

# Privacy Policy

Vita Q LLC d/b/a Well & Company (referred to herein as “Well & Company”, “our”, “us” or “we”) is committed to respecting the privacy rights of those visiting our websites, including our Guides’ Replicated Websites (hereafter collectively referred to as the “Website” or “Websites”). Well & Company created this Privacy Policy to give you confidence as you visit and use the Websites, and to demonstrate its commitment to fair information practices and to the protection of privacy.

This Privacy Policy is only applicable to the Websites and not to any Third-Party websites, 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.

## **I. CHILDREN’S PRIVACY**

Well & Company is committed to the safety of our children. Persons under the age of 18 may not enroll as Well & Company Guides or register as customers. Children under the age of 18 may not purchase products through any of our Websites. Well & Company does not solicit or knowingly collect personally identifiable information from children under the age of 13. If Well & Company obtains actual knowledge that it has collected personally identifiable information from a child under the age of 13, Well & Company will immediately delete such information from its database. Because Well & Company does not collect personally identifiable information from children under the age of 13, Well & Company has no such information to use or disclose to third parties. Well & Company has designed this Privacy Policy in order to comply with the Children's Online Privacy Act (COPA).

## **II. INFORMATION COLLECTION**

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

**A. Traffic Data.** Like most website operators, Well & Company 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.

**B. 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. Well & Company 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 Well & Company'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 BROWSERS 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.

**C. 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). In each case, you will be asked to provide Personal Information; the Website will not gather it surreptitiously. Well & Company may supplement the Personal Information you provide with additional personal information gathered from public sources or from third-parties (e.g., consumer reporting agencies) who may lawfully provide such information to Well & Company. You are under no obligation to provide Personal Information, 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 any of our products.

**D. Guide and Customer Registration.** In order to become a Guide, an applicant must provide Personal Information to us. We also may require an applicant's 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 Guides and Registered Customers, and to process Guide and Registered Customer orders.

**E. Product or Service Purchases.** When a customer, Registered Customer, or Guide 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.

**F. 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 Well & Company 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.

### **III. INFORMATION USE AND DISCLOSURE PRACTICES**

**A. Traffic Data and Information Gathered Using Cookies.** Well & Company analyzes Traffic Data and information gathered using Cookies to help Well & Company better understand who is using the Website and how they are using it. By identifying patterns and trends in usage, Well & Company is able to better design the Website to improve your experience, and to serve you more relevant and interesting content. From time to time, Well & Company 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. Well & Company does not attempt to link information gathered using Cookies to Personal Information.

**B. Personal Information.** Personal Information that is collected from customers, Guides and Registered Customers through Guide 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, Well & Company DOES NOT share Personal Information. Well & Company may share aggregated information from time to time with its partners, vendors or other third parties. When such aggregate information is shared by Well & Company, no Personal Information is shared.

**C. Disclosure Practices.** Except under the following circumstances and otherwise as set forth in this Privacy Policy, Well & Company will keep your Personal Information private and will not sell it to or share it with third parties.

- **Disclosure in Connection with Services.** Well & Company 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.
- **By Law or to Protect Rights.** Well & Company discloses Personal Information when required to do so by law, or in response to a subpoena or court order, or when Well & Company believes in its sole discretion that disclosure is reasonably necessary to protect the property or rights of Well & Company, third parties or the public at large.
- **Legally Required Law Enforcement, Judicial and Administrative Agency Disclosures.** Well & Company 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 Well & Company to conduct business in certain jurisdictions, Well & Company 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.

- **Business Transfers; Bankruptcy.** Well & Company 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 Well & Company'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 Well & Company's successor organization.
- **Unpaid Accounts.** If you fail to pay any balance owed in consideration of Services, Well & Company may, as permitted by law, report your Personal Information, including without limitation your unpaid balance, to consumer credit reporting services, collection agencies and others.
- **Invite a Friend.** When you invite family or friends to join the Well & Company network or to attend a Well & Company home party, Well & Company 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.
- **Lead Assignment and Guide Locator Features.** Well & Company occasionally will assign prospective sales and new Guide leads to Guides. In these cases, we will provide the lead with the appropriate Guide's name and contact information and/or provide a distributor with the prospective lead's name and contact information. In addition, Well & Company has a Guide Locator feature on its website. Pursuant to this feature, a prospective customer or new Guide can locate a nearby Well & Company Guide. In order to make the Guide Locator feature and the lead assignments effective, the company will provide the prospective customer or new Guide with the Guide's name and contact information, which may include his/her telephone number, address, and/or email address.
- **To help Guides in Well & Company's network marketing program manage their independent businesses,** we provide your Well & Company sponsor and other upline Well & Company Guides with your name, Well & Company rank, address, telephone number, and email address as well as data relating to your sales and recruitment activity through the Back-Office to the Website.

#### **IV. COMMUNICATIONS FROM US**

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

**B. 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 Guides and/or customers an email. Generally, Guides may not opt-out of these communications, though they can deactivate their account. However, these communications are not promotional in nature.

**C. Guide and Customer Service.** Well & Company communicates with Guides and Registered Customers via email, regular mail and telephone on a regular basis to provide requested services and in regards to issues relating to their Well & Company business. Well & Company communicates with other customers with respect to products or services purchased by such customers from Well & Company. Such communications may be by email, regular mail or telephone.

## **V. MISCELLANEOUS**

**A. Links.** Well & Company's websites may contain links to other sites. Please be aware that Well & Company 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 Well & Company websites.

**B. Security**  
Well & Company has implemented and maintains reasonable security procedures and practices to protect against the unauthorized access, use, modification, destruction or disclosure of your Personal Information.

**C. Lost or Stolen Information**  
You must promptly notify us if your credit, banking, other financial information, user name 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, user name or password from your account.

**D. Promotional Activities**  
From time to time, Well & Company 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, Well & Company may also ask you to participate in surveys designed to help Well & Company improve the Websites, its products, services, or the Well & Company network marketing program. Any Personal Information provided to Well & Company 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.

**E. Changes to this Privacy Policy**  
Well & Company 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.

**D. Making Changes to Your Personal Information**

Guides and Registered Customers may update their personal information as necessary by [logging into their Well & Company online](#) Business Center, which allows them to access and edit their registration account information. In addition, Guides and Registered Customers may contact us [via](#) the Support Center on our website to update their profiles.

**E. Questions**

Questions regarding this Privacy Policy should be directed to [privacy@thewellandcompany.com](mailto:privacy@thewellandcompany.com), or by mail to Well & Company, 400 Oyster Point Blvd., Suite 412, South San Francisco, CA 94080.

**F. Effective Date**

The effective date of this Privacy Policy is August 4, 2014.