

Privacy Policy

Last Modified: April 3,
2015

Introduction

Jamberry Nails, LLC, a Utah limited liability company, U.S.A., (referred to herein as “Jamberry,” “we,” “us” and “our”) understands the importance of privacy of individuals (referred to as “users” and “you”). Jamberry Nails, LLC also maintains websites for several affiliate companies. We want your use of the Jamberry web sites and the services we offer to be productive and safe and we have taken great efforts to keep your information confidential and secure at all times within our system. Our Privacy Policy was developed as an extension of our commitment to combine quality products and services with integrity in dealing with our users. Our Privacy Policy is designed to assist you in understanding how we collect, use and safeguard the personal information you provide to us and to assist you in making informed decisions when using our site and our products and services. We have adopted the following policies with regard to collection and distribution of information.

What Information We Collect

Jamberry may collect two different types of information, Personally Identifiable Information and Non-Personally Identifiable Information. “Personally Identifiable Information” (“PII”) is information that identifies you as an individual – for example, your name, address, telephone number, email address, credit card information, billing address and shipping information. “Non-Personally Identifiable Information” (“Non-PII”) is aggregated information, demographic information, IP addresses, user behavior data from web interaction metrics tools and any other information that does not reveal your specific identity.

Independent Consultant Enrollment

During the Independent Consultant enrollment process, we will gather information about you including your name, address, email, date of birth, and your taxpayer identification number. We gather your date of birth to ensure that you are at least 18 years of age since we do not allow minors to enroll as independent consultants. We also gather your taxpayer identification number so that we issue you annual tax statements we are required to issue our independent consultants annually.

Product Purchases

Also while you purchase products on Jamberry maintained websites, Jamberry may collect PII about you that may be considered sensitive, including your name, address, email, and the products contained in your order. Credit cards are generally required to process your transaction, but we do not store your credit card and the transaction is wholly processed by a third party merchant processor FirstData.

Testimonials/Product Reviews

If you provide a testimonial or product review on any Jamberry sites, you should be aware that any personally identifiable information you submit there can be read, collected, or used by other users of these forums, and could be used to send you unsolicited messages. For testimonials, we do obtain the customer's consent prior to posting his or her name and video testimonial. If you enter a comment in a

public forum we are not responsible for the personally identifiable information you choose to submit in these comments.

Facebook Groups

If you participate in any private Facebook groups in connection with being a Jamberry independent consultant, the information you post is not hosted by Jamberry, but by Facebook. Additionally any information you post there will be visible to the group members.

Information Provided to Independent Consultants

If you are a Jamberry customer or consultant you may provide certain information to a Jamberry consultant through whom you order products or meet at a party. Such consultants are independent contractors and are not employees of Jamberry. Such consultants are required under their contracts with Jamberry to adhere to applicable privacy laws, however, we do not have the same control over the information you provide to independent Jamberry consultants as the information you provide directly to us or through our websites.

Jamberry may also collect PII about you from, among other places: information you provide directly to us, information regarding the services that Jamberry currently provides or has previously provided to you, information Jamberry receives from our affiliated entities or third parties relating to the establishment of our relationship or the provision of services to you.

This information can be received in any manner, including in-person discussions, telephone conversations, electronic surveys, Facebook group pages, and electronic or other written communications.

Cookies

We may collect information about your general internet usage by using a cookie file which is stored on the hard drive of your computer. Cookies contain information that is transferred to your computer's hard drive. They help us to improve our site and to deliver a better and more personalized service. They enable us to estimate our audience size and usage pattern, to store information about your preferences (and so allow us to customize our site according to your individual interests), to speed up your searches and to recognize you when you return to our site. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of our site. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to our site.

How We Use Your Information

Jamberry may collect PII about you to establish or maintain our relationship with you, respond to your inquiries, provide you with services you have requested, fulfill orders you have placed, process returns and refunds, pay commissions and overrides, keep you informed of services we think may be of interest to you, personalize your experience with us, and other reasons. If you do not wish to receive

communications from us of a marketing nature, you have the ability to "opt-out" at any time and you will not be contacted further unless you choose to opt back in to receive such communications.

Without PII, Jamberry cannot enroll you as a consultant and may be unable to provide you with the products or services you have requested.

Disclosure of Information

Jamberry is not an information broker and does not sell or lease PII about you to others. We do not engage in the selling of the profile, contact, web usage habits, behavior, buying patterns, or demographic information of our customers, partners, independent consultants or users. We use the information we collect about you to process orders, pay commissions and overrides and provide the best and most personalized service possible. We may revise this Privacy Policy occasionally, so please check it frequently.

Jamberry may share PII about you with others as permitted by contractual agreement or as required by law, such as our affiliates, third parties in connection with the provision of services to you, government entities and regulatory bodies, and those with whom you have requested us to share information.

Unless restricted by law, regulation, contract or professional standards, Jamberry may transfer PII about you outside of the United States to other countries for the purposes described in this privacy notice.

Jamberry will not share PII about you with an unaffiliated third party who is not performing services for us without first obtaining your permission, except if such sharing is otherwise permitted by this privacy notice.

Jamberry will provide PII about you to the following types of third parties for the associated reasons:

Carriers: Jamberry will provide your name and address to companies which provide a delivery service between Jamberry and its customers as a means of delivering our products to you as quickly as possible.

Financial Institutions: Jamberry will provide financial institutions with your payment information, name, address, and phone number in order to process any orders placed by you and complete payment of the transaction to Jamberry. If you are an independent consultant, Jamberry will also provide your name and commission amount to financial institutions so your commissions can be routed to your account.

Logistics: Jamberry will provide your name, address and phone number to those entities or people within our network of distribution in order to process and ship your orders with speed and accuracy.

Independent Consultants: If you are a Jamberry independent consultant we will provide your name, address, phone number, and email to other independent consultants in your upline or downline so you can work together on sales and training, and communicate related to your independent sales business.

Required by Law: Notwithstanding any other provision of this notice to the contrary, we reserve the right to disclose and use your PII if we believe that we are required to do so: (a) by law; (b) in response

to legal process, for example, in response to a court order or a subpoena; (c) in response to a law enforcement agency's request; (d) to enforce our other terms, conditions, or policies; (e) to protect our operations; (f) to protect the rights, privacy, safety or property of Jamberry, you or others; and/or (g) to permit us to pursue available remedies or limit the damages we may sustain. For example, we may to the fullest extent the law allows, disclose PII about you to law enforcement agencies to assist them in identifying individuals who have been or may be engaged in unlawful activities.

Business Transition: In the event Jamberry goes through a business transition, such as a merger, acquisition by another company, or sale of all or a portion of its assets, your personally identifiable information will likely be among the assets transferred. You will be notified via email and/or a prominent notice on our website of any such change in ownership or control of your personal information, as well as any choices you may have regarding your personal information.

Jamberry requires third parties who perform services for us to agree to treat PII about you confidentially and securely. Prior to collection your PII, any such third parties are required to sign a service agreement, which includes the privacy policy outlined here. Note that this statement does not address the privacy practices or policies of our Independent Consultants. However, Jamberry Independent Consultants agree, as specified in our Policies and Procedures, to comply with all applicable privacy laws and regulations.

Because Non-PII does not personally identify you, we reserve the right to use Non-PII, and to disclose Non-PII to third parties, for any purpose.

Links to Other Sites: This website contains links to other sites that are not owned or controlled by Jamberry. Please be aware that we are not responsible for the privacy practices of such other sites. We encourage you to be aware when you leave our site and to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies only to information collected by Jamberry websites.

Email & "Opt Out" Policy

We may use your email address provided to contact you regarding the following:

1. User Registration Status (including confirmation of account signup)
2. New Consultant Enrollment
3. Order Status and Shipping Notification
4. Online Customer Service & Product Surveys
5. Major changes to the website, addition of new products or services
6. Promotional and marketing materials that we think you may find useful
7. Newsletters

If you desire not to receive information about products or services we think may be of interest, you can change the notification options in your account settings. If you wish to not receive any of these emails, you may opt-out by submitting your email address to support@jamberrynails.com or by following the unsubscribe instructions within each email communication.

Access

You may request access to the PII that Jamberry has about you. You may also request the correction, amendment or deletion of PII about you that is inaccurate. Jamberry will treat requests for access, correction, amendment or deletion of PII about you in accordance with its internal policies and applicable legal requirements.

Information Security and Integrity

Jamberry maintains reasonable physical, administrative and technical safeguards to protect PII from loss, misuse, or unauthorized access, disclosure, alteration or destruction. Our personnel and the personnel of our affiliates are provided access to PII about you only if they have a need to know the information in connection with a legitimate business purpose, such as (a) the provision of services to you or (b) to help identify other services that Jamberry and its affiliates offer that may be of interest or use to you.

Additionally, Jamberry will only use PII for the purpose which it was intentionally collected. Jamberry will take reasonable measures to safeguard your information and ensure that is accurate, complete and current.

Enforcement

Jamberry takes a self-assessment approach to verify that we are within compliance of this policy. Jamberry employees are trained to adhere with this privacy policy and Jamberry administers discipline to those employees who do not comply.

Changes to This Privacy Notice

Jamberry reserves the right to change this privacy notice. Any changes to this notice will become effective upon posting of the revised notice on the Internet or as required by law.

Questions

If you have any questions or concerns regarding this notice, please contact us either by email at support@jamberrynails.com, or by regular mail at Jamberry Nails, LLC, Attn: Legal Department, 1350 W 200 S, Lindon, Utah 84042. Jamberry will investigate and try to resolve any disputes regarding the use or disclosure of PII according to the principles of this privacy policy.