

# Privacy Policy

Eternapure LLC (referred to herein as “Eternapure”, “our”, “us” or “we”) is committed to respecting the privacy rights of those visiting our websites, including our Independent Contract Representatives’ Replicated Websites and our mobile applications (hereafter collectively referred to as the “Website” or “Websites”). We created this Privacy Policy to give you confidence as you visit and use the Websites, and to demonstrate our commitment to fair information practices and to the protection of privacy.

This Privacy Policy is only applicable to our Websites and not to any Third-Party websites that may link to or from this Website, which may have data collection, storage and use practices and policies that differ materially from this Privacy Policy. For additional information, see the section concerning Third-Party Websites, below.

**BY USING THE WEBSITE, YOU REPRESENT AND WARRANT THAT YOU HAVE READ AND UNDERSTOOD, AND AGREE TO THE TERMS OF, THIS PRIVACY POLICY. IF YOU DO NOT UNDERSTAND OR DO NOT AGREE TO BE BOUND BY THIS PRIVACY POLICY, YOU MUST IMMEDIATELY LEAVE THE WEBSITE.**

Each time you use the Website, the then-current version of this Privacy Policy will apply. Accordingly, each time you use the Website you should check the date of this Privacy Policy (which appears at the end) and review any changes since the last time you visited the Website. For additional information, see the section concerning Updates and Changes to Privacy Policy, below.

## **Children’s Privacy**

Eternapure is committed to the safety of our children. Persons under the age of 18 may not enroll as an Eternapure Independent Contract Representative or register as customers. Children under the age of 13 may not purchase products through any of our Websites. Eternapure does not solicit or knowingly collect personally identifiable information from children under the age of 13. If Eternapure obtains actual knowledge that it has collected personally identifiable information from a child under the age of 13, Eternapure will immediately delete such information from its database. Because Eternapure does not collect personally identifiable information from children under the age of 13, Eternapure has no such information to use or disclose to third parties.

## **Information Collection**

Eternapure is the sole owner of the Website, including Replicated Websites. We collect information from Independent Contract Representatives (“Representatives”), customers and visitors to the websites at different points on the websites.

- **Traffic Data.**

Like most website operators, Eternapure automatically gathers information of the sort that browsers automatically make available, including: (i) IP addresses; (ii) domain servers; (iii) types of devices accessing the Website; and (iv) types of Web browsers accessing the Website (collectively “Traffic Data”). Traffic Data is anonymous information that does not personally identify you.

- **Cookies.**

A “Cookie” is a string of information that a website stores on a user’s computer, and that the user’s browser provides to the website each time the user submits a query to the website. The purpose of a Cookie is to identify the user as a unique user of the Website. Eternapure uses Cookies to customize your experience on the Website to your interests, to ensure that you do not see the same informational messages repeatedly, and to store your username so you do not have to re-enter it each time you visit the Website. For additional information on Eternapure’s uses of Cookies, see the section concerning Information Use and Disclosure Practices/Traffic Data and Information Gathered Using Cookies, below. IF YOU DO NOT WISH TO HAVE COOKIES PLACED ON YOUR COMPUTER, YOU SHOULD SET YOUR BROWSER TO REFUSE COOKIES BEFORE ACCESSING THE WEBSITE, WITH THE UNDERSTANDING THAT CERTAIN OF THE SERVICES AND CERTAIN FEATURES OF THE WEBSITE MAY NOT FUNCTION PROPERLY WITHOUT THE AID OF COOKIES. IF YOU REFUSE COOKIES, YOU ASSUME ALL RESPONSIBILITY FOR ANY RESULTING LOSS OF FUNCTIONALITY.

- **Personal Information.**

Through your use of or visits to our websites, you may be required or requested to provide personally identifiable information (hereafter “Personal Information”) to us. Personal Information is any piece of information which can potentially be used to uniquely identify, contact, or locate a single person. Such information includes, without limitation: (1) “Contact Data” (such as your name, mailing address and e-mail address); (2) “Demographic Data” (such as your age, gender, profession, education level, relationship status, religious affiliation, country, state, city and likes and dislikes,); and (3) “Financial Data” (such as your credit/debit card number and expiration date). We do not collect Personal Information from you through this Website without first asking you to provide it. The Website does not gather Personal Information from you without your knowledge. We may supplement the Personal Information you provide to us with additional personal information gathered from public sources or from third parties (e.g., consumer reporting agencies) who may lawfully provide such information to us. You are under no obligation to provide Personal Information to us, with the caveat that your refusal to do so may prevent you from using certain of the features and services available on the Website or from purchasing some or all of our products.

- **Credit Card Information.**

Credit card information collected at registration or for shopping cart orders is used only to process payment for the transaction and, generally, is not retained

by us. You may, however, voluntarily elect to securely store your credit card information for your convenience in order to pay for future orders. In addition, if you register with us as a Independent Contract Representative or participate in an autoship program, your credit card information will be securely stored in order to pay for autoship or standing orders, and to pay any renewal fees that you have agreed in advance to pay as they become due. You may add, edit, and delete your stored card information.

- **Independent Contract Representative and Customer Registration.**

In order to become a Independent Contract Representative, an applicant must provide Personal Information to us. We also may require an applicant's taxpayer identification number (Social Security Number or Federal Tax ID Number) so that we may prepare and file necessary non-employee compensation forms for the IRS. Certain customers may be required to register in order to purchase products directly from us ("Registered Customers"). Registered Customers will be required to provide Personal Information. We use this information to maintain contact with Independent Contract Representatives and Registered Customers, and to process Independent Contract Representative and Registered Customer orders.

- **Product or Service Purchases.**

When a customer, Registered Customer, or Independent Contract Representative purchases products or services from us through any of our websites, the purchaser must provide us with Personal Information. This information is used for billing and payment purposes and to fill orders.

- **Information that you make Public.**

The Website may contain features (e.g. public profiles, forums, and message boards) that permit you to upload, post, transmit, display, perform or distribute content, information or other material, including some of your Personal Information. Any information that you choose to disclose by means of such features becomes public information over which Eternapure is unable to exercise control. You should exercise caution when deciding to disclose your Personal Information by means of such features, and you agree to assume all responsibility for doing so.

## Information Use and Disclosure Practices

- **Traffic Data and Information Gathered Using Cookies.**

Eternapure analyzes Traffic Data and information gathered using Cookies to help Eternapure better understand who is using the Website and how they are using it. By identifying patterns and trends in usage, Eternapure is able to better design the Website to improve your experience, and to serve you more relevant and interesting content. From time to time, Eternapure may release Traffic Data and information gathered using Cookies in the aggregate, such as by publishing a

report on trends in the usage of the Website. Eternapure does not attempt to link information gathered using Cookies to Personal Information.

- **Personal Information.**

Personal Information that is collected from customers, Independent Contract Representatives and Registered Customers through Independent Contract Representative and Customer Registration, Product or Services Purchases and/or Surveys is used and disclosed as described in this Privacy Policy. Except as specifically set forth in this Privacy Policy, Eternapure DOES NOT share Personal Information. Eternapure may share aggregated information from time to time with its partners, vendors or other third parties. When such aggregate information is shared by Eternapure, no Personal Information is shared.

- **Disclosure Practices.**

Except under the following circumstances and otherwise as set forth in this Privacy Policy, Eternapure will keep your Personal Information private and will not sell it to or share it with third parties.

- o **Disclosure in Connection with Services.** Eternapure discloses Personal Information to those who help it provide Services, including those who perform technical, administrative and data processing tasks such as hosting, billing, fulfillment, and data storage and security.

- o **By Law or to Protect Rights.** Eternapure discloses Personal Information when required to do so by law, or in response to a subpoena or court order, or when Eternapure believes in its sole discretion that disclosure is reasonably necessary to protect the property or rights of Eternapure, third parties or the public at large.

- o **Legally Required Law Enforcement, Judicial and Administrative Agency Disclosures.** Eternapure will provide confidential and personally identifiable information as necessary to comply with judicial and administrative orders, subpoenas, Civil or Criminal Investigative Demands, Administrative and Regulatory Demands and other legal obligations. In order for Eternapure to conduct business in certain jurisdictions, Eternapure must disclose certain personally identifiable and confidential information to regulatory authorities in such jurisdictions. Such information may include, but is not limited to, income information and personally identifiable information.

- o **Business Transfers; Bankruptcy.** Eternapure reserves the right to transfer all Personal Information in its possession to a successor organization in the event of a merger, acquisition, or bankruptcy or other sale of all or a portion of Eternapure's assets. Other than to the extent ordered by a bankruptcy or other court, the use and disclosure of all transferred Personal Information will be subject to this Privacy Policy, or to a new privacy policy if you are given notice of that new privacy policy and an opportunity to affirmatively opt-out of it. Personal Information submitted or collected after a transfer, however, may be subject to a new privacy policy adopted by Eternapure's successor organization.

- o **Unpaid Accounts.** If you fail to pay any balance owed to Eternapure, we may, as permitted by law, report your Personal Information, including without limitation your unpaid balance, to consumer credit reporting services, collection agencies and others.
  
- o **Invite a Friend.** When you invite family or friends to join the Eternapure network or to attend a Eternapure home party, Eternapure will send an email on your behalf to the indicated recipient. Your name and email address will appear in the “From” line of such email.
  
- o **Lead Assignment and Representative Locator Features.** Eternapure occasionally will assign prospective sales and prospective Independent Contract Representative leads to Eternapure Independent Contract Representatives. In these cases, we will provide the prospective customer or Independent Contract Representative with the appropriate Independent Contract Representative’s name and contact information and/or provide a Independent Contract Representative with the prospective customer’s or Independent Contract Representative’s name and contact information. In addition, Eternapure has a Independent Contract Representative Locator feature on its website. Pursuant to this feature, a prospective customer or prospective Independent Contract Representative can locate a nearby Eternapure Independent Contract Representative. In order to make the Independent Contract Representative Locator feature and the lead assignments effective, the company will provide the prospective customer or prospective Independent Contract Representative with the appropriate Independent Contract Representative’s name and contact information, which may include his/her telephone number, address, and/or email address.
  
- o **Downline Activity/Genealogy Reports.** As a network marketing company, Eternapure provides certain information to Independent Contract Representatives regarding other Independent Contract Representatives and Customers enrolled in a Independent Contract Representative’s downline marketing organization (sales team). To help Independent Contract Representatives in Eternapure’s network marketing program manage their independent businesses, we provide our Independent Contract Representatives with some of the Personal Information of the other Independent Contract Representatives whom they have personally sponsored/enrolled as well as other Independent Contract Representatives who are on their marketing teams. If you enroll as a Eternapure Independent Contract Representative or register as a Eternapure Customer, your name, address, telephone number, and email address, as well as data relating to your sales, purchases, and recruitment activity will be disclosed to the Eternapure Independent Contract Representative who sponsored you and to other Eternapure Independent Contract Representatives who are upline to you and your sponsoring Independent Contract Representative. No other Personal Information will be shared with Eternapure Independent Contract Representatives. Such information is shared via the Independent Contract Representative Back-Office. Information relating to downline Independent Contract Representatives is made available to Eternapure Independent Contract Representatives subject to a confidentiality and non-solicitation

covenant in the agreement that each Independent Contract Representative enters into with Eternapure. However, Eternapure does not warrant that other Independent Contract Representatives will adhere to the confidentiality and non-solicitation covenants, and Eternapure shall not be responsible for Independent Contract Representatives' violation of these covenants. By enrolling as a Eternapure Independent Contract Representative or registering as a Eternapure Customer, you consent to the disclosure of your Personal Information as described in this paragraph.

o **Surveys.** It may become necessary to conduct surveys of our customers or Independent Contract Representatives. Should we deem it necessary to conduct a survey, we may outsource the survey to a third party. We will provide the third-party survey company with your personal information as is necessary for the third-party survey company to conduct the survey and to those third parties whom we engage to review and analyze the results of the survey. We will not provide your social security number, credit card or banking information to the survey provider.

#### **Communications from Us**

**· Special Offers and Updates.** By enrolling as a Independent Contract Representative, registering as a Customer, or making a purchase or other inquiry through the Website, you consent to receive periodic email and other communications from us and from other Eternapure Independent Contract Representatives. For example, Eternapure sends all new Independent Contract Representatives and Registered Customers a welcoming email to verify password, username, and acceptance of the Independent Contract Representative Agreement or Customer Agreement. All Independent Contract Representatives and Registered Customers will occasionally receive information on products, services, special deals, and a newsletter. Customers who have not registered with Eternapure and who grant permission will also receive

## **occasional information on products, services, special deals, and the like.**

- **Service Announcements.** On rare occasions it is necessary to send out a strictly service-related announcement. For instance, if our service is temporarily suspended for maintenance, we might send Independent Contract Representatives and/or customers an email. Generally, Independent Contract Representatives may not opt-out of these communications, though they can deactivate their account. However, these communications are not promotional in nature.
- **Independent Contract Representative and Customer Service.** Eternapure communicates with Independent Contract Representatives and Registered Customers via email, regular mail and telephone on a regular basis to provide requested services and regarding issues relating to their Eternapure business. Eternapure communicates with other customers with respect to products or services purchased by such customers from Eternapure. Such communications may be by email, regular mail or telephone.

### **Online Advertising**

We may display advertising on our Website and partner with third parties to manage advertising on other websites for our products and services. We may also partner with third parties, including business partners, advertising networks, and other advertising service providers, who gather information about you on our Sites and other sites to provide you with advertisements on the Website and elsewhere online based on your browsing history and tailored to your interests, preferences, and characteristics. Cookies or other similar technologies may be used to provide you with advertising based upon your browsing activities and interests. We are not responsible for the privacy practices of these third parties, and the information practices of these third parties are not covered by this Policy.

Some third parties collect information about users of our Website to provide interest-based advertising on our Website and elsewhere, including across browsers and devices. These third parties may use the information they collect on our Website to make predictions about your interests in order to provide you with ads (from us and other companies) across the Internet. Some of these third parties may participate in industry-developed programs designed to provide consumers with choices about whether to receive targeted advertising. Due to differences between using apps and websites on mobile devices, you may need to take additional steps to disable targeted ad technologies in mobile apps. Many mobile devices allow you to opt out of targeted advertising for mobile apps using the settings within the mobile app or your mobile device. For more information, please check your mobile settings. You also may uninstall

our apps using the standard uninstall process available on your mobile device or app marketplace.

To opt out of interest-based advertising across browsers and devices from companies that participate in the Digital Advertising Alliance or Network Advertising Initiative opt-out programs, please visit the websites operated by the Network Advertising Initiative (<http://www.networkadvertising.org/choices/>) and the Digital Advertising Alliance (<http://www.aboutads.info/choices/>). You may also be able to opt out of interest-based advertising through the settings within the mobile app or your mobile device, but your opt-out choice may apply only to the browser or device you are using when you opt out, so you should opt out on each of your browsers and devices if you want to disable all cross-device linking for interest-based advertising. Please note that even if you use an industry-based opt-out for interest-based advertising, you will continue to receive generic advertisements and your experience on our Website may be degraded.

### **Notice to California Residents**

· **Your Privacy Rights.** Residents of the State of California (under California Civil Code Section 1798.83) have the right to request from companies conducting business in California a list of all third parties, if any, to which the company has disclosed personal information during the preceding year for direct marketing purposes (e.g., requests made in 2020 will receive information about 2019 sharing activities). We comply with this law by offering California residents the ability to tell us not to share your personal information with third parties for their direct marketing purposes. To make such a request, please email us at [info@eternapure.com](mailto:info@eternapure.com). You must include the name of this Site and “California Resident” as the subject line, and your full name, e-mail address, and postal address in your message. Please note that any request under this paragraph will be limited to our use and disclosure of your Personal Information. You will need to make the same request of your Eternapure Independent Contract Representative if you would like to obtain information about any disclosure that she or he has made of your personal information.

### **Miscellaneous**

· **Dispute Resolution.** This privacy policy is governed by the laws of the State of Delaware. The offer extended by this Agreement, and any acceptance of its terms, shall occur in Georgetown County, State of Delaware. Any dispute arising from or relating to this privacy policy shall be brought in the courts of the State of Delaware residing in Georgetown

**County. Each party to a dispute arising from or relating to this privacy policy shall bear his/her/its own attorney's fees, costs, and expenses. If a visitor to this site wishes to bring an action for the breach of this privacy policy, he/she shall do so on an individual basis. Visitors waive all rights to bring an action on a class or consolidated basis. If a visitor to this site is also a Eternapure Independent Contract Representative and combines claims under this privacy policy with claims that are subject to Eternapure's Terms & Policies that are applicable to Independent Contract Representatives, the dispute resolution provisions of the Eternapure Terms & Policies shall govern.**

- **Links.** Eternapure's websites may contain links to other sites. Please be aware that Eternapure is not responsible for the privacy practices of such other sites. We encourage users to be aware when they leave our site and to read the privacy statements of each and every website that collects Personal Information. This privacy statement applies solely to information collected by Eternapure websites.
- **Security.** Eternapure has implemented and maintains reasonable security procedures and practices to protect against the unauthorized access, use, modification, destruction or disclosure of your Personal Information.
- **Lost or Stolen Information.** You must promptly notify us if your credit, banking, other financial information, username or password is lost, stolen or used without permission. In such an event, we will remove that credit card number, bank account information, other financial institution information, username or password from your account.
- **Promotional Activities.** From time to time, Eternapure may conduct contests, giveaways and other promotions (collectively, "Promotional Activities"). Any information submitted in connection with Promotional Activities will be treated in accordance with this Privacy Policy. From time to time, Eternapure may also ask you to participate in surveys designed to help Eternapure improve the Websites, its products, services, or the Eternapure network marketing program. Any Personal Information provided to Eternapure in connection with any survey will

be used only in relation to that survey and will be disclosed to third parties not bound by this Privacy Policy only in aggregated form.

- **Changes to this Privacy Policy.** Eternapure reserves the right to amend or change this Privacy Policy at any time at its sole discretion. It is your responsibility to periodically access this Privacy Policy by clicking on the [Privacy Policy](#) link at our home page. You can determine the date this Privacy Policy was last updated by referring to the effective date found at the end of the policy. When material changes or amendments are made to the Privacy Policy, we will announce the same at our home page for a period of 30 days following implementation of the amended Privacy Policy.
- **Making Changes to Your Personal Information.** Independent Contract Representatives and Registered Customers may update their personal information as necessary by logging into their Eternapure online Back Offices, which allows them to access and edit their registration account information. In addition, Independent Contract Representatives may contact us at [team@eternapure.com](mailto:team@eternapure.com) and Registered Customers may contact us at [info@eternapure.com](mailto:info@eternapure.com) to update their profiles.
- **Online Privacy Policy Only.** This Privacy Policy applies only to information collected through the Website. It does not apply to information collected offline.
- **Questions.** Questions regarding this Privacy Policy should be directed to [info@eternapure.com](mailto:info@eternapure.com).
- **Effective Date.** The effective date of this Privacy Policy is October 1, 2019.