

## Heidi Whities Privacy Policy

[Last Revised: May 13, 2015]

Wix.com Ltd. (together with its affiliated companies worldwide - “**Wix**”, “**we**” or “**us**”) respects the privacy of the visitors and users of Heidi-whities.com (the “**Website**”), and is committed to protect the personal information that they may share with Wix in connection with the use of the Website and/or related services (collectively - the “**Services**”).

This Privacy Policy (the “**Privacy Policy**”) is intended to describe our practices regarding the information we may collect from you (the “**User**” or “**you**”) when you use the Services (or any part thereof), the manners in which we may use such information, and the options and rights available to you.

Capitalized terms which are not defined herein, shall have the meaning ascribed to them in our Terms & Conditions, which this Privacy Policy is incorporated thereto by reference.

### **1. Your Consent (PLEASE READ CAREFULLY!)**

BY ACCESSING AND/OR USING THE WEBSITE AND/OR SERVICES (OR ANY PART THEREOF), YOU AGREE TO THE TERMS AND CONDITIONS SET FORTH IN THIS PRIVACY POLICY, INCLUDING TO THE COLLECTION AND PROCESSING OF YOUR PERSONAL INFORMATION (AS DEFINED BELOW). IF YOU DISAGREE TO ANY TERM PROVIDED HEREIN, PLEASE DO NOT ACCESS AND/OR USE THE SERVICES IN ANY MANNER WHATSOEVER.

Please note: you are not obligated by law to provide us with any Personal Information. You hereby acknowledge and agree that you are providing us with Personal Information at your own free will, for the purposes described in Section 4 below, and that we may retain such Personal Information in accordance with this Privacy Policy and any applicable laws and regulations.

### **2. Which information we may collect on our Users?**

We may collect two types of data and information from our Users:

- a. The first type of information is non-identified and non-identifiable information pertaining to a User(s), which may be made available or gathered via the User’s use of the Services (“**Non-personal Information**”). **We are not aware of the identity of the User from whom the Non-personal Information was collected.** Non-personal Information which is being collected consists of technical information and aggregated usage information, and may contain, among other things, the activity of a User on the Services, a User’s ‘click-stream’ and scrolls on the Services, device type, operation system and browser information, screen resolution, language and keyboard settings, etc.
- b. The second type of information is individually identifiable information, namely information that identifies an individual or may with reasonable effort identify an individual, or may be of private or sensitive nature (“**Personal Information**”).

Personal Information which is being gathered may consist of the following:

- The User’s IP address, which is automatically provided by the User and used mainly for enhancing the User’s experience and for geo-location personalization and security purposes, as further detailed below;
- Any Personal Information provided voluntarily by the User via its use of the Services, such as the User’s name, e-mail address or other contact details, including for the purposes of being contacted (and any additional information related to such contacts), and/or other actions performed by the User in connection with the Services.

For avoidance of doubt, any Non-personal Information connected or linked to any Personal Information shall be deemed as Personal Information as long as such connection or linkage exists.

**We do not collect any Personal Information from you or related to you without your approval, which is obtained, *inter alia*, through your active acceptance to the Terms & Conditions and/or this Privacy Policy.**

### **3. How Do We Collect Information on Our Users?**

There are two main methods we use:

- a. **We collect information through your use of the Services.** In other words, when you are using the Services, including when you browse the Website, we are aware of it and may gather, collect and record the information relating to such usage, either independently or through the help of third-party services as detailed below.
- b. **We collect information which you provide us voluntarily.** For example, we collect Personal Information which you voluntarily provide when you register to the Services and/or contact us directly, and/or when you use the Services.

We store the Personal Information either independently or through the help of our authorized third-party service providers as detailed below.

### **4. What are the Purposes of the Collection of Information?**

We collect Non-personal and Personal Information in order to provide and operate the Services, including for statistical and research purposes; to enable us to further develop, customize and improve the Services based on Users' common preferences and uses; to create and provide our business partners and affiliates with aggregated statistical data and other aggregated and/or inferred Non-personal Information; and to enable us to provide our Users with a better user experience, with more relevant Services, and with technical assistance and support.

In addition, Wix or its affiliates may use the e-mail address you provide (if any) to send you promotional content, whether once or on an ongoing basis. By providing Wix your e-mail address you expressly consent and agree to receive such promotional content. If you wish not to receive such promotional content, you may notify us at any time or follow the "unsubscribe" or "STOP" instructions contained in the promotional e-mails you receive.

### **5. Location of Personal Information and U.S. – EU Safe Harbor**

As a User of the Services, your Personal Information may be maintained, processed and stored by Wix, its affiliates and its service providers in the United States or other jurisdictions. Wix is based in Israel, which is considered by the European Commission to be a country which offers an adequate level of protection for EU data. Wix adheres to the Safe Harbor Privacy Principles developed by the U.S. Department of Commerce and the European Union (EU). The Safe Harbor Privacy Principles are intended to provide equivalent protections for personal data as those existing in the EU. For more information about the Safe Harbor Privacy Principles and to view our certification, visit the U.S. Department of Commerce's Safe Harbor website at <http://export.gov/safeharbor/>.

If you have any questions about our Safe Harbor participation, please contact us using the information below. If you believe that Wix has not satisfactorily addressed your data privacy concerns related to the U.S.-EU Safe Harbor Privacy Principles, and without prejudice to any other remedy you may enjoy, you may obtain dispute resolution services through the International Centre for Dispute Resolution, a division of the American Arbitration Association. To use these services, you can file a claim at <https://apps.adr.org/webfile/>.

### **6. Sharing Information with Third Parties**

Wix will not share any Personal Information it collects with any third party, except in the following cases: (a) as required to satisfy any applicable law, regulation, legal process, subpoena, warrant, court order or

governmental request; (b) as necessary in order to enforce this Privacy Policy and/or the Terms & Conditions, including investigation of potential violations thereof; (c) in order to detect, prevent, or otherwise address fraud, security or technical issues; (d) as necessary to appropriately respond to and handle a User's support requests; (e) as necessary when responding to claims that a User has violated the rights of third-parties; (f) in order to protect the rights, property, or personal safety of Wix, any of its Users, or any members of the general public; (g) when Wix or any of its affiliates is undergoing any change in control, including by means of merger, acquisition or purchase of all or substantially all of its assets; (h) in order to collect, hold and/or manage your Personal Information through Wix's authorized third party service providers, as reasonable for business purposes, which may be located in a country that does not have the same data protection laws as your jurisdiction, provided however that Wix may transfer Personal Information identified with residents of the European Union only in accordance with the Safe Harbor Privacy Framework, and as otherwise permitted to it by applicable law; (j) pursuant to your explicit approval prior to the disclosure; or (k) to cooperate with third parties for the purpose of enhancing the Services and User's experience.

For avoidance of doubt, Wix may transfer and disclose to third parties or otherwise use Non-personal Information at its sole discretion.

## **7. Deletion of Personal Information**

If for any reason you wish us to delete your Personal Information stored with us and identifying to you, please send us an e-mail to: [privacy@wix.com](mailto:privacy@wix.com), and we will make reasonable efforts to delete any such Personal Information pursuant to any applicable privacy laws. Note that unless you instruct us otherwise we may retain your Personal Information for a period of twelve (12) months or a longer period as reasonably needed to provide you with the Services, to maintain our records pertaining to Services provided, and/or as legally required.

## **8. Minors**

To use the Services, you must be over the age of eighteen (18) or of the legal age of majority in the User's jurisdiction - whichever is greater. We do not knowingly collect Personal Information from children under the age of eighteen (18) and do not wish to do so. We reserve the right to request proof of age at any stage so that we can verify that minors under the age of eighteen (18) are not using the Services. In the event that it comes to our knowledge that a person under the age of eighteen (18) is using the Services, we will prohibit and block such User from accessing the Services and will make all efforts to promptly delete any Personal Information stored with us with regard to such User.

## **9. Security**

We take a great care in implementing and maintaining the security of the Services, and the User's Personal Information. Wix employs industry standard procedures and policies to ensure the safety of its Users' Personal Information, and prevent unauthorized use of any such information. However, we do not and cannot guarantee that unauthorized access will never occur.

## **10. Cookies and other Tracking Technologies**

When you access or use the Services, we or our third party partners may collect and store certain information from your browser using "cookies". A cookie is a piece of data (a small file, with typical content of letters and numbers) stored or downloaded on a user's computer or other device that can be tied to information about the browser's activities on our website. Our cookies allow us to provide certain features of the Services. For example, we use cookies to keep track of your preferences, conduct support and debugging, understand the duration of a User's session, learn from which general geographical location Users are using the Services,

estimate and report our total audience size and traffic, and to improve the content and services we provide to our Users.

If you want to delete or block any cookies, please refer to the help and support area on your internet browser for instructions on how to locate the file or directory that stores cookies. Information on deleting or controlling cookies is also available at [www.AboutCookie.com](http://www.AboutCookie.com). Please note that by deleting our cookies or disabling future cookies you may not be able to access certain areas or features of the Services.

We or our third party advertising partners may employ a software technology called clear gifs (a.k.a. Web Beacons/Web Bugs), that help us improve our services, for example to better manage content by informing us what content is effective. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies. In contrast to cookies, which are stored on a User's computer hard drive, clear gifs are embedded invisibly on web pages and are about the size of the period at the end of this sentence. We may tie the information gathered by clear gifs to our Users' personal information only if you choose to provide such information to us.

We may also use local shared objects, also known as Flash cookies, to store your preferences or display content based upon what you view on our site to personalize your visit. Third parties, with whom we partner to provide certain features on our Services or to display advertising based upon your web browsing activity, also use Flash cookies to collect and store information. Flash cookies are different from browser cookies because of the amount of data, type of data, and how data is stored. Cookie management tools provided by your browser will not remove Flash cookies. To learn about privacy and storage settings for Flash cookies that may be available, you can click [here](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html#117118): [http://www.macromedia.com/support/documentation/en/flashplayer/help/settings\\_manager.html#117118](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html#117118). Please note that Wix does not provide this information and is not responsible for its accuracy. If you disable Flash cookies, you may not have access to certain features that make your experience more efficient and some of our Services will not function properly.

Our third-party partners may have their own policies regarding how they collect and store information through the technologies discussed above. Specifically, the use of cookies by our tracking utility company is not covered by our privacy policy and we do not have access or control over these cookies.

## **11. Third Party Services**

While using the Services you may encounter links or references to third party services, such as those offered by <http://heidiklumintimates.com/>. Please be advised that such third party services are independent from Wix, and if you click on any of those links, these third party services may use cookies and other web-tracking technologies to collect non-personal and/or personal information about you. We assume no responsibility or liability whatsoever with regard to privacy matters or any other legal matter with respect to such services. We encourage you to carefully read the privacy policies and the terms of use or service of such third parties, as their terms, not ours, will apply to any of your interactions with such third parties.

## **12. Changes to the Privacy Policy**

Wix may change this Privacy Policy (or any part thereof) from time to time, at its sole discretion and without any notice to you, so please re-visit this page frequently.

Notwithstanding the foregoing, substantial changes will be first notified on the Website (or the relevant Services) and/or by sending you an e-mail to the e-mail address that you may have provided us via the Services. Such substantial changes will take effect not less than thirty (30) days after such notice was first provided via any of the aforementioned methods.

All changes to the Privacy Policy shall be in writing, and shall become effective as of the "Last Revised" date stated therein. Your continued use of those Services subject to the revised Privacy Policy, after the Last Revised date, will constitute acceptance of, and agreement to be bound by, those changes.

**13. Have any Questions?**

If you have any questions (or comments) concerning this Privacy Policy, you are welcome to send us an e-mail at: [privacy@wix.com](mailto:privacy@wix.com), and we will make an effort to reply within a reasonable timeframe.