

SHIFTINGRETAIL.COM PRIVACY POLICY

Thank you for visiting Shiftingretail.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 Shiftingretail.com.

This Internet Privacy Policy applies to personal information we obtain from you via Shiftingretail.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.

1. What Personal Information We Obtain
2. How We Use Personal Information
3. How We Share Personal Information
4. How We Use Cookies
5. How You Can Opt Out of Promotional Emails
6. Miscellaneous Information (such as changes to this policy and children's privacy)
7. Data Security.

1. What Personal Information We Obtain

We obtain Personal Information from you -- such as your name, address, account number, shopping history, e-mail address and telephone number -- when you give us that information when shopping or using our services. For example, we will obtain Personal Information about you when you (i) register to use our website; (ii) place an order with us; (iii) participate in advertising promotions; or (iv) subscribe to Modere.com E-mail Updates (our e-mail newsletter). We also will collect Personal Information when you correspond or speak with us. We may also collect Personal Information about you from third parties, such as demographic or marketing firms, to improve our marketing efforts.

2. How We Use Personal Information

We use Personal Information to conduct our business and to provide you with high quality products and services. For example, if you order from the Web Site, we may send you emails and notices about your order and about other merchandise and services that we think may be of interest to you. We may also share Personal Information with other members of the Modere corporate family. We do not sell or rent the Personal Information we obtain through the Web Site. If you want to opt out of getting promotional emails from Modere, see Section 5 below.

3. How We Share Personal Information

To provide you with quality service, we may disclose the Personal Information we collect with service providers that perform marketing, promotional and other services for us. Service providers who perform services on our behalf are contractually bound to use your Personal Information only to help us to provide you with products and services from Modere. 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.

As do most catalog and Internet retailers, we sometimes use others to perform specific functions on our behalf. When we disclose information to these service providers, we disclose information to help them to perform their service. For example, in order to deliver products to you, we must share some information. We partner with third parties (such as the U.S. Postal Service, United Parcel Service, and Federal Express) to ship products, to ensure delivery, and so that we can obtain feedback, improve the quality of our service, and measure and improve the quality of the service of the third party. In the example of shippers, we provide them some personally identifiable information such as your name, shipping address, email, and phone number.

Similarly, to help you buy products and provide customer service to you, we must provide your credit card number to financial-services corporations such as credit-card processors and issuers. When we submit your credit card number for authorization, we use state-of-the-art data encryption to protect your information. (More on this is below in Data Security.)

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

4. How We Use Cookies

A “cookie” is a small data file stored by your Web browser on your computer’s hard drive. It allows Shiftingretail.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 Shiftingretail.com. We may use this information to improve our site design, product assortments, customer service, and special promotions. You can, of course, disable cookies on your computer by indicating this in the settings, preferences or options menus in your browser. **However you will not be able to make purchases on our site if you disable cookies.**

If you are shopping at Shiftingretail.com and are having difficulty adding items to your shopping cart or completing your order, please check your privacy settings in your browser. We find that “Medium” Privacy Settings will optimize your online shopping experience at Shiftingretail.com. If you are currently using the “Medium High” or “High” privacy settings, you can improve your online ordering experience if you override your current cookie handling practices for specific websites, including Shiftingretail.com. If you prefer not to change your privacy settings or override your cookie handling practices, you can, as always, place your Modere order by phone at 1-855-Modere1 (663-3731).

5. How You Can Opt Out of Promotional Emails

You may opt out of receiving promotional emails from Modere at any time by sending an email to unsubscribe@modere.com. Please allow up to ten days for us to process your request.

If you “opt out” of receiving promotional emails from us, the only e-mails you will receive will be (i) about transactions that you initiate (such as to confirm orders you submit on our Web Site, inform you about your order status, respond to your customer service inquiries and answer any other questions you send us); (ii) about matters affecting your Personal Information; (iii) notifications of updates to revised Social Marketer Policies and Procedures; and (iv) in connection with certain services or promotions for which you have registered.

6. Miscellaneous Information

Changes to this Internet Privacy Policy: We reserve the right to change this Internet Privacy Policy, and to apply any changes to previously collected personal information. We urge you to periodically check this Privacy Policy for any changes. The “last revised” date will change when we make revisions to the policy. All changes will be effective upon posting or as otherwise stated in the revision. If you cannot accept the terms of the Internet Privacy Policy, as posted, please do not use this Web Site.

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 Shiftingretail Site is not targeted towards, nor intended for use by, anyone under the age of 18. By using the Shiftingretail 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 Shiftingretail Site. In the event we become aware you are under 18, we will cancel your registration.

7. DATA SECURITY

The Site incorporates physical, electronic, and administrative procedures to safeguard the confidentiality of your personal information, including Secure Sockets Layer ("SSL") for all financial transactions through the Site. We use SSL 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.

Questions?

If you have questions regarding our Internet Privacy Policy 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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