

PRIVACY POLICY

Last Modified: September 9, 2024.

Purpose

Optimal Vitality (hereinafter “we,” “our,” “us”) is committed to protecting your privacy and maintaining a quality online experience for our website users.

This Privacy Policy describes the type of personal information we may collect from you or that you may provide when you visit **www.optimalvitalitync.com** (hereinafter “Website”) and our practices for handling, storing, and protecting that information as well as your rights in relation to your personal information and how you can contact us and supervisory authorities in the event you have questions about how we handle your personal information.

Privacy Policy Consent

Please read this Privacy Policy carefully and in its entirety before using our Website. If you do not agree with our policies and practices regarding your personal information and how we will treat it, your choice is to not use our Website. Your use of our Website constitutes your voluntary acceptance to be bound by this Privacy Policy, whether you have read it or have had the opportunity to read it and have chosen not to.

This Privacy Policy applies to the information we collect:

- On this Website.
- In email, text, and other electronic messages between you and this Website.
- When you interact with our advertising on third party websites and services, if that advertising includes links to this Privacy Policy.

It does not apply to information that is collected by:

- Us offline or through any other means, including on any other website operated by any third party (including our affiliates).
- Any third party (including our affiliates) through any content (including advertising) that may link to or be accessible from (or on) the Website.

Children’s Online Privacy Protection Act (COPPA)

This Website and any products and services offered herein are not intended for persons under the age of 18.

We prohibit children under the age of 18 from using any and all interactive portions of this Website, including leaving any comments, filling out forms, or otherwise submitting information. A child’s parent or guardian should contact us if we have inadvertently collected any information or content from that

child without the parent or guardian's authorization, so that we may delete that information from our records.

CAN-SPAM Act of 2003

We have taken the necessary steps to ensure that we are in compliance with the Controlling the Assault of Non-Solicited Pornography and Marketing (CAN-SPAM) Act of 2003 and will not send misleading information.

Personal Information We Collect

The type of personal information we collect depends on how you are interacting with us. We generally collect the following categories of personal information:

- Contact information, such as first and last name, email address, postal address, phone number, and other similar contact data;
- Records and copies of your correspondence (including email address) if you contact us;
- Details of transactions you carry out through our Website and of the fulfillment of your orders. You may be required to provide financial information before placing an order through our Website and we will use a third-party payment processor to process the payment. We do not collect your credit card or debit card number, expiration date, or pin number;
- Comments, feedback, questions and other information you provide to us;
- Details of your visits to our Website, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Website;
- Information about your computer and internet connection, including your IP address, operating system, and browser type.
- Any social media handles if provided in opt-in forms or design applications

Sources of Personal Information

We collect personal information from you as follows:

You provide personal information to us when you:

- Subscribe to or purchase our products and/or services;
- Complete a contact or information request form.
- Complete a design work application.
- Email any promotional materials, services or updates as long as you've opted in to receive emails from us.

We automatically collect personal information when you:

- Visit, interact with, or use our Website;
- Access, use, or download content from us; and
- Open emails or click links in emails from us.
- We collect personal information for third party advertisers that use cookies on our Website to provide interest-based advertising. See the **Interest Based Advertising** section below.

How We Use the Information/Lawful Bases

We process personal information about you on one or more of the following bases:

- To perform a contract;

- With your consent;
- To comply with the law;

We process personal information to:

- Process and fulfill an order, download, subscription, or other transaction;
- Carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection;
- Respond to your requests, inquiries, comments, and concerns;
- Send marketing emails;
- Inform you of and administer promotions, contests, sweepstakes or surveys;
- Help us address problems with and improve our Website;
- Protect the security and integrity of our Website;
- Contact you for other business reasons, if necessary; and
- Provide online behavioral advertising.

We will not sell or share your personal information and have not done so in the last 12 months.

We may transfer your personal information to a third party in the event of a bankruptcy, dissolution, merger, sale, acquisition, or change of control.

We may transfer your personal information to a third party if we need to comply with our legal obligations, resolve disputes, and/or enforce our agreements.

Use of Cookies

“Cookies” are small text files that are placed on a computer or other device and used to identify the user or device and to collect information when you visit a website. Cookies may be set by the website you are visiting (also known as “first party cookies”) or by third parties who provide advertising or analytics services on the website (also known as “third party cookies”).

We use cookies for several different purposes such as marketing and website performance monitoring

You can disable cookies through your web browser’s settings, but disabling this function may diminish your experience on our Website as some features may not work as intended.

Interest Based Advertising

Our Website also allows third parties to collect certain personal information during your visit to the Website to provide interest-based advertising to you.

Website users may opt out of online behavioral advertising by:

- Going to their account privacy settings in their browser and turning off personalization;
- Going to the Digital Advertising Alliance’s opt out tool, <http://optout.aboutads.info>;
- Going to the Network Advertising Initiative’s opt out tool, <https://www.networkadvertising.org/choices>; or
- Going to <https://www.youronlinechoices.com/>, if you’re based in the EU.

“Do Not Track” (DNT) Signals

Some browsers transmit Do Not Track (DNT) signals to websites.

Due to the lack of a common interpretation of DNT signals throughout the industry, we do not currently alter, change, or respond to DNT requests or signals from these browsers.

How the Information is Shared

Depending on how you interact with us, we share information with our third-party service providers, agents and representatives, including, but not limited to, [1] eCommerce platform providers, payment processing providers, email service providers, IT service providers, security and software service providers, in order to process the information as necessary to complete a transaction, fulfill your request, or otherwise on our behalf based on our instructions and in compliance with this Privacy Policy and any other appropriate confidentiality and security measures.

We also will disclose your personal information if we have a good faith belief that such disclosure is necessary to:

- meet any applicable law, regulation, legal process or other legal obligation;
- detect, investigate and help prevent security, fraud or technical issues; and/or
- protect the rights, property, or safety of us, our Website, our users, employees, or others.

Our current third-party service providers include:

- Flodesk, Showit, Meta Advertising, Stripe, Thrivecart, Paypal

Information Retention

We retain your personal information for as long as necessary to fulfill the transactions you have requested, or for other essential purposes such as complying with our legal obligations, maintaining business and financial records, resolving disputes, maintaining security, detecting and preventing fraud and abuse, and enforcing our agreements, or until such time as you let us know you would like for us to delete it or unsubscribe from our marketing contacts.

Information Protection and Security

Our Website uses commercially acceptable security measures to prevent your personal information from being lost, used, or accessed in an unauthorized way. We use a Secure Sockets Layer (SSL) certificate and never transmit your credit card information via email. If you receive an email from us that appears to be a request for personal information, do not respond because it may be a phishing scam designed to steal your personal information.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk.

Should there be a data breach, we will notify you when we are legally required to do so.

Your Rights to Control Your Information

You can unsubscribe from our email newsletters or updates at any time through the unsubscribe links found in the communications you receive from us.

Local data protection laws may give you rights with respect to personal information if you are located in or a resident of that country, state, or territory.

THESE RIGHTS ARE NOT GUARANTEED AND IT IS IMPORTANT FOR YOU TO CONSULT YOUR LOCAL DATA PROTECTION LAWS TO DETERMINE WHAT RIGHTS MAY BE AVAILABLE TO YOU.

These rights may include the following:

Right	<u>May Apply To</u>
Right to disclosure/access (to know the personal information collected about you and request a copy)	Residents of California, Colorado, Connecticut, Montana, Oregon, Texas, Utah, Virginia, Australia, Canada, the European Union and/or the European Economic Area, and the United Kingdom
Right to correct/rectification (to have your inaccurate personal information corrected)	Residents of California, Colorado, Connecticut, Montana, Oregon, Texas, Virginia, Canada, Australia, Quebec, the European Union and/or the European Economic Area, and the United Kingdom
Right to erasure/deletion (to have all or some of your personal information deleted upon a verifiable request)	Residents of California, Colorado, Connecticut, Montana, Texas, Oregon, Utah, Virginia, the European Union and/or the European Economic Area, and the United Kingdom
Right to nondiscrimination (the right to equal service and price even if you exercise your rights)	Residents of California, Montana, Oregon, Texas, and Virginia
Right to obtain a specific list of third parties your personal information was shared with	Residents of Oregon
Right to opt out of use of personal information for the purposes of targeted advertising	Residents of Colorado, Connecticut, Montana, Oregon, Texas, Utah, and Virginia
Right to data portability (to have your personal information transferred to you or a third party in machine-readable format, where technically feasible)	Residents of Quebec, the European Union and/or the European Economic Area, and the United Kingdom
Right to data portability (to have your personal information transferred to you in a readily-usable format that lets you transmit that information to a third party)	Residents of California, Colorado, Montana, Oregon, Texas, Utah, and Virginia
Right to data portability (to have your personal information transferred to you in a readily-usable format that lets you transmit that information to a third party where processing is carried out by automated means)	Residents of Connecticut

Right to withdraw consent (to withdraw your consent that we handle your personal information at any time. The withdrawal of your consent shall not affect the lawfulness of processing based on your consent before its withdrawal)	Residents of Canada, Quebec, the European Union and/or the European Economic Area, and the United Kingdom
Right to not identify yourself or of using a pseudonym	Residents of Australia
Right to restriction of processing (to limit the purposes that your personal information may be used for)	Residents of the European Union and/or the European Economic Area, and the United Kingdom
Right to object (to object to the processing of your personal information in cases where our processing is based on direct marketing)	Residents of the European Union and/or the European Economic Area, and the United Kingdom
Right to stop unwanted direct marketing	Residents of the European Union and/or the European Economic Area, and Australia
Right to complain (to lodge a complaint with competent authorities in the proper jurisdiction if you are not content with how we collect, share, and process your personal information)	Residents of Canada, Australia, Quebec, the European Union and/or the European Economic Area, and the United Kingdom
Right to appeal (a decision made regarding an exercise of rights)	Residents of Montana, Oregon, and Texas

These rights are not absolute and they do not always apply in all cases. We will honor your rights under applicable data protection laws.

CALIFORNIA CIVIL CODE SECTION 1798.83 (“SHINE THE LIGHT LAW”)

[As a note, businesses with less than 20 full time or part-time employees are exempt from the Shine the Light Law. See California *Civil Code* Section 1798.83(c)(1). If you fall within that exemption, you can delete this section dealing with the Shine the Light Law. If you do not fall within the exemption and have made disclosures of personal information to third parties who will use that personal information to solicit a purchase, rental, lease, or exchange of products directly to individuals by means of mail, telephone, or email then include this section.]

California *Civil Code* Section 1798.83 or the “Shine the Light Law” permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, see the **Contact Us** section below.

Exercising Your Rights

If you wish to exercise any of the rights specified above, please submit a request via email to:

optimalvitalitync@gmail.com

Please be sure to specify which right you want to exercise and provide us with enough information to verify your identity. If we cannot verify your identity, we may not be able to fulfill your request.

We will respond to your request within 30-45 calendar days of receipt, depending on where you reside. We will notify you in writing via email if we need more time to respond.

We may deny your request if certain exceptions in the law apply. We will provide you the reason(s) for denial in writing via email.

You have the right to appeal our decision with respect to your request to exercise your rights. You may appeal the decision by emailing the address provided above in this section.

We will respond to your appeal within 30-45 calendar days of receipt, depending on where you reside. We will notify you in writing via email if we need more time to respond.

Use and Transfer of Your Information Out of the European Economic Area (EEA) or Canada

This Website is operated in the United States and the third parties with whom we might share your personal information (as explained above) are also located in the United States or other countries located outside the EEA and Canada.

If you are located outside of the United States, please be aware that any information you provide will be transferred to the United States. By using this Website and/or providing your information, you consent to this transfer.

Contact Us

If you have any questions, comments, complaints, or suggestions in relation to this Privacy Policy or our privacy practices, please contact us by email or postal mail:

optimalvitalitync@gmail.com Optimal Vitality

201 S McPherson Church Rd

Suite 231

Fayetteville NC 28303

Changes to this Privacy Policy

The date this Privacy Policy was last revised is identified at the top of the page. It is our policy to post any changes we make to our Privacy Policy on this page. If we make any material changes to how we treat our Website users' personal information, we will notify you of any such changes by email (if you have provided your email to us) and/or by a prominent notice displayed on our Website's home page and updating the revised date of our Privacy Policy. We recommend that you check this Privacy Policy when you visit our Website to be sure that you are aware of our most current policy.

Please also read our Terms and Conditions of Use.

