

## WEBSITE PRIVACY POLICY

Last modified 10/20/11

### 1. Introduction

1.1 Questions. This website is owned and operated by Clayton Fitness. If you have any questions or concerns about our Privacy Policy, feel free to email us at [claytonfitness@aol.com](mailto:claytonfitness@aol.com), or contact us by mail at the following address:

Clayton Fitness

1370 Cameron Way

Clayton, North Carolina 27520

1.2 Scope. This Privacy Policy applies only to information we collect at and through our website located at [www.claytonfitnessonline.com](http://www.claytonfitnessonline.com) (the "Site"). Our Site also contains links to third party sites that are not owned or controlled by Clayton Fitness. 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.

1.3 No Information From Children Under Age 13. If you are under the age of 13, please do not attempt to register at Clayton Fitness or provide any personal information about yourself to us. If we learn that we have collected personal information from a child under the age of 13, we will promptly delete that information. If you believe we might have any information from a child under the age of 13, please email us at [claytonfitness@aol.com](mailto:claytonfitness@aol.com), or contact us by mail at the following address:

Clayton Fitness

1370 Cameron Way

Clayton, North Carolina 27520

1.4 Terms of Use. Please note that your use of our Site is also subject to our Terms of Use.

## 2. Information We Collect and How We Use It

2.1 Information You Provide Us. You can provide information to us on our Site through various means, including newsletter sign-up, feedback forms, contact us forms, email forms, and request for information forms.

The information we collect includes personally identifiable information, such as your name, home address, billing address, shipping address, telephone number, and e-mail address. You can also provide demographic information, such as gender and date of birth. We collect information from you when you purchase a membership from us. The information we collect includes the following:

Name

Home address

Home telephone number

Work telephone number

Email address

Gender

Date of birth

For corporate sponsored program participants: Name of Employer

For health insurance related program participants: Insurance Information

For school-related programs: name of School or Group

2.2 Log Information We Collect from You Automatically. We collect certain information automatically as you use our Site, including your IP address, browser type, computer type, the site from where you navigated to our Site, time and date of using the Site, your computer operating system, and the pages on our Site that you view. This information is anonymous, and we do not link it to your personally identifiable information.

2.3 Cookies. When you visit our Site we send one or more “cookies” to your computer or other device. A cookie is a small file containing a string of characters that is sent to your computer when you visit a website. When you visit the website again, the cookie allows that site to recognize your browser.

Cookies may store unique identifiers, user preferences and other information. You can reset your browser to refuse all cookies or to indicate when a cookie is being sent. However, some website features or services may not function properly without cookies. We use cookies to improve the quality of our service, including for storing user preferences, tracking user trends and providing relevant advertising to you.

2.4 Pixel Tags. We may use "pixel tags," which are small graphic files that allow us to monitor the use of our websites. A pixel tag can collect information such as the IP (Internet Protocol) address of the computer that downloaded the page on which the tag appears; the URL of the page on which the pixel tag appears; the time the page containing the pixel tag was viewed; the type of browser that fetched the pixel tag; and the identification number of any cookie on the computer previously placed by that server. When corresponding with you via HTML capable email, we may use "format sensing" technology, which allows pixel tags to let us know whether you received and opened our email.

2.5 To Provide Products, Services, and Information. As described above, we collect information from you so that we can provide products and services that you purchase using the Site and information that you request from us. We use your personal information to:

Contact you regarding your membership and for service-related announcements

Provide you with advertisements, newsletters, promotional and other information relating to products and services that we provide or otherwise offer for sale

We may share your information with our third party service providers and agents in order to provide you with newsletters and other information which we believe may be of interest to you. For example, we use third party service providers to send out direct mail, email and other communications to our members. Contracts with our third party service providers require them to keep your personal information confidential.

2.6 Newsletters. If you sign-up to receive newsletters or other communications from us, we use your e-mail address and other relevant personal information to provide the newsletters and other communications to you. You can always opt-out of receiving e-mail newsletters or advertisements by using the opt-out feature provided with the e-mail communications.

2.7 Advertising. We use your information to provide relevant advertising to you. We use cookies to track your activity on our Site so we can provide this advertising to you.

### 3. How We Share Your Information

3.1 Providing Products, Services, and Information. As described above, we may share your information with our third party service providers and agents in order to provide you with newsletters and other information which we believe may be of interest to you. For example, we use third party service providers to send e-mails to our customers.

3.2 Advertising and Third Party Advertisers. We may use third party service providers to display ads on our behalf on our Site and third party sites not affiliated with Clayton Fitness. If you view a web page where our ads appear, the advertising company may place a cookie on your computer or use a Web beacon to access a cookie that they previously placed on your computer. These companies do not collect information that can personally identify you, but they may use information about your visits to our website and other websites to measure the effectiveness of ads. We do not disclose any personally identifiable information to these companies. We may share aggregate website usage information with third party advertisers and partners for the purpose of effectively targeting our online advertisements. Unless you are previously notified, these advertising companies do not link any online behavior or cookies with other information that can be used to personally identify you, such as your name, address, telephone number or e-mail address.

These third party advertising networks also track visitors' online usage and behavior patterns. These companies may use information about your visits to our Site and other websites in order to provide advertisements on this site and other sites about goods and services that may be of interest to you. The result of these efforts is the creation of an online profile that attempts to predict individual user interests and preferences. The third party advertising networks then accordingly customize the advertising content served to users when visiting other websites.

The Network Advertising Initiative (NAI) is a self-regulatory cooperative of online marketing and analytics companies. The NAI provides educational content and opt-out tools to help Internet users learn about and address online behavioral marketing practices. Through the NAI's online options, you may opt out of particular NAI network members' behavioral advertising programs or you may opt out of all NAI network members' programs. Opting out will prevent the given network from which you opted out from using your Web preferences and usage patterns to deliver targeted online ads. The NAI opt-out only works with participating third party advertising networks that use cookies and Web beacons to execute their advertising initiatives. If you would like additional information about online behavioral

marketing and your options regarding these standard Internet practices, please visit the NAI website at <http://www.networkadvertising.org/index.asp>.

3.3 Legal Requests or Requirements and to Prevent Harm. We reserve the right to disclose your personally identifiable information as required by law and when we believe that disclosure is necessary to protect our rights and/or to comply with a judicial proceeding, court order, or legal process served on our Site. We may also share information when we have a good faith belief it is necessary to prevent fraud or other illegal activity, to prevent imminent bodily harm, or to prevent harm to Clayton Fitness, the Site, or our customers. This may include sharing information with other companies, lawyers, courts, or other government entities.

3.4 Transfer in the Event of Sale or Change of Control. If the ownership of all or substantially all of our business changes or we otherwise transfer assets relating to our business or the Site to a third party, we may transfer your personal information to the new owner to be used consistent with this Privacy Policy. In such a case, your information would remain subject to the promises made in the applicable privacy policy.

#### 4. Access to Your Information and Choices

You can access and update certain information we have relating to your online account by signing into your account and going to the member information area of our Site. If you have questions about personal information we have about you or need to update your information, you can email us at [claytonfitness@aol.com](mailto:claytonfitness@aol.com), or contact us by mail at the following address:

Clayton Fitness

1370 Cameron Way

Clayton, North Carolina 27520

You can opt-out of receiving marketing and promotional e-mails from Clayton Fitness by accessing your membership information, and by using the opt-out or unsubscribe feature contained in the e-mails.

#### 5. Security of Your Information

We use industry standard physical, technical and administrative security measures to protect your information. Our employees have access to your personal information only on a need to know basis.

Contracts with our third party service providers require them to keep your personal information confidential.

In order to help secure your personal information, access to your data on our Site is password-protected, and sensitive data (such as a credit card number) is protected by SSL encryption when it is exchanged between your web browser and our Site. To protect any data you store on our servers, we also regularly audit our system for possible vulnerabilities and attacks, and we use a tier-one secured-access data center. However, since the Internet is not a 100% secure environment, we cannot guarantee, ensure, or warrant the security of any information you transmit to us. There is no guarantee that information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. It is your responsibility to protect the security of your login information. Please note that e-mails you send to us through our Site are not encrypted, and we strongly advise you not to communicate any confidential information through these means.

#### 6. Changes to Our Privacy Policy

If we decide to change our Privacy Policy, we will post those changes to the Privacy Policy on our homepage, and other places we deem appropriate so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it. We reserve the right to modify this Privacy Policy at any time, so please review it frequently. The revisions will apply to information collected after the date it is posted on our home page.

#### 7. Questions / Contact Us

If you have any questions or suggestions regarding our Privacy Policy or otherwise need to contact us, please email us at [claytonfitness@aol.com](mailto:claytonfitness@aol.com), or contact us by mail at the following address:

Clayton Fitness

1370 Cameron Way

Clayton, North Carolina 27520