

Zurvita, Inc. and its affiliates (“Zurvita” or “we”, “our”, “us”) respect the privacy of our consumers. This Privacy Policy (“Privacy Policy”) explains the type of information we collect from individuals that visit our websites (each, a “Site”) or use our mobile applications (each, an “App”) where this Privacy Policy is posted or otherwise connect with us offline such as via telephone (“Offline Services”, and collectively with all Sites and Apps, the “Services” or individually, a “Service”), and how we store, use, disclose and protect such information. This Privacy Policy also provides employment applicants with information about the categories of personal information that we collect from them, and the purposes for which applicants’ personal information is used. By using or accessing our Services, you agree to the collection, storage, use and disclosure of your information as described in this Privacy Policy.

## OVERVIEW

- We collect personal information from users of our Services that identifies you as an individual when it is voluntarily provided by you, such as your name and email address.
- We automatically collect browsing information and other information from users of our Services that does not directly identify you as an individual, but may identify your device, such as information about your browsing activities and information about the devices you use to access the Services.
- We also collect personal information from individuals who wish to apply for a job at Zurvita.
- California residents have the right to request access to or the deletion of their personal information as set forth in the ACCESS TO YOUR INFORMATION / CALIFORNIA PRIVACY NOTICE section below.
- Information about our data collection during the prior 12 months is further described below.

## Categories of Personal Information

- Contact information and other information about you, (including your name, email address, physical address, shipping address, telephone number, card information, necessary government ID and/or business account information based on enrollment type and process).
- Internet or other electronic network activity information (including cookies and mobile device IDs and related browsing information).
- Commercial information (including products and services purchased, products and services you are considering purchasing that are placed in your virtual shopping cart, information about products that you have returned, product orders you have cancelled and product reviews).
- Location information (including precise geolocation).

## Sources of Personal Information

- Collected from you directly through the Services, from our service vendors and our marketing partners and social media services and mobile application(s).
- Collected from you directly when you use our Services, open our emails or interact with our digital content or ads on other services, from our service providers, ad tech vendors and marketing agencies.
- Collected from you directly and from our service providers and third-party websites.
- General location collected from you directly and from your IP address; precise geolocation collected from your mobile device when you access the Sites and App.

## Business Purpose for such Personal Information

- We use this information to process and fulfill your orders, deliver marketing messages to you, respond to your inquiries, improve our products and services, verify requests pursuant to this Privacy Policy and as otherwise described in **HOW WE USE YOUR INFORMATION** below.
- We use this information to remember your preferences on the Services, tailor and deliver online advertising, improve our products and services, measure the effectiveness of our advertising campaigns and emails, conduct business research and generate analytics, for security purposes, and as otherwise described in **HOW WE USE YOUR INFORMATION** below.
- We use this information to process and fulfill your orders, send you offers, provide customer service, improve our products and services and as otherwise described in **HOW WE USE YOUR INFORMATION** below.
- We use this information to, send you relevant offers and advertisements and messaging as otherwise described in **HOW WE USE YOUR INFORMATION** below.

## Categories of Third Parties with whom information is shared

- We share this information with our service vendors, with third parties such as social media platforms and as otherwise described in **WHAT INFORMATION WE DISCLOSE** below.
- We share this information with our service vendors, marketing partners and as otherwise described in **WHAT INFORMATION WE DISCLOSE** below.
- We share this information with our service vendors and as otherwise described in **HOW WE USE YOUR INFORMATION** below.

## WHAT INFORMATION WE COLLECT

**Information you give us.** We collect and maintain information that you may provide to us through use of our Services, including your name, shipping address, billing address, credit card information, telephone number(s), email address(es), necessary tax-related documentation based on enrollment type and purchase/return/exchange data. For example, when you set up your account and/or make online purchases, you will be asked to provide information necessary to facilitate the transaction such as contact and payment information; when you enter our contests, incentives or other promotions, you may be asked for information necessary to fulfill the promotion; when you post comments or other content in publicly available forums on our Services (e.g., product reviews, Q&A forum), anything you post will be available to us as well as visitors to our Services; when you post information about us on third-party social media platforms (each, a “Social Media Service”), we may collect such information through an integration with the Social Media Service provider; when you contact our customer service representatives, we collect additional information you choose to provide our representatives. We also collect information about you and your prospect(s) through our mobile application in connection with our replicated sites and account management tools that you provide.

**Information automatically collected.** We use technology to automatically collect other information about you when you visit our Services or view our advertisements. See **Cookies and Interest-Based Advertising**, below. This information helps our online Services work correctly and supports our marketing and analytics efforts. This information includes, and is not limited to, device type, browser information, operating system information, device information, IP address, mobile device identifier, software version, phone model, phone operating system, carrier information, geo-location, the date, time, length of stay, referring website and specific pages accessed and other actions you take on our Service.

**Information collected from other sources.** We receive information about you from other sources to help us correct or supplement our records, improve the quality of our Services to you and prevent or detect fraud. Such sources may include information collected from payment processors, shipping carriers and other vendors. We may use this information consistent with this Privacy Policy.

**Information collected through Social Media Services.** You may be able to access our Services through Social Media Services. If you log on to our Services through a Social Media Service, you give us permission to access, store and use any information that you permit the applicable Social Media Service to share with us in accordance with your privacy settings with the applicable Social Media Service. When using Social Media Services with our Services, the Social Media Service provider will be able to collect information from you. We may also place tags and other data collection mechanisms on our Services from Social Media Services through which they can collect information about the usage of our Services and their services across multiple devices (such as your smartphone and your computer) for use by both us and such Social Media Service. We are not responsible or liable for the privacy practices or content of the applicable Social Media Service. We encourage you to review, and if necessary, adjust your privacy settings with the applicable Social Media Service before logging in to our online Services using the applicable Social Media Service. Information that we receive from Social Media Services is stored, used and disclosed by us in accordance with this Privacy Policy.

## HOW WE USE YOUR INFORMATION

We use, process and disclose the information we collect about you for our business purposes, including:

**Fulfilling orders and responding to your questions and requests.** We use your information to provide you with transactional assistance such as fulfilling your order and ensuring proper delivery of your products, as well as administering promotions such as incentives and promotions and responding to reviews, comments or other feedback you provide.

**Communicating about your account.** We may contact you to tell you about changes to this Privacy Policy, our Terms of Use or changes to our Services, products and programs. We may also tell you about issues with your orders or if there is a product adjustment or change in business.

**Improving our products and services.** We may use your information to make improvements to our Services, including to personalize our service offerings to meet your needs, for back-up purposes and also to detect and prevent fraud.

**Reviewing Site and App trends and customer interests.** We may use your information to customize your experience with us.

We may collect information about your activities on and interactions with various devices and link that information. Through such cross-device linking, we can provide you with a consistent experience across the devices you use. We may also combine information we receive from you with other information about you that we have received from third parties or through publicly available sources to assess trends and interests.

**Improving marketing communications.** We may send you communications about promotions or offers via regular mail, email, text messaging or other electronic channels, including ads on Social Media Services. We may use information, including information collected across different online services and collected from the various devices you may use, to deliver marketing communications based on your behavior and interests.

**Promote our products or services.** If you complete a product review or other feedback or provide any images, we may use your submission for commercial purposes to promote our products and services or send you personalized content, thank you notes and holiday cards.

**Other uses.** We also may use your information with your consent, as set forth herein, and as otherwise permitted or required by law including but not limited to for maintaining authorizations.

## WHAT INFORMATION WE DISCLOSE

We share information about you with third parties in order to conduct our business; when legally required; or with your consent; including:

**Affiliates.** We may share your information with our affiliates for business, operational, promotional, marketing or other purposes consistent with this Privacy Policy.

**Service Providers.** We may disclose the information collected about you to our third-party contractors and partners relating to their performing services or other activities in support of our Services and/or our businesses, or their completing or confirming on our behalf a transaction or series of transactions that you conduct with us. Examples include, but are not limited to, third parties who may fulfill orders, deliver packages, send postal mail and/or email, analyze data, provide marketing research and assistance, process credit card payments and provide customer service. These third parties are restricted from using information that identifies you (excluding any information that is aggregated or otherwise reasonably de-identified) in any way other than to provide services for us.

**Other Third Parties.** We may disclose the information collected about you to other third parties in connection with our marketing efforts to promote our Services.

**Business Transfer.** We may disclose, transfer or assign to our affiliates or to one or more third parties the information collected about you as part of a merger, acquisition or other sale or transfer of any of the assets or business of Zurvita. In the unlikely event of our bankruptcy, insolvency, reorganization, receivership or assignment for the benefit of creditors, or the application of laws or equitable principles affecting creditors' rights generally, we may transfer your data to a successor or to a third party that purchases our assets arising from such circumstances. In such transactions, customer information generally is one of the transferred business assets but remains subject to the promises made in any pre-existing Privacy Policy.

**Protection of Zurvita and Others.** We may disclose information about you to the government or to other third parties to comply with the law, applicable regulations, governmental and quasi-governmental requests, court orders, subpoenas and other legal process. We may also disclose information to third parties if needed to (i) enforce any of the Terms of Use for our Services or any investigation of potential violations thereof, (ii) detect, prevent or otherwise address fraud, security or technical issues, (iii) protect against harm to our Services and (iv) protect our rights, property or safety or the rights, property or safety of our users or others.

## INFORMATION FROM CHILDREN

The Services are not directed at children, and we have no intention of collecting information from young people. If we become aware that information from a child under 18 has been collected without the consent of such child's parent or guardian, we will use all reasonable efforts to delete such information.

## THIRD-PARTY SERVICES

As a convenience to our visitors, our Services may contain links to several unaffiliated services that we believe offer useful information. The policies and procedures we describe here do not apply to those websites. We suggest contacting those services directly for information on their privacy policies. Zurvita is not responsible for the privacy practices of third parties, regardless of whether they are linked or otherwise connected to our Services.

## COOKIES AND INTEREST-BASED ADVERTISING

**Tracking tools we use.** We and our service providers collect information about users over time and across different websites and devices through the use of tracking tools including cookies, web beacons, clear GIFs, pixels, device identifiers and other online information-gathering tools (collectively, “cookies”). While the cookies that we use may change from time to time, we use cookies for the same purposes, including:

- To authenticate your account and store your password if you are a registered account holder;
- To monitor performance of our Services;
- To learn more about the way you interact with our content;
- To personalize your experience on our Sites, Apps and Social Media Services;
- To optimize and tailor our Sites and Apps;
- To make product recommendations and provide you with advertising content on our Services and elsewhere in which we think you will be interested;
- To measure the effectiveness of personalized ads;
- To pursue analytics and research to help us improve our Services and product offerings; and
- To better understand our Site visitors and App users and their respective interests, including by learning about your online activities across devices.

**Interest-based advertising.** We and our service providers use cookies to learn about what ads you see, what ads you interact with and other actions you take on our Services. This allows us to provide you with more useful and relevant ads on both Zurvita-owned and operated Services and unaffiliated services. Interest-based ads, also sometimes referred to as personalized or targeted ads, are displayed to you based on information from activities such as browsing or purchasing on our Sites or Apps or visiting external sites or apps that contain our content or ads. In providing interest-based ads, we follow the Self-Regulatory Principles for Online Behavioral Advertising developed by the Digital Advertising Alliance (DAA) (a coalition of marketing and online advertising organizations). See “Advertising Preferences and Opt-out” below to opt-out of such advertising.

Third-party advertising management partners may help us display tailored content to our customers’ interests and serve interest-based advertising on our behalf. However, advertisers and other third parties (including the ad networks, ad-serving companies, and other service providers they may use) may collect information through cookies about your browsing activity on our website to display interest-based ads. Also, some third parties may provide us information about you (such as the sites where you have been shown ads or demographic information) from offline and online sources that we may use to provide you more relevant and useful advertising.

Advertisers or ad companies working on their behalf sometimes use technology to serve the ads that appear on our Sites directly to your browser. They automatically receive your IP address when this happens. They may also use cookies to measure the effectiveness of their ads and to personalize ad content. The information practices of these advertisers and third-party websites are not covered by our Privacy Policy. Please contact them directly for more information about their privacy practices.

## ADVERTISING PREFERENCES AND OPT-OUT

**Cookies:** The Help feature on most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. If you set your browser to limit or remove cookies or otherwise block our use of cookies, some Site features may be unavailable or unable to function properly. Your device may not give you the ability to control cookies. If you wish to block cookies on our App, you will need to delete the application from your mobile device.

**Email marketing opt-out:** If you wish to opt-out of any marketing email communications you may contact our customer service representatives at the phone number or email address below, under Questions (customerservice@Zurvita.com). You also may follow unsubscribe instructions included in our promotional or informative emails. Please note that removal of user information from our database or “opting-out” will not stop marketing or advertising content that is generated for distribution or is otherwise queued for transmission to you prior to the time when we can implement your request. Following receipt of a request from you, we will take reasonable steps to delete your information from our active records. If you unsubscribe from marketing communications, you will continue to receive transactional communications, such as email or text notifications about your order status, recall information and other administrative information. Your information will remain in our database, but will be marked as inactive so you do not receive marketing materials from us.

**Interest-based advertising opt-out:** You may opt-out of our targeted advertising and the targeted advertising of certain providers by visiting the consumer opt-out page at <https://www.aboutads.info/choices>. Also, you can generally opt-out of receiving personalized ads from member of the Network Advertising Initiative (NAI) by visiting the NAI consumer opt-out page at <http://optout.networkadvertising.org/?c=1#!/>. Opting out will not mean that you will no longer receive our ads, rather, it just means that those ads will not be targeted to you based upon data collected from you on our online Services.

**Apps opt-out:** You may use the DAA's AppChoices program to opt-out of certain interest-based advertising in apps (see: <https://youradchoices.com/appchoices>). You may also select a system level advertising preference feature on your device to opt out your device from interest-based advertising in apps. On Apple iOS devices, system level advertising preference may be accessed via Settings – Privacy – Advertising – Limit Ad Tracking. On Android devices, open the Google Settings app from your app drawer or from your operating system's settings menu, tap Ads and select "Opt-out of Interest-based ads."

**Facebook opt-out:** Facebook may provide you with the ability to opt-out of certain advertising practices. See [https://www.facebook.com/help/1075880512458213/?helpref=hc\\_fnav](https://www.facebook.com/help/1075880512458213/?helpref=hc_fnav). However, we are unable to control Facebook's practices or disclosures. To opt-out of data collection by other Social Media Services, you should review that provider's privacy practices.

**Mobile location settings:** If you access our Services through a mobile device, we may also be able to identify the location of your mobile device. You may choose not to share your location details with us by adjusting your mobile device's location services settings. For instructions on changing the relevant settings, please contact your service provider or device manufacturer.

**Do-Not-Track:** Some browsers have a "do not track" feature that lets you tell websites that you do not want to have your online activities tracked. Our online Services do not support "do not track" preferences that may be available in your browser and are not capable of satisfying the preference you set.

## DATA SECURITY

We implement reasonable administrative, technical and physical safeguards designed to protect the information we collect. However, no information system can be 100% secure, so we cannot guarantee the absolute security of your information. In addition, please note that we do not control the communication channel you choose to communicate with us and cannot guarantee secure information transmission.

## DATA RETENTION

We may retain your data for as long as we believe there is a business, legal or security reason for doing so, even if you are no longer an active customer.

## HOW TO UPDATE INFORMATION

You may correct or update information collected about you through our Services by contacting us at the email address noted at the end of this Privacy Policy below, or by editing your information and preferences on your account management tool within your created account. Following receipt of a request from you, we will take reasonable steps to update or correct your information.

## ACCESS TO YOUR INFORMATION / CALIFORNIA PRIVACY NOTICE

We provide you with choices regarding the personal information we collected of you, and California residents have certain rights pursuant to the California Consumer Privacy Act ("CCPA"). The rights listed below do not apply to California residents who apply for a job with Zurvita:

- **Personal Information**
- **Right to Delete** - For California residents, if you would like to request that we delete your personal information, please click on the following link and provide the requested information: [Privacy Rights Removal Request Form](#)
- **Right to Know** - For California residents, if you would like to request a report that details the categories of personal information collected about you, the categories of sources from which the personal information is collected, the purpose for collecting the personal information, the categories of third parties which whom we share the personal information and the specific pieces of personal information collected about you over the past 12 months, please click on the following link and provide the requested information: [Privacy Rights Removal Request Form](#)
- **Emails** - If you prefer not to receive marketing information from this Service, follow the instructions above.
- **Cookies** - You may delete or block cookies and other technologies by following the instructions above.
- **We Do Not Sell Personal Information.** Zurvita does not "sell" any personal information of our consumers as defined under the CCPA.

We have various procedures to verify that you are authorized to make the requests above. You can designate an authorized agent to make these requests on your behalf, though we will need to verify the authority of such agent pursuant to our reasonable procedure.

We may deny certain requests, or fulfill a request only in part, based on our legal rights and obligations. For example, we may retain personal information as permitted by law, such as for tax or other record keeping purposes and to process transactions and facilitate customer requests. We do not discriminate against you for exercising any of your rights above, though we are not able to provide some services to you without such information.

For Authorized Agents making a request on a consumer's behalf, download a verification form [[click here](#)] to complete and submit the completed form together with the above request. An Authorized Agent's request will be denied without this form properly submitted.

## **CHANGES TO THIS POLICY**

We reserve the right, at our discretion, to modify our privacy practices and update and make changes to this Privacy Policy at any time and without prior notice. You should consult this Privacy Policy regularly for any changes.

## **GOVERNING LAW**

By choosing to visit our Services, you agree that any dispute over privacy or the terms contained in this Privacy Policy will be governed by the law of the State of Texas, without reference to the choice of law or conflicts of law principles thereof, and will be subject to the dispute resolution clause contained in the Terms of Use applicable to the Services. This Privacy Policy is incorporated into, and subject to, the Zurvita Terms of Use.

## **QUESTIONS**

If there are any questions regarding this Privacy Policy, you may contact us using the information below.  
Customer Service: (855) 925-3637; Email: [customerservice@zurvita.com](mailto:customerservice@zurvita.com)