services, features, and functionality to be made available via the Website or Services;
- (d) To enable you, at your discretion, to participate in the interactive features of our Website and Services;
- (e) To assess the effectiveness of certain advertising or content and deliver relevant advertising and content to you;
- (f) For marketing purposes, such as providing you with promotional materials and content that may be useful, relevant, valuable or otherwise of interest to you, or providing your information to third parties so that they may send you promotional materials (**we will obtain your prior opt-in consent to (i) send you electronic marketing communications or (ii) share your information with third parties for marketing purposes**);
- (g) To communicate with you for Website or Services-related purposes (including, for example, by sending an email to the email address you provide to us or text messages, to verify your account and for informational and operational purposes, such as account management, customer service, system maintenance, and other Website or Service-related purposes);
- (h) With respect to any Information provided by you through your connected social media accounts, as applicable:
  - (i) To manage your access to and allow you to interact with the Website or Services;
  - (ii) To allow you to share Website or Services information to related social media platforms; and
  - (iii) To comply with any legal or regulatory requirements.

### **3) INFORMATION DISCLOSURE**

We may disclose Information that we collect or receive from you to third parties only in the event that:

- (a) You consent to such disclosure prior to collection of such Information; or

(b) We are under a duty to disclose or share such Information with any law enforcement organization or regulatory authority in order to comply with any legal obligations.

#### **4) HOW DO WE PROTECT YOUR INFORMATION?**

(a) General Protective Measures.

We will take all reasonably necessary steps and precautions to protect Information we collect or receive from you and treat such Information securely and in accordance with this Privacy Policy. We have put in place appropriate business and technical procedures to safeguard the Information that we collect and receive.

Our Website is scanned on a regular basis for security holes and known vulnerabilities in order to make your visit to our Website and use of the Services as secure as possible.

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.

Although we may do our best to secure your Information, the transmission of Information electronically and via the internet is not 100% secure and any transmission is at your own risk. We will use strict security procedures and technology to try to prevent any unauthorized access or use of your Information that we collect or receive.

If you create a user account on our Website or to use our Services, it is your responsibility for keeping your password confidential. We will never ask you for your password, except when creating your account and when you are logging into the Website.

(b) Retention of Your Information.

We will retain your Information so long as your account with us is active or as needed to provide you Services. We will also retain your Information as required to comply with our legal obligations or to resolve disputes.

(c) Credit Card Processing / Financial Transactions.

All financial transactions are processed through a gateway provider and are not stored or processed on our servers. Although we do not control the security environment for our gateway providers and cannot make any guarantees regarding the secure processing of your credit card transaction Information, we do require that each of our

gateway providers for credit card processing are compliant with the Payment Card Industry Data Security Standard (PCI-DSS).

## **5) FAIR INFORMATION PRACTICES**

The Fair Information Practices Principles form the backbone of privacy law in the United States and the concepts they include have played a significant role in the development of data protection laws around the globe. Understanding the Fair Information Practice Principles and how they should be implemented is critical to comply with the various privacy laws that protect personal information.

**In order to be in line with Fair Information Practices we will take the following responsive action, should a data breach occur:**

We will notify you via email within 7 business days following any such occurrence.

We also agree to the Individual Redress Principle which requires that individuals have the right to legally pursue enforceable rights against data collectors and processors who fail to adhere to the law. This principle requires not only that individuals have enforceable rights against data users, but also that individuals have recourse to courts or government agencies to investigate and/or prosecute non-compliance by data processors.

## **6) COOKIES AND EXTERNAL TRACKING**

### **(a) About Cookies**

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.

Cookies enable us to personalize your experience on the Service, maintain a persistent session, passively collect demographic information, and monitor advertisements and other activities. For example, 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.

### **(b) Your Options**

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 settings. Because each browser is different, please see your selected browser's "Help Menu" to learn the correct way to modify your cookies.

If you disable or otherwise turn-off cookies, this will not affect your user experience on our Website or with our Services.

(c) External Tracking

We honor 'Do Not Track' signals and do not track, plant cookies, or use advertising when a Do Not Track (DNT) browser mechanism is in place.

We do not allow third-party behavioral tracking.

## 7) THIRD-PARTY LINKS

Occasionally, at our discretion, we may include or offer third-party products or services on our Website. These third-party 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 seek to protect the integrity of our site and welcome any feedback about these third-party sites.

## 8) GOOGLE

Google's advertising requirements can be summed up by Google's Advertising Principles. They are put in place to provide a positive experience for users.

<https://support.google.com/adwordspolicy/answer/1316548?hl=en>

We use Google AdSense Advertising on our website.

Google, as a third-party vendor, uses cookies to serve ads on our site. Google's use of the DART cookie enables it to serve ads to our users based on previous visits to our site and other sites on the Internet. Users may opt-out of the use of the DART cookie by visiting the Google Ad and Content Network privacy policy.

### **We have implemented the following:**

- Remarketing with Google AdSense
- Google Display Network Impression Reporting

- Demographics and Interests Reporting

We, along with third-party vendors such as Google use first-party cookies (such as the Google Analytics cookies) and third-party cookies (such as the DoubleClick cookie) or other third-party identifiers together to compile data regarding user interactions with ad impressions and other ad service functions as they relate to our website.

### **Opting out:**

Users can set preferences for how Google advertises to you using the Google Ad Settings page. Alternatively, you can opt out by visiting the Network Advertising Initiative Opt-Out page or by using the Google Analytics Opt-Out Browser add on.

## **9) CHILDREN UNDER THE AGE OF 13**

When it comes to the collection of personal information from children under the age of 13 years old, the Children's Online Privacy Protection Act (COPPA) puts parents in control. The Federal Trade Commission, United States' consumer protection agency, enforces the COPPA Rule, which spells out what operators of websites and online services must do to protect children's privacy and safety online.

Neither our Website nor our Services are intended for children under 13 years of age. We do not specifically market to children under the age of 13 years old. No one under age 13 may provide any Information on our Website. We do not knowingly collect Information from children under 13.

If you are under 13, do not use or provide any information on this Website. If we learn we have collected or received Information from a child under 13 without verification of parental consent, we will delete that information.

If you believe we might have any information from or about a child under 13, please contact us at the email address below.

## **10) YOUR RIGHTS WITH RESPECT TO YOUR INFORMATION**

- (a) Newsletters, Emails and Promotional Offers from Us.

If you do not wish to receive our newsletter or have your email address or other contact information used by us to promote our Services or other offerings, you can opt-out by (i) keeping the opt-in box unchecked at the time of subscription, (ii) by logging into your account and modifying your user preferences, or (iii) by sending us an email stating



your request to [kate@moodbarre.com](mailto:kate@moodbarre.com) (if a request is made by email, you will be removed from our mailing list within 10 days)

If we have sent you a newsletter email or other email communication or promotional offer, please follow the “Unsubscribe” instructions at the bottom of the email and we will promptly remove you from all correspondence.

(b) Copy of Your Information, Additional Information, Requesting Updates.

As applicable in accordance with local laws, you may request a copy of your Information that we have collected and stored and may ask about any recipients of your Information, the purposes of processing your Information, or submit requests for correcting any incorrect Information or for blocking or deleting any Information. Such requests may be sent via email to [kate@moodbarre.com](mailto:kate@moodbarre.com). Upon receiving any such request or question, we may first require you to prove your identity before responding.

(c) Updating Your Information, Deleting Your Information/Account.

You are responsible for keeping your Information up to date. If your Information changes or you no longer desire our Services, you may update your information by logging into your account and updating your Information or by emailing us with the Information that must be corrected or your request to remove your Information from our Website and Services at [kate@moodbarre.com](mailto:kate@moodbarre.com). Any requests made via email will be responded to within 30 days of our receipt of such email request.

(d) Information about Third Party Disclosures.

Before we collect any of your Information, we will seek your prior consent if we have any intention of sharing your Information with any third parties for marketing purposes. You can exercise your rights to prevent us from sharing your Information with third parties by keeping unchecked certain boxes on the forms we use for collecting your Information, or if you have already consented, by contacting us by email at [kate@moodbarre.com](mailto:kate@moodbarre.com).

## **11) WEBSITE VISITORS FROM COUNTRIES OUTSIDE THE UNITED STATES**

Mood Barre (including our Website and Services) is owned and operated in the United States. If you are visiting our Website or using our Services from a country outside the United States, please be aware that your information will cross an international boundary and will, as applicable, be transferred to, stored, and processed in the United States. The level of protection in the United States may not be the same as the level of protection in your own country. By using our Website or Services, you consent to the collection, storage, and processing of your information in the United States.

We make no representation that our practices described in this Privacy Policy are compliant with the laws of any other jurisdictions outside the United States, including laws that apply to the collection, storage, use, processing, disclosure, or security of PII.

## **12) PRIVACY POLICY CHANGES.**

This Privacy Policy may be updated or revised from time to time. You should regularly revisit this page and review the Privacy Policy and any updated practices.

We will notify you of any material changes to this Privacy Policy by posting a notice on our Website's homepage stating that the Privacy Policy has been updated. The notice will remain on the homepage a reasonable period of time after the changes are made.

We will also update the "Last Modified" date at the top of this Privacy Policy when changes are made.

Your continued use of our Website or Services is subject to our then-current Privacy Policy.

## **13) CONTACTING US**

If there are any questions regarding this Privacy Policy, you may contact us using the information below.

Website: [www.katemdevine.com](http://www.katemdevine.com)

Email: [kate@moodbarre.com](mailto:kate@moodbarre.com)

Catskill, New York 12414

USA