

MODERE.COM PRIVACY POLICY

Last Updated: May 14, 2024



Thank you for visiting Modere.com. Modere understands that on-line privacy is very important to you. We have adopted this Internet Privacy Policy as part of our commitment to your privacy. The terms “we”, “us”, and “our” refer to the Modere, Inc. family of companies and Modere.com.

This Internet Privacy Policy applies to personal information we obtain from you via Modere.com (the Web Site). The Internet Privacy Policy describes what personally identifiable information we may collect or obtain about you (Personal Information), provides examples of how we use Personal Information, and explains your options regarding our use and disclosure of Personal Information. Please note that the Internet Privacy Policy applies only to your interactions with us through this Web Site. By using this Web Site and otherwise interacting with us, you agree to the terms of our [Terms of Use](#), including this Privacy Policy.

California Notice at Collection

We collect personal information detailed in the “Information We Collect” section for business purposes and commercial purposes outlined in the “Purpose of Collection (including business purposes)” column in the table below. To learn more, including how you can opt-out of the sale or sharing of your personal information, please see the “Exercising Your Privacy Rights” section below.

This Privacy Policy includes the following sections:

1. Information We Collect and Why
2. How We Share Personal Information
3. How We Use Cookies
4. How You Can Opt Out of Promotional Emails and Text Messaging
5. Your Privacy Rights
6. Miscellaneous Information (such as changes to this policy and children’s privacy)
7. Data Security
8. How We Store Your Personal Information
9. Changes to Our Privacy Notice

1. Information We Collect and Why

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“personal information”). In particular, we have collected the following categories of personal information from consumers and disclosed them for the following purposes within the last twelve (12) months. Please note, we will not retain your personal information for longer than is reasonably necessary for the disclosed purposes outlined below.

CATEGORY	EXAMPLE(S)	SOURCE(S)	PURPOSE OF COLLECTION
Identifiers	Name, postal address, IP address, email	Directly from the consumer	Maintaining and servicing your account, entering into an agreement

	address, account username, information related to customer reviews, phone number		with you as a social marketer, providing customer service, responding to inquiries, processing orders/transactions, processing returns, complying with our legal obligations such as tax purposes, conducting email and text marketing campaigns (if you want to opt out of getting promotional emails from Modere, see Section 3 below), conducting customer satisfaction surveys
Customer Records	Name, postal address, credit card number, bank account number, chat transcripts	Directly from the consumer	Maintaining and servicing your account, providing customer service, responding to inquiries and website chats, processing orders/transactions, processing payments, processing returns, complying with our legal obligations such as tax purposes
Protected Classifications	Gender	Directly from the consumer	Providing improved advertising or marketing services and campaigns, and for analytical purposes
Commercial Information	Products purchased or considered, purchasing histories and tendencies, payment information	Directly from the consumer	Processing orders/transactions, processing payments, processing returns, complying with our legal obligations such as tax purposes, providing advertising or marketing services, for analytical purposes
Internet/ Network Activity	Information regarding a consumer's interaction with a website, application, or advertisement, cookie identifiers, IP address, device and browser type	Directly from the consumer, service providers	Providing advertising or marketing services, for analytical purposes
Geolocation Data	Physical location	Directly from the consumer, service providers	Advertising or marketing services, for analytical purposes
Audio, Electronic, Visual, etc.	Audio recordings of customer service calls	Directly from the consumer, service providers	Customer service quality and training purposes

Information			
Inferences	Consumer profiles to determine preferences, behaviors, characteristics, etc.	Directly from the consumer, service providers	Providing advertising or marketing services, for analytical purposes

2. How We Share Personal Information

Disclosure of Personal Information for a Business Purpose

Within the preceding twelve (12) months, Modere has disclosed the following categories of personal information to its service providers for the business purpose of performing services on behalf of Modere such as maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services, providing analytic services, or providing similar services on behalf of Modere.

- Identifiers;
- Customer Records;
- Protected Classifications;
- Commercial Information;
- Internet/Network Activity;
- Geolocation Data;
- Audio, Electronic, Visual, etc. Information; and
- Inferences.

We may also provide information to carefully selected outside companies for the purpose of jointly marketing a product or service to you. We may share information about aggregate shopping histories and demographics with consultants and others for purposes such as analyzing retail trends and marketing, but such information does not identify you or any other individual.

We may also disclose your Personal Information when we believe that it is required by law or necessary to operate our business (e.g., to our attorneys, auditors, or accountants), to protect your rights, to protect our rights, or to protect the rights of others. We may also disclose your Personal Information as part of our customer or contacts list if another company acquires Modere or a portion of our business.

We may transfer your personal information to our affiliated or associated companies, and the dealers, agencies, and licensees of any of these companies. We may also share your personal information with selected Modere Social Marketers, including Modere Social Marketers in your up-line.

Except as described, we do not share or knowingly make any Personal Information available to any third parties.

Notice at Collection: Sale and Sharing of Personal Information

While Modere does not currently sell personal information as traditionally defined, Modere does sell and share for purposes of cross context behavioral advertising personal information as these terms are defined under the CCPA to our cookie and tracker providers:

- Internet/Network activity; and
- Geolocation data.

If you would like to opt out of the sale and/or sharing of your personal information as described above, please do either of the following:

1. Click “Do Not Sell or Share My Personal Information” in the footer of our website and adjust your preferences. Please note that your request to opt-out will be linked to your browser identifier only. If you use a different computer or browser to access our website, you will need to adjust your preferences on those sites.
2. Broadcast an opt-out preference signal, such as by enabling Global Privacy Control (GPC) where supported by your browsers. To download and use a browser supporting GPC signals, visit <https://globalprivacycontrol.org/orgs>. You will need to implement this for each supported browser or browser extension you use.

Modere does not knowingly sell or share for the purposes of cross context behavioral advertising the personal information of California consumers under the age of sixteen (16) years.

3. How We Use Cookies

A “cookie” is a small data file stored by your Web browser on your computer’s hard drive. It allows Modere.com to recognize your computer (but not specifically who is using it) upon entering the site. A cookie cannot retrieve any other data from your hard drive, pass on a computer virus, or capture your email address.

We use cookies to keep track of when you return to the Web Site as well as to identify the pages you click on during your visit to our site and the name of the Web site you visited immediately before clicking to Modere.com. We may use this information to improve our site design, product assortments, customer service, and special promotions.

We also allow third parties (including Google and Meta) to use third party cookies, web beacons, and other tracking or storage technologies to collect or receive information about how you interact with our Web Site and elsewhere on the internet and use that information to provide analytics and other measurements services, to deliver and target advertisements tailored to you, to communicate with you, to provide customer support, and to assist in determining if you require assistance or are having problems navigating on our Web Site.

Some of these third parties are our service providers that may use certain technologies to record your interactions with the Web Site, including without limitation, your keystrokes, mouse clicks, screen touches, and information about when, how and from where you accessed our Web Site. This information is used to help us manage our Web Site and provide a better user experience. The service providers we use in this regard agree not to sell or disclose any of the recorded information to third parties (other than subcontractors who assist in providing this service to us or for legal compliance purposes at our direction).

We use Google Analytics to evaluate the use of our Web Site. Google Analytics uses cookies and other identifiers to collect information, such as how often users visit the Web Site, what pages they visit when they do so, and what other websites they visited prior to visiting our Web Site. For information about Google’s privacy practices, please refer to the Google Privacy Policy: <https://policies.google.com/privacy?hl=en-US#infocollect>.

We use the Metal Pixel to measure the effectiveness of our advertising by understanding the actions our website visitors take on our website. For more information on Meta’s privacy practices, please refer to the Meta Privacy Policy: <https://www.facebook.com/privacy/policy>.

Managing Your Cookie Preferences

You can choose how web browser cookies are handled by your device via your browser settings. Some devices allow you to control this through your device settings. If you choose not to receive cookies at any time, websites may not function properly, and certain services will not be provided. Each browser and device are different, so check the settings menu of the browser or device to learn how to change your settings and cookie preferences. You can find information on how to manage cookie settings on certain browsers via the following links:

- Cookie settings in [Chrome](#)
- Cookie settings in [Firefox](#)
- Cookie settings in [Internet Explorer](#)
- Cookie settings in [Safari](#)

The online advertising industry also provides websites from which you may opt out of receiving targeted ads from data partners and other advertising partners that participate in self-regulatory programs. You can access these and learn more about targeted advertising and consumer choice and privacy by visiting the [Network Advertising Initiative](#) and the [Digital Advertising Alliance](#).

To the extent that our Collection Technologies is considered a “sale/”share” or where we conduct targeted advertising as defined by applicable state privacy laws (listed in the “State Privacy Rights” section), you may exercise your right to opt out by following the instructions provided in Section 2 above under the subsection titled “Sale and Sharing of Personal Information.”

4. How You Can Opt Out of Promotional Emails and Text Messaging

You may opt out of receiving promotional emails from Modere at any time by clicking on the unsubscribe link included at the end of each marketing email or by sending an email to unsubscribe@modere.com. Please allow up to ten days for us to process your request. You can also opt out of mobile phone messaging by replying to the text with “STOP”. Please allow up to ten days for us to process your request.

5. Your Privacy Rights

The following state privacy laws provide the privacy rights listed below to residents of the respective states:

- [California Consumer Privacy Act – applies to residents of California](#)
- [Virginia Consumer Data Protection Act – applies to residents of Virginia](#)
- [Colorado Privacy Act – applies to residents of Colorado](#)
- [Connecticut Data Privacy Act – applies to residents of Connecticut](#)
- [Utah Consumer Privacy Act – applies to residents of Utah](#)
- [Texas Data Privacy and Security Act – applies to residents of Texas \(beginning July 1, 2024\)](#)
- [Oregon Consumer Privacy Act – applies to residents of Oregon \(beginning July 1, 2024\)](#)
- [Montana Consumer Data Privacy Act – applies to residents of Montana \(beginning October 1, 2024\)](#)
- [Iowa Consumer Data Protection Act - applies to residents of Iowa \(beginning January 1, 2025\)](#)
- [Delaware Personal Data Privacy Act – applies to residents of Delaware \(beginning January 1, 2025\)](#)
- [New Hampshire Data Privacy Act – applies to residents of New Hampshire \(beginning January 1, 2025\)](#)
- [Nebraska Data Privacy Act – applies to residents of Nebraska \(beginning January 1, 2025\)](#)
- [New Jersey Data Privacy Act - applies to residents of New Jersey \(beginning January 1, 2025\)](#)
- [Tennessee Information Protection Act - applies to residents of Tennessee \(beginning July 1, 2025\)](#)

- [Maryland Online Data Privacy Act - applies to residents of Maryland \(beginning October 1, 2025\)](#)
- [Indiana Consumer Data Protection Act - applies to residents of Indiana \(beginning January 1, 2026\)](#)
- [Kentucky Consumer Data Protection Act - applies to residents of Kentucky \(beginning January 1, 2026\)](#)

Residents of California, Connecticut, Colorado, Delaware, Indiana, Kentucky, Maryland, Montana, Nebraska, New Hampshire, New Jersey, Oregon, Tennessee, Texas, and Virginia are provided with the following privacy rights:

- **The Right to Know and Access:** You have the right to request that we disclose to you the categories of personal information we have collected, used, disclosed to third parties for a business purpose, and/or sold or shared to third parties about you. You may also request a copy of the personal information we have collected about you.
- **The Right to Deletion:** You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions.
- **The Right to Correct:** You have the right to request that Modere correct any of your personal information that you believe is not accurate. We will take steps to determine the accuracy of the personal information that is the subject of your request and will consider the totality of the circumstances relating to the personal information you have identified as being incorrect. We may ask that you provide documentation regarding your request to correct to assist us in evaluating your request.
- **The Right to Opt-Out:** With respect to those categories of personal information that we sell to third parties or share with third parties for cross-context behavioral advertising, you have the right to opt out of such sales and sharing. If you would like to opt out of the sale or sharing of your personal information as described above, please click Do Not Sell or Share My Personal Information located at the bottom of the [website](#) and adjust your preferences. For such requests, we will comply no later than 15 business days after receipt of your request.

Residents of Utah and Iowa are provided with the Right to Know and Access, Right to Deletion, and Right to Opt Out listed above.

Right to Appeal

Residents of Colorado, Connecticut, Delaware, Indiana, Iowa, Kentucky, Montana, Nebraska, New Hampshire, New Jersey, Oregon, Tennessee, Texas, and Virginia have the right to appeal our decision if we deny one of your requests listed above. Please see the “Exercising Your Privacy Rights” section listed below for details on how to submit this request.

California Shine the Light

California Civil Code Section 1798.83, also known as the “Shine the Light” law, permits California residents to annual request, free of charge, information about the personal information (if any) disclosed to third parties for direct marketing purposes in the preceding calendar year. We have not disclosed personal information to third parties for their own direct marketing purposes in the preceding calendar year.

Exercising Your Privacy Rights

To exercise your rights as described above, including the right to appeal, please submit a verifiable consumer request to us by either calling the toll-free number below or submitting a request via the email address below. We may require you to provide certain personal information to allow us to verify your identity, such as your email address, most recent order numbers, etc. or by requesting you submit your request via your customer account if one exists. If we are unable to verify your identity with the degree of certainty required, we will not be able to respond to the request. We will notify you to explain the basis of the denial. For such requests, we will acknowledge receipt of your request within 10 business days of receipt of your request. We will then provide a substantive response to your

request within 45 days from when we receive your request, although we may be allowed to take longer to process your request in certain jurisdictions or under certain circumstances. If we expect your request is going to take longer than normal to fulfill, we will contact you. We usually act on requests and provide information free of charge, but we may charge a reasonable fee to cover our administrative costs in certain situations. In some cases, the law may allow us to refuse to act on certain requests. When this is the case, we will endeavor to provide you with an explanation as to why.

Calling us at 877-663-3731

Website: modere.com

Email: privacy@modere.com

Use of an Authorized Agent

You may designate, in writing or through a power of attorney, an authorized agent to make these privacy requests on your behalf to exercise these rights. We will require the agent to provide proof that you have authorized it to act on your behalf and may require you to verify your own identity with us directly before we accept a request.

Non-Discrimination

We will not discriminate against you for exercising any of your privacy rights listed above. Unless permitted by applicable state privacy laws, we will not:

- Deny you goods or services;
- Charge you different prices or rates for goods or services, including granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of goods and services; or
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

6. Miscellaneous Information

Governing Law, Dispute Jurisdiction: The laws of the State of Utah, excluding its choice of law principles, govern all matters arising from or related to the Web Site, including your access and use, and any Internet transaction between you and us.

Children's Privacy: The Modere Site is not targeted towards, nor intended for use by, anyone under the age of 18. By using the Modere Site, you represent and warrant that you are 18 years of age or older. If you are not at least 18 years of age, do not access, use or register on the Modere Site. In the event we become aware you are under 18, we will cancel your registration. We do not knowingly sell or share for purposes of behavioral advertising the personal information of anyone under the age of 18.

Third Party Websites and Social Media Buttons: Our Web Site may contain links to third party websites, including social media buttons. This Privacy Policy does not govern how those third parties or social medial platforms collect or use personal information and we do not endorse or have control over their practices. The privacy policies and terms of use for those third parties' websites or mobile applications, or social media platforms govern those companies' privacy practices. We are not responsible for the content or privacy practices of any third-party websites or social media platforms.

Do Not Track Signals

Do Not Track ("DNT") is a privacy preference that users can set in certain web browsers. Please note that we do not respond to or honor DNT signals.

7. Data Security

The Site incorporates physical, electronic, and administrative procedures to safeguard the confidentiality of your personal information, including Transport Layer Security (“TLS”) for all financial transactions through the Site. We use TLS encryption to protect your personal information online, and we also take several steps to protect your personal information in our facilities. Access to your personal information is restricted. Only employees who need access to your personal information to perform a specific job are granted access to your personal information. Finally, we rely on third-party service providers for the physical security of some of our computer hardware. We believe that their security procedures are adequate. For example, when you visit the Site, you access servers that are kept in a secure physical environment, behind an electronic firewall.

While we use industry-standard precautions to safeguard your personal information, we cannot guarantee complete security. 100% complete security does not presently exist anywhere online or offline.

8. How We Store Your Personal Information

Please note, we will not retain your personal information for longer than is reasonably necessary for the disclosed purposes outlined in the “How We Use Personal Information” section.

9. Changes to Our Privacy Notice

We reserve the right to amend the Privacy Policy at any time and for any reason, without notice to you, other than the posting of the amended Privacy Policy. Users should check site to see the current Privacy Policy that is in effect and any changes that may have been made to it. The provisions contained herein supersede all previous notices or statements regarding our privacy practices and the terms and conditions that govern them.

10. Questions?

If you have questions regarding our Internet Privacy Policy or to request a copy of this Privacy Policy in another format, please contact us at:

Modere, Inc.

Attn: Legal Dept.

588 South 2000 West

Springville, UT 84663

1-801-418-2888

Or email us at info@modere.com

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