

FlowActive, Inc. Online Privacy Policy

1. Introduction.

- (a) **Web Site Owner.** FlowActive, Inc. ("FlowActive") is the owner of this web site ("FlowActive Web Site"). FlowActive can be contacted by mail at 2 Third Street, Troy, New York 12180, by phone at (518) 992-5408, or by e-mail at inquiries@flowactive.com. This online privacy notice discloses FlowActive information practices for this FlowActive Web Site, including what type of personal identifiable information is requested in order to make a purchase, how the information is used, and with whom the information is shared. Note that other FlowActive web sites may be governed by privacy notices containing different information practices applicable to those sites.
- (b) **Web Site Visits.** FlowActive collects certain information from FlowActive Web Site visitors. This includes, but is not limited to, the home server domain name, e-mail address, type of computer and web browser, what pages visitor accessed, and limited information about search requests. This information is used to solve technical problems and to calculate overall usage statistics.
- (c) **Web Site Transactions.** At times, FlowActive will need personal information regarding a customer or a prospect. For example, to process an order or provide a subscription, FlowActive may need to know a customer's name, mailing address, e-mail address and credit card details. It is FlowActive's intent to inform you before FlowActive collects personal information, such as user's name and/or address on the Internet. If you tell us that you do not wish to have this information used as a basis for further contact with you, FlowActive will respect your wishes.

2. Personal Information That May Be Collected.

- (a) **Identifying Information.** In order to make a purchase and/or access designated subscriber services and/or restricted areas within the FlowActive Web site, FlowActive will request a user to provide certain personal identifying information, which may include: legal name, postal address, e-mail address, screen name, password, daytime telephone number, facsimile number, method of payment, and, if applicable, credit card number. FlowActive may request additional information necessary to establish and maintain customer's account.
- (b) **Service Quality Monitoring.** Some Web site transactions may require a customer to telephone FlowActive, or FlowActive to call the customer. FlowActive will not contact you by telephone without your prior consent, except to confirm an order placed online and/or to inform a customer of the status of such order. Customer should be aware that it is FlowActive's practice to monitor, and in some cases record such calls for staff training or quality assurance purposes.
- (c) **Information from Children.** FlowActive does not sell products or services for purchase by children, and will not collect or post information from a child under the age of 18 without the involvement of a parent or guardian. FlowActive will notify the child's parent or guardian at the e-mail address provided by the prospective customer, alerting the parent or guardian to the child's use of the Web site and

providing instructions as to how the parent or guardian can delete the child's registration from the Web site.

- (d) **Lost or Stolen Information.** If a customer's credit card and/or password is lost or stolen, the customer should promptly notify FlowActive in order to enable FlowActive to cancel the lost or stolen information and to update its records with a changed credit card and/or password.
- (e) **Chat Rooms, Forums and Bulletin Boards.** If customer participates in an FlowActive chat room, discussion forum, or posts messages to an FlowActive bulletin board, customer should be aware that the information disclosed and shared will be broadly available to other persons, both inside of and/or outside FlowActive, who have access to that chat room, forum or bulletin board. Some individual FlowActive chat rooms, forums or bulletin boards have additional rules and conditions regarding participation. Also, participant's expressed opinion is his or her own and should not be considered as reflecting the opinion of FlowActive.
- (f) **Links to Other Web Sites.** An FlowActive Web site may contain links to other web sites. FlowActive is not responsible for the privacy practices or the content of those other Web sites.

3. Uses Made of the Information.

- (a) **Limited Uses Identified.** Personal information collected by FlowActive will be used by FlowActive for the following purposes: for product development and market analysis.
- (b) **Marketing Uses.** Unless customer marks an "x" on the opt-out option box herein provided, FlowActive reserves the right to provide customer with information about FlowActive's Web site, FlowActive products and services, and related information in which customer has indicated an interest.
- (c) **Stored Information Uses.** FlowActive stores and retains the information provided by customer. Stored information is used by FlowActive and FlowActive agents: to support customer interaction with the FlowActive Web site; to deliver customer purchases; and/or to contact customer again about other FlowActive services and products.

4. Disclosure of the Information.

- (a) **Within Corporate Organization.** FlowActive has business processes, management structures, and technical systems that may cross borders. FlowActive may share your personal information within the FlowActive corporate organization and may transfer the information to countries in the world where FlowActive will conduct business. Some countries may provide less legal protection for customer personal information. In such countries FlowActive will still handle customer personal information in the manner described herein.
- (b) **Mergers and Acquisitions.** Circumstances may arise where for business reasons, FlowActive decides to sell, buy, merge or otherwise reorganize its businesses in the United States or some other country. Such a transaction may involve the disclosure of personal identifying information to prospective or actual purchasers, and/or

receiving such information from sellers. It is FlowActive's practice to seek appropriate protection for information in these types of transactions.

- (c) **Agents.** FlowActive employs or engages other companies and individuals to perform business functions on behalf of FlowActive. These persons are provided with personal identifying information required to perform their functions, but are prohibited by contract from using the information for other purposes. These persons engage in a variety of functions which include, but are not limited to, fulfilling orders, delivering packages, removing repetitive information from customer lists, analyzing data, providing marketing assistance, processing credit card payments and providing customer services.
- (d) **Affiliated Businesses.** FlowActive works closely with affiliated businesses operating web site stores, providing services or selling products on each other's Web sites. These businesses identify themselves to customers. Customer information related to a transaction with an affiliated business is shared with that affiliated business.
- (e) **Marketing Analysis by Third Parties.** FlowActive reserves the right to disclose to third parties personal information about customers for marketing analysis; however, any information disclosed will be in the form of aggregate data that does not describe or identify an individual customer.
- (f) **Disclosure to Governmental Authorities.** FlowActive releases personal identifying information when FlowActive believes release is appropriate to comply with law, to enforce FlowActive agreements, or to protect the rights, property or safety of FlowActive customers. FlowActive may also release such information in an exchange of information with other companies and/or organizations for the purposes of fraud protection and credit risk reduction.

5. Use of Computer Tracking Technologies.

- (a) **No Tracking of Personal Information.** FlowActive's Web Site(s) are not set up to track, collect or distribute personal information not entered by visitors. Through web site access logs FlowActive does collect clickstream data and HTTP protocol elements, which generate certain kinds of non-identifying site usage data, such as the number of hits and visits to our sites. This information is used for internal purposes by technical support staff for research and development, user analysis and business decision making, all of which provides better services to the public. The statistics garnered, which contain no personal information and cannot be used to gather such information, may also be provided to third parties.
- (b) **Use of Cookies.** FlowActive, or its third party vendors, collects non-identifiable and personal information through the use of various technologies, including "cookies." A cookie is an alphanumeric identifier that a Web site can transfer to customer's hard drive through customer's browser. The cookie is then stored on customer's computer as an anonymous tag that identifies the customer's computer, but not the customer. Cookies may be sent by FlowActive or its third party vendors. Customer can set its browser to notify customer before a cookie is received, giving an opportunity to decide whether to accept the cookie. Customer may also set its browser to turn off cookies; however, some Web sites may not then work properly.
- (c) **Use of Web Beacon Technologies.** FlowActive may also use Web beacon or other technologies to better tailor its Web site(s) to provide better customer service. If

these technologies are in use, when a visitor accesses these pages of the Web site, a non-identifiable notice of that visit is generated which may be processed by FlowActive or by its suppliers. Web beacons usually work in conjunction with cookies. If customer does not want cookie information to be associated with customer's visits to these pages, customer can set its browser to turn off cookies; however, Web beacon and other technologies will still detect visits to these pages, but the notices they generate cannot be associated with other non-identifiable cookie information and are disregarded.

- (d) **Collection of Non-Identifiable Information.** FlowActive may collect non-identifiable information from user visits to the FlowActive Web site(s) in order to provide better customer service. Examples of such collecting include: traffic analysis, such as tracking of the domains from which users visit, or tracking numbers of visitors; measuring visitor activity on FlowActive Web site(s); Web site and system administration; user analysis; and business decision making. Such information is sometimes known as "clickstream data." FlowActive or its contractors may use this data to analyze trends and statistics.
- (e) **Collection of Personal Information.** FlowActive collects personal identifying information from customer during a transaction. FlowActive may extract some personally identifying information about that transaction in a non-identifiable format and combine it with other non-identifiable information, such as clickstream data. This information is used and analyzed only at an aggregate level (not at an individual level) to help FlowActive understand trends and patterns. This information is not reviewed at an individual level.

6. Information Security.

- (a) **Commitment to Online Security.** FlowActive uses industry standard encryption technologies when transferring and receiving personal information. FlowActive maintains security measures in its physical facility designed to protect against the loss, misuse or alteration of information that FlowActive has collected from user.
- (b) **No Liability for Acts of Third Parties.** FlowActive will exercise all reasonable efforts to safeguard the confidentiality of customer personal information. However, transmissions protected by industry standard security technology and implemented by human beings cannot be made absolutely secure. Consequently, FlowActive shall not be liable for unauthorized disclosure of personal information due to no fault of FlowActive including, but not limited to, errors in transmission and unauthorized acts of FlowActive staff and third parties.

7. Privacy Policy Changes and Opt-Out Rights.

- (a) **Changes to Privacy Policy.** This privacy notice was last updated on February 2, 2021. FlowActive reserves the right to change its privacy policy statement at any time. A notice of any material change will be posted on the FlowActive Web site home page for ten (10) days prior to the implementation of such change.
- (b) **Opt-Out Right.** Customer and prospective customer has the right at any time to cease permitting personal information to be collected, used or disclosed by FlowActive and/or by any third parties with whom FlowActive has shared and/or transferred such personal information. Right of cancellation may be exercised by

contacting FlowActive via e-mail at inquiries@flowactive.com, telephone or postal mail. After processing the cancellation, FlowActive will delete customer or prospective customer's personal information from its data base.

8. Access Rights to Data.

- (a) **Information Maintained by FlowActive.** Upon customer's request, FlowActive will provide a reasonable description of customer's personally identifiable information that FlowActive maintains in its data bank. FlowActive can be contacted by e-mail at inquiries@flowactive.com, telephone at (518) 992-5408, or postal mail at 2 Third Street, Troy, New York 12180.
- (b) **Corrections and Changes to Personal Information.** Help FlowActive to keep customer personal information accurate. If customer's personal information changes, or if customer notes an error upon review of customer information that FlowActive has on file, please promptly e-mail FlowActive at inquiries@flowactive.com and provide the new or correct information.
- (c) **Your California Privacy Rights.** Beginning on January 1, 2005, California Civil Code Section 1798.83 permits customers of FlowActive who are California residents to request certain information regarding FlowActive's disclosure of personal information for their direct marketing purposes. To make such a request, please write to: . Within 30 days of receiving such a request, FlowActive will provide a list of the categories of personal information disclosed to third parties for third-party direct marketing purposes during the immediately preceding calendar year, along with the names and addresses of these third parties. This request may be made no more than once per calendar year. FlowActive reserves its right not to respond to requests submitted other than to the address specified in this paragraph.

California's privacy laws require a company to provide notice to California users of their rights to receive information on to which entities their information was shared for marketing purposes.

9. Accountability.

- (a) **Questions, Problems and Complaints.** If you have a question about this policy statement, or a complaint about FlowActive compliance with this privacy policy, you may contact FlowActive by e-mail at inquiries@flowactive.com. If FlowActive is unable to resolve your complaint to your reasonable satisfaction or if customer does not receive acknowledgment of an inquiry, customer may elect to proceed by contacting FlowActive at inquiries@flowactive.com, telephone at (518) 992-5408, or postal mail at 2 Third Street, Troy, New York 12180.
- (b) **Terms of Use.** If customer chooses to enter into a purchase order or to subscribe to FlowActive's services, customer's action is hereby deemed acceptance of FlowActive practices described in this policy statement. Any dispute over privacy between customer and FlowActive is subject to the provisions of this notice and to FlowActive's Terms of Use Agreement which is hereby incorporated herein and which can be read at ww.flowactive.com.