

# PROMO POINT MARKETING PRIVACY POLICY

[Effective Date: March 13, 2006]

At Promo Point Marketing (“PPM”), we respect and value your privacy. This privacy statement describes and applies to the information we collect from you when you visit the PPM website (“PromoPointMarketing.com”, “Website”, “PPM Website”, or “PromoPointMarketing.com Website”), how we use that information, and under what circumstances we disclose it. It will also give you more information about how to manage the personal information that you provide to us through the PPM Website. This statement applies only to information you provide to us online while visiting or using our website. It does not apply to information we have obtained or may obtain offline through other traditional means.

## 1. The Information We Collect

When you use our website, we receive and collect certain information. The information that we receive and collect depends on what you do when you visit the PPM Website.

- **Automatically Collected Information**

Some information is automatically received and sometimes collected from you when you visit the PPM Website. This information may include some or all of the following items: the name of the domain and host from which you access the Internet, including the Internet Protocol (IP) address of the computer you are using and the IP address of your Internet Service Provider; the type and version of Internet browser software you use and your operating system; the date and time you access our site, the length of your stay and the specific pages, images, video or forms that you access while visiting the site; the Internet address of the website from which you linked directly to our website, and if applicable, the search engine that referred you and any search strings or phrases that you entered into the search engine to find this site; and demographic information concerning the country of origin of your computer and the language(s) used by it.

We use this information to monitor the usage of our website, assess its performance, ensure technological compatibility with your computer, and understand the relative importance of the information provided on our website. We may also use this data to conduct statistical analyses on visitors’ usage patterns and other aggregated data.

- **Information Collected via Cookies**

“Cookies” are small files or records that are placed on your computer’s hard drive to distinguish you from other visitors to the Website. The use of cookies is a standard practice among websites to collect or track information about your activities while using the website. A cookie may enable the website holder to track how a visitor navigates through its website and the areas in which they show interest. This is similar to a traffic report: it tracks trends and behaviors, but does not identify individuals. Information

gathered may include date and time of visits, pages viewed, time spent at the site, and the website visited just before and just after the PPM Website.

Cookies can be set to expire: (1) on a specified date; (2) after a specific period of time; (3) when a transaction has been completed; or (4) when a user turns off his/her Internet browser. A cookie that is erased from memory when a visitor's Internet browser closes is called a "session" cookie. Cookies that expire based on a time set by the Web server are called "persistent" cookies.

Persistent cookies may be used in some cases, for example, to recognize when a visitor returns to a web site. The web browser will send the cookie information from the initial visit back to the web site. This is useful to the visitor if he or she has established a password at a particular web site and wants to be identified by that site to perform a function or transaction.

The PPM Website uses persistent cookies on its website. If you refuse cookies, you can still browse the PPM Website.

- **Information Collected Using Pixel Tags or Clear GIFs**

Pixel Tags or Clear GIFs, also known as Web Beacons or Web Bugs, are transparent graphical images placed on a website. PPM does not currently use these items on its Website.

#### Information You Actively Submit

For most of the browsing on our website, we neither require nor collect "User Information." User Information is information that could personally identify you, for example, your name, address, phone number, e-mail address, and information contained on your resume. You can browse the PPM Website and take as much time as you want to review our services without having to submit such User Information.

In the following instance, however, we do need you to actively submit User Information – when you want to contact PPM via electronic means or website submission. It is possible that you may also submit personal information when you use the search functions on the PPM Website. Furthermore, we collect any User Information that you submit on our "Career Opportunities" webpage whether via our online "Employment Application" form, resume submission, or additional submission method.

E-mail or other forms of electronic communication, including Website submission, are not secure and/or confidential means of communication. Information you provide is not protected under confidentiality laws. Please carefully select what you choose to disclose. While PPM attempts to prevent unauthorized access to our website files, your User Information, or other information you submit, such access may occur.

- **Personal Information About Children**

The PPM Website is targeted primarily for use by adults. We do not currently market to or create special areas for use by children. Accordingly, we do not knowingly collect age identifying information, except on job applications, nor do we knowingly collect any personal information from children under the age of 13 years. However, we hereby advise all visitors to our site under the age of 13 not to disclose or provide any personally identifiable information on our website. In the event that we discover that a child under the age of 13 has provided personally identifiable information to us, in accordance with the Children's Online Privacy Protection Act (Please see the Federal Trade Commission's website at [www.ftc.gov/kidzprivacy](http://www.ftc.gov/kidzprivacy) for more information about this Act), we will delete the child's personally identifiable information from our files to the extent technologically possible.

## 2. **E-Mail Communications**

When you send an e-mail to us, you are communicating with us electronically and consent to receive communication from us electronically. We may retain the content of the e-mail, your e-mail address, and our response in order to service your needs. We may use the data that you provide to send you e-mail.

If you no longer wish to receive marketing e-mail from PPM, you may unsubscribe by doing any one of the following actions:

- a. Send an e-mail with your request and current information to [Privacy@promopointmarketing.com](mailto:Privacy@promopointmarketing.com); or
- b. Send a request in writing with your current information to:  
Promo Point Marketing  
Attn: Advantage Sales and Marketing, LLC  
Attn: General Counsel  
19100 Von Karman Avenue, Suite 300  
Irvine, CA 92612  
Phone: (949) 797-2900  
Fax: (949) 797-9112

If you send an e-mail or letter request, please be sure to include your full name, address, phone number and e-mail address and indicate specifically what type of marketing communication(s) (e.g., e-mail, direct mail and/or phone) you wish to receive or stop receiving. This will ensure we identify you correctly in our systems and accurately process your request.

PPM will take appropriate steps to implement your request to opt-out of receiving marketing communications. Please note that due to production, mailing and system timelines, in order to remove you from our marketing lists, it may take up to: 10 business days for e-mails or 30 days

for mail. Until that change takes effect, you may still receive marketing communications from us.

Also, please note that even though you may have opted out of receiving marketing communications, you may still receive business-related communications. Please be aware that opting-out of certain third party use may prevent us from providing certain services or products that you request.

### **3. How We Use and Share User Information**

Our view on using User Information is simple. We do not sell or share User Information to third parties outside of PPM. Except where we otherwise obtain your express permission, we share your personally identifiable information with third parties only under the limited circumstances stated below:

- a. User Information is subject to disclosure in response to judicial or other governmental subpoenas, warrants and court orders served on PPM in accordance with their terms, or as otherwise required by applicable law;
- b. User Information is subject to disclosure to protect our rights or property, to enforce the provisions of our Privacy Statement and Terms of Use, and/or to prevent harm to you or others; or
- c. User Information may be disclosed and transferred if PPM or its business is sold or offered for sale to another company or person(s), if a petition for relief under the United States Bankruptcy Laws is filed by or against PPM, or if PPM becomes subject to an order of appointment of a trustee or receiver.

We believe that, except where we are compelled by law to disclose your personally identifiable information, you should have a right to choose (opt-out) whether we disclose your personally identifiable information to a third party or use your personally identifiable information for a purpose incompatible with the purpose(s) for which it was originally provided or subsequently authorized by you.

### **4. Linking to Third-Party Websites**

When you click on links on our website that take you to third-party websites, you will be subject to the third parties' privacy policies. While we support the protection of privacy on the Internet, PPM cannot be responsible for the actions of any third-party websites. We encourage you to read the posted privacy statement of any and every website you visit, whether you are linking from the PPM Website or browsing on your own.

When you click on the "Initiate Callback" link on our Career Opportunities webpage a new browser window may open and you will notice that you are directed to another website operated by Interactive Voice, Data & Fax, Inc. ([www.interactivevdf.com](http://www.interactivevdf.com)). THIS WEBSITE IS NOT OWNED BY PPM AND YOU SHOULD CAREFULLY REVIEW THE PRIVACY POLICY

AND TERMS OF USE FOR ALL THIRD-PARTY WEBSITES BEFORE SUBMITTING ANY PERSONAL USER INFORMATION.

**5. Access to and Managing Your User Information**

We believe it is important for you to be able to find out what personally identifiable information you have provided to us through the PPM Website. If you have provided us with personally identifiable information, you can contact us to request that we provide you with the personally identifiable information we have in our records about you. We reserve the right to limit the number of times such a request can be made and to charge you for responding to such requests if this process is misused or abused.

We know you want the personally identifiable information we have on record about you to be as complete and accurate as possible. We feel the same way. If you become aware that personally identifiable information or sensitive information you may have provided that we have in our records about you is inaccurate, incomplete, or incompatible with the purposes for which it was provided or subsequently authorized by you, please notify us using the contact information provided below. To inquire about your personally identifiable or sensitive information, and to correct, amend, or delete such information please:

a. Send an e-mail with your request and current information to [Privacy@promopointmarketing.com](mailto:Privacy@promopointmarketing.com); or

b. Send a request in writing with your current information to:

Promo Point Marketing  
Attn: General Counsel  
19100 Von Karman Avenue, Suite 300  
Irvine, CA 92612  
Phone: (949) 797-2900  
Fax: (949) 797-9112

[Copyright@promopointmarketing.com](mailto:Copyright@promopointmarketing.com)

**6. What You Need to Do to Protect Your Personally Identifiable Information**

You have several options when deciding how you can best protect your personally identifiable information. One option is simply not to volunteer it. As stated above, this approach would allow you to still visit our website – although it will prevent you, for example, from taking advantage of some of our site’s features including those in the automated “Employment Application” and “Initiate Call Back” submission webpage.

The Federal Trade Commission’s website, [www.ftc.gov](http://www.ftc.gov), also offers useful information about how to protect personally identifiable information provided to a website.

**7. What to Do About Suspected Violations of This Privacy Statement**

If at any time you believe PPM has not adhered to the policies and principles set forth in this Privacy Statement, please notify us using the contact information provided below. We will make all commercially reasonable efforts to promptly address your concerns.

**8. Changes to Privacy Policies**

This privacy statement was last modified on March 13, 2006. If we change our Privacy Policy, we will post those changes on our website so you are always aware of what information we collect, how we use it, how we protect it and under what circumstances, if any, we disclose it. If we make material changes, we will also post a notice on our home page, which notice will run for seven (7) consecutive days following the effective date of the modified privacy statement. Unless we clearly express otherwise, we will use information in accordance with the Privacy Policy under which the information was collected. **YOU ARE HEREBY ADVISED THAT YOUR CONTINUED USE OF OUR WEBSITE CONSTITUTES YOUR ACCEPTANCE OF ANY AMENDMENTS TO AND THE MOST RECENT VERSION OF THIS PRIVACY STATEMENT.**

**9. Questions or Comments**

If you have any questions or comments concerning our privacy policy, please contact us:

- a. Send an e-mail with your questions or comments and current information to [Privacy@promopointmarketing.com](mailto:Privacy@promopointmarketing.com); or
- b. Send a request in writing with your current information to:  
Promo Point Marketing  
Attn: General Counsel  
19100 Von Karman Avenue, Suite 300  
Irvine, CA 92612  
Phone: (949) 797-2900  
Fax: (949) 797-9112  
[Copyright@promopointmarketing.com](mailto:Copyright@promopointmarketing.com)