

# Privacy Policy - Nxth0p, Inc.

25 March, 2014

## Introduction

At Nxth0pInc, aIllinois corporation, ("we / us"), we respect your privacy and are committed to protecting it through our compliance with this policy.

**We will never sell your personal information or email address to outside parties for marketing purposes.**

This policy (together with our terms of use and any other documents referred to in it) describes the personal information that we collect from you, or that you provide on this website [nxth0p.com](http://nxth0p.com) and any associated websites including but not limited to [admin.nxth0p.com](http://admin.nxth0p.com) and [support.nxth0p.com](http://support.nxth0p.com) (our "Website(s)") and how that information may be used or disclosed by us.

This policy does not apply to information collected on any third-party site or by any third-party application that may link to or be accessible from the Websites.

Please read the following carefully to understand our policies and practices regarding your personal information and how we will treat it. By using or accessing our Website, you agree to this privacy policy. This policy may change from time to time and your continued use of the Website is deemed to be acceptance of such changes, so please check the policy periodically for updates.

## Information we collect about you

We collect several types of information from and about users of our Website, including: information you provide to us, that we collect as you navigate through the Website, – traffic and location data, IP addresses, usage details through the use of certain technologies, including cookies, as well as information we receive from third parties, for example, our business partners - whether this is required for our own billing purposes or otherwise, and the resources that you access.

## Information you provide to us

We may collect and use the following information that you provide to us:

- Information that you provide by filling in forms on our Website. This includes information provided at the time of registering to use our Website, subscribing to our services, posting material or requesting further services or information. We may also ask you for information when you enter a contest or promotion sponsored by us, and when you report a problem with our Website.

- Records and copies of your correspondence (including e-mail addresses), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes, although you do not have to respond to them.
- 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.

## **Uses made of the information**

We use information that we collect about you or that you provide to us, including any personal information, in the following ways:

- To present our Website and its contents in a suitable and effective manner for you and for your computer.
- To provide you with information, products or services that you request from us.
- To carry out our obligations, process and enforce our rights arising from any contracts entered into between you and us.
- To notify you about changes to our service.
- To allow you to participate in interactive features of our services, when you choose to do so.
- For marketing and promotional purposes so as to provide you with information about our services

## **Technology usage**

### **IP Addresses**

Like the vast majority of website providers, we collect details of your visits to our Website. We only collect aggregate information, such as, for example, traffic data, logs and other communication data, whether this is required for our own contractual purposes or otherwise. The information we collect concerns the resources that you access, information about your computer and internet connection, including your IP address, operating system and browser type, for system administration, marketing and development purposes.

Where, according to local law, IP addresses and the like are considered personal information, then we treat it as such.

The information we collect is merely statistical data about our users' equipment, browsing actions and patterns and does not and cannot identify any individual.

### **Cookies**

Cookies are small files stored on the browser or the hard drive of your computer. Use of cookies help us to improve our Website and to deliver a better and more personalized service by enabling us to: estimate our audience size and usage patterns, store information about your preferences,

allowing us to customize our Website according to your individual interests, speed up your searches and recognize you when you return to our Website.

**If you register with us or if you continue to use our website, you agree to our use of cookies.**

You can refuse to accept cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website, particularly [admin.nxth0p.com](http://admin.nxth0p.com). Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.

## **User Contributions**

You are responsible for any content, including personal information, that you contribute to be posted, published or displayed on the Website, or transmit to other users of the Website (collectively, "User Contributions"). Your User Contributions are posted on and transmitted to other users of the Website at your own risk. Although we limit access to certain pages, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Website with whom you may choose to share your User Contributions; therefore, we cannot guarantee who will view your User Contributions. We are not responsible for circumvention by third parties of any privacy settings or security measures contained on the Website. You understand and acknowledge that, even after removal, copies of your User Contributions may remain viewable in cached and archived pages, or may have been copied or stored by other Website users. Proper access and use of information provided on the Website, including User Contributions, is governed by this Privacy Policy and our Terms of Use and known or suspected violations should be reported to [privacy@nxth0p.com](mailto:privacy@nxth0p.com).

## **Disclosure of your information**

We may disclose personal information that you provide via this Website to the following third parties:

- To a member of our group – holding company and its subsidiaries and affiliates.
- Direct contractors and service providers we use to support our business.
- In the event (whether perspective or actual) of a merger, acquisition, or any form of sale of some or all of Nxth0p's assets, in which case personal information held by Nxth0p's about its customers will be among the assets transferred to the (prospective) buyer.

We may also disclose your personal information to third parties to:

- Comply with any court order or other legal obligation.
- Enforce or apply our terms of use or terms of sale and other agreements.
- Protect the rights, property, or safety of Nxth0p, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

**We will never sell your personal information or email address to outside parties for marketing purposes.**

## **Your choices about how we use and disclose your information**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

**Promotional Offers from Nxth0p.** If you do not wish to have your e-mail address used for promotional purposes by Nxth0p, you can opt-out by checking the relevant box located on the form on which we collect your data. You can also always opt-out of receiving e-mail information from us other than the e-mail informing you of the completion of user registration, correction of user data, or change of password by logging into the Website and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an e-mail stating your request to [privacy@Nxth0p.com](mailto:privacy@Nxth0p.com). If we have sent you a promotional e-mail, you may send us a return e-mail asking to be omitted from future e-mail distributions. This opt out does not apply to information provided to Nxth0p as a result of a product downloads or purchase, warranty registration, product service experience or other transactions.

## **Accessing and correcting your personal information**

You can review and update your personal information by logging into the Website and visiting your account profile page and making changes. If you have forgotten your password, once you have tried to register and failed, you can click on the "Forgot your password?" link to reach a page on which you can submit your e-mail address. Your user name and password then will be e-mailed to you.

## **Unsubscribing**

In each and every promotional email that we send to you, there is an 'unsubscribe' hyperlink, which you may use if you wish to 'opt out' of and stop receiving promotional email communications from us. The hyperlink will direct you to our website where you may unsubscribe from future messages.

Alternatively, you may email Nxth0p at [unsubscribe@nxth0p.com](mailto:unsubscribe@nxth0p.com) with your request, stating 'Unsubscribe' in the subject and what email addresses you wish not to receive Nxth0p emails and within a reasonable period, we shall ensure that such email addresses are unsubscribed and shall no longer receive any promotional communications from us.

## **Where we store your personal data**

The data that we collect from you may be transferred to, and stored at, a destination outside your jurisdiction. It may also be processed by staff operating outside of your jurisdiction, who work for us or for one of our suppliers. Such staff may be engaged in, among other things, the fulfillment of your order, the processing of your payment details and the provision of support services. By submitting your personal data, you agree to this transfer, storing or processing. We

will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

All information you provide to us is stored on our secure servers. Any payment transactions will be encrypted using SSL technology. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorized access.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Website like message boards. The information you share in public areas may be viewed by any user of the Website.

## **Your rights**

You have the right to ask us not to process your personal data for marketing purposes. We will inform you (before collecting your data) if we intend to use your data for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by contacting us at [privacy@nxth0p.com](mailto:privacy@nxth0p.com).

Our Website may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

## **Your Illinois privacy rights**

Illinois Civil Code Section § 1798.83 permits users of our Website that are Illinois residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to [privacy@nxth0p.com](mailto:privacy@nxth0p.com).

## **Access to information**

The Act gives you the right to access information held about you. Your right of access can be exercised in accordance with the Act. Any access request may be subject to a fee as applicable

and in accordance with the laws of the country from which you are accessing the Website, to meet our costs in providing you with details of the information we hold about you.

## **Safe Harbor Data Privacy Notices**

We comply with the US-EU Safe Harbor Framework and US-Swiss Safe Harbor Framework as set forth by the US Department of commerce regarding the collection, use and retention of personal information from European Union Member countries and Switzerland. We have certified that we adhere to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program, and to view our certification page, please visit <http://www.export.gov/safeharbor/>

In compliance with the US-EU and US-Swiss Safe Harbor Principles, we commit to resolve complaints about your privacy and our collection or use of your personal information. European Union or Swiss citizens with inquiries or complaints regarding this privacy policy should first contact us at the contact information below.

We have further committed to refer unresolved privacy complaints under the US-EU and US-Swiss Safe Harbor Principles to an independent dispute resolution mechanism, the BBB EU SAFE HARBOR, operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed by us, please visit the BBB EU SAFE HARBOR web site at [www.bbb.org/us/safe-harbor-complaints](http://www.bbb.org/us/safe-harbor-complaints) for more information and to file a complaint.

## **Changes to our privacy policy**

It is our policy to post any changes we make to our privacy policy on this page. It is your responsibility to check this page from time to time to check for any change. Your continued use of the Website or our services shall be deemed to be your consent to such changes.

The date the privacy policy was last revised is identified at the top of the page.

## **Contact information**

To ask questions or comment about this privacy policy and our privacy practices, contact us at:

<privacy@nxth0p.com>  
Nxth0p, Inc.  
PO Box 396  
Chicago, Illinois 60628  
(888) 485 - 7726 tel  
(866) 351 - 7070 fax