

# Privacy Policy

Flex Marketing Group, LLC (“Flex,” “we,” “our” or “us”) believes in 100% permission-based marketing. Flex has created this privacy policy (the “Privacy Policy”) in order to disclose our information gathering and dissemination practices. You agree to this Privacy Policy, in its entirety, when you: (a) open, preview or click on the advertising portion of the e-mails we send on behalf of third party websites and organizations (“Affiliated List Owners”); and/or (b) provide any personal information to us by and through various registration forms, web pages and other online media (collectively, “Online Media”).

**If you are a resident of the State of California and would like to opt-out from the disclosure of your personal information to any third party for marketing purposes, please e-mail us at: [optout@flexmg.com](mailto:optout@flexmg.com). Please be advised that where California residents opt-out from permitting their personal information to be shared, such individuals may still receive selected offers directly from us, in accordance with the law.**

## **Personally Identifiable Information Collection:**

We collect your personally identifiable information when you (a) open, preview or click on the advertising portion of the e-mails we send on behalf of one of our Affiliated List Owners; and/or (b) provide any personal information to us by and through various Online Media. We may also collect your personally identifiable information when you otherwise agree to the terms of this Privacy Policy, but do not complete the applicable registration process in full. The types of personally identifiable information that we collect may include, without limitation, and depending on the registration form, your: (a) full name; (b) e-mail address; (c) home telephone number; (d) mobile telephone number; (e) home address; and (f) any and all other information requested on the applicable registration form.

## **Personally Identifiable Information Use:**

By submitting your personal information by and through our Online Media, you agree that we may share, sell, rent, lease or otherwise provide the personal information to any third party and we may work with other businesses to bring selected retail opportunities to our users. These businesses and third parties may include, but are not limited to: (a) providers of direct marketing services and applications, including lookup and reference, data enhancement, suppression and validation; (b) e-mail marketers; (c) telemarketers (where permitted by applicable law); (d) SMS text-based marketers (where permitted by applicable law); and (e) direct marketers.

We may also employ other companies and individuals to perform certain functions on our behalf. Examples include sending direct and electronic mail, removing duplicate information from user lists, analyzing data and providing marketing analysis. The agents performing these limited functions on our behalf shall have access to our users’ personal information as needed to perform their functions for us but we do not permit them to use your personal information for other purposes.

We will also use your personal information for customer service, to provide you with information that you may request, to customize your experience on our Online Media and/or to contact you when necessary in connection with transactions entered into by you on our Online Media, if any. We may also use your personal information for internal business purposes, such as analyzing and managing our business. We may also combine the information we have gathered about you with information from other sources. We may use third parties to help us operate our business and our

## Online Media.

We also reserve the right to release current or past user information in the event that we believe that the user is using, or has used, our products, services and/or our Online Media: (i) in violation of this Privacy Policy or any other of our operating rules, policies, price schedules and other supplemental terms and conditions or documents that may be published by us from time to time; (ii) to commit unlawful acts; (iii) if such information is subpoenaed or requested pursuant to a judicial or regulatory proceeding or inquiry; (iv) if we are sold or acquired; and/or (v) when we deem it necessary or appropriate including, without limitation, sharing your e-mail address with other third parties for suppression purposes in compliance with the CAN-SPAM Act of 2003, as amended from time to time, and Federal Trade Commission implementing regulations.

By submitting your e-mail address by and through our Online Media, you agree to receive e-mail marketing from Flex (including other Flex properties) and our third-party advertisers. In addition, by submitting your personal information by and through our Online Media, you agree that such act constitutes an inquiry and/or application for purposes of the Amended Telemarketing Sales Rule (16 CFR §310 et seq.), as amended from time to time (the "Rule") and applicable state do-not-call regulations. As such, notwithstanding that your telephone number may be listed on the Federal Trade Commission's Do-Not-Call List, and/or on applicable state do-not-call lists, we retain the right to contact you via telemarketing in accordance with the Rule and applicable state do-not-call regulations.

In addition, by submitting your personal information by and through our Online Media, you agree to receive mobile marketing including, but not limited to, text-message based marketing, from us and our third party advertisers and marketers (where, and to the extent that, such marketing is permitted by applicable law). As such, notwithstanding that your mobile telephone number may be listed on state and/or federal Do-Not-Call registries, we retain the right to contact you via text-message based marketing in accordance with applicable state and federal law. Further, you agree that we reserve the right to share, sell, rent, lease and/or otherwise distribute your mobile telephone and other mobile data with/to any third-party for any and all non-marketing uses permitted by this Privacy Policy and applicable law.

Without limiting the generality of the foregoing, we reserve the right to share, sell, rent, lease and/or otherwise distribute any and all personal information with/to any third party for any and all uses permitted by this Privacy Policy and applicable law.

### **Non-Personally Identifiable Information Collection and Use:**

When you open, preview or click on the advertising portion of our e-mails or other Online Media, we collect such response data for our internal marketing purposes ("Response Data"). We may ourselves use your Response Data, and share same with Affiliated List Owners and other third party marketing partners in order to send you e-mails and other marketing messages regarding products, services and special offers that we, our Affiliated List Owners or other third party marketing partners, as applicable, believe may be of interest to you.

We may collect certain non-personally identifiable information about you when you visit certain of our Online Media. This non-personally identifiable information may include, without limitation, the type of browser that you use (e.g., Netscape, Internet Explorer), your IP address, the type of operating system that you use (e.g., Windows or Mac OS) and the domain name of your Internet service provider (e.g., America Online, Earthlink). We use the non-personally identifiable information that we collect to improve the design and content of our Online Media and to enable us to personalize your Internet experience. We also may use this information in the

aggregate to analyze usage of our Online Media, as well as to offer you products and services. We also reserve the right to use aggregate or group data about our visitors for any and all lawful purposes. Aggregate or group data is data that describes the demographics, usage and/or characteristics of our visitors as a group. By visiting and/or supplying your personal information via our Online Media, you agree to allow us to provide such aggregate data to third parties.

**Cookies:**

When you visit our Online Media, we may send a cookie and/or gif file (“Cookie”) to assign an anonymous, unique identifier to the applicable end-user’s Internet browser. A Cookie is a piece of data stored on your hard drive containing non-personally identifiable information about you. Cookies have many benefits to enhance your experience with our Online Media. To find out more about Cookies, please visit [www.cookiecentral.com](http://www.cookiecentral.com). To disable and reject certain Cookies, follow the instructions associated with your Internet browser. Even in the case where a user rejects a Cookie, he or she may still use our Online Media. We reserve the right to retain Cookie data indefinitely.

**Correct, Update or Delete Your Information:**

You can learn if we have any of your personal information in our database, what that information is, and you can correct, modify, update or delete any and all such information by contacting us via email at: [info@flexmg.com](mailto:info@flexmg.com).

**Unsubscribe/Opt-Out:**

To opt-out of having your personal information shared with third parties, please Click [Here](#). You may unsubscribe from any of our e-mail marketing programs at any time. In every e-mail communication that we send, there is an unsubscribe hyperlink that allows the recipient to unsubscribe from the specific e-mail marketing list by simply clicking the hyperlink provided and following the instructions that follow. We attempt to process all unsubscribe requests in a prompt fashion. However, after unsubscribing, we cannot guarantee that you will never receive another mailing from us because we may obtain your e-mail address in the future through a different e-mail marketing list that you have subscribed into. We can guarantee, however, that if you should ever receive another e-mail communication from Flex, you will be able to remove your e-mail address via the unsubscribe hyperlink contained in any such communication.

If you wish to discontinue receiving email messages from Flex, you can either: (a) send an email to [optout@flexmg.com](mailto:optout@flexmg.com); or (b) follow the instructions in each promotional email message sent by Flex.

Flex is able to offer its free services, in part, based upon the willingness of end-users to be contacted by our marketing partners, including affiliated third party advertisers.

**Security:**

All collected information is stored in a technically and physically secure environment. When the registration/application process on any of our Online Media asks users to enter sensitive information (such as bank account information, credit card information, etc), and when we store and transmit such sensitive information, that information is encrypted and is protected with SSL encryption software. While we use SSL encryption to protect sensitive information online, we also do everything in our power to protect user information off-line. Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure. As a result, while we strive to protect your personal information, we cannot ensure or warrant the security of any information that you transmit to us, and you do so at your own risk. Once we receive your transmission, we make reasonable efforts to ensure its security on our systems. Access to this information is strictly

limited, and not accessible to the public. All of our users' information, not just the sensitive information mentioned above, is restricted in our offices. Only employees who need the information to perform a specific job (for example customer service representative) are granted access to personal information. Our employees are dedicated to ensuring the security and privacy of all Flex user information. Employees not adhering to our firm policies are subject to disciplinary action.

**Security Breach:**

In compliance with applicable federal and state laws, we shall notify you and any applicable regulatory agencies in the event that there has been an information security breach. You will be notified via e-mail in the event of such a breach. Please be advised that notice may be delayed in order to address the needs of law enforcement, to determine the scope of network damage, and to engage in remedial measures.

**Third Party Links:**

Flex does not endorse, nor is Flex responsible for the accuracy of, the privacy policies and/or terms and conditions of any of the advertisers and/or third parties accessible through our Online Media or any of the e-mails sent by us including, without limitation, our Affiliated List Owners. In some cases, you may be required to provide certain information to register or complete a transaction on the web properties of such third parties. Such entities are independent third parties and not affiliated with Flex. These third-parties have separate privacy and data collection practices and we have no responsibility or liability relating to them. We encourage end-users to review the privacy practices and terms of use of any such entities.

**Changes to this Privacy Policy:**

We reserve the right, at our discretion, to change, modify, add and/or remove portions of this Privacy Policy at any time. All Privacy Policy changes will take effect immediately upon their posting. Your continued acceptance of our e-mails or accessing of our Online Media following the posting of changes to these terms will mean that you accept these changes and agree to continue receiving e-mails from us. If you do not agree to the terms of this Privacy Policy, please unsubscribe by Clicking [Here](#).

**Children's Privacy:**

Flex encourages parents and guardians to spend time online with their children and to participate and monitor the interactive activities of their children. Flex is very sensitive to the issue of children's privacy and, therefore, we endeavor to protect the privacy of children using the Internet. We do not knowingly solicit or collect personal information from persons under eighteen (18) years of age. If a child has already provided us with personal information, his or her parent or guardian may contact us for the purpose of deleting this information.

**Contacting Us about Privacy Questions or Concerns:**

If you have any questions about this Privacy Policy, you may contact us via email at [info@flexmg.com](mailto:info@flexmg.com), or via mail at:

Flex Marketing Group, LLC  
106 East 19th Street  
8th Floor  
New York, New York 10003

Copyright © 2008-2011 **Flex Marketing Group, LLC** – All Rights Reserved.

Last updated: November 19, 2009, 5:00 p.m. EST