

## VIBRNZ LLC

# Privacy Policy

*Last Modified: May 2, 2018*

Vibrnz LLC (“Company,” “we,” “us,” or “our”) is committed to respecting the privacy of your information. This Privacy Policy (“Privacy Policy”) describes the personal information we collect through our website and mobile application known as Vibrnz (“Vibrnz”), and how we collect and use this information. Terms not defined in this Privacy Policy have the meanings given to them in the Terms of Use, available at [TERMS AND CONDITIONS](#).

By accessing Vibrnz, you (“you,” or “your”) consent to the data practices described in this Privacy Policy. Please read this entire Privacy Policy carefully to understand our policies and practices regarding your personal information and how we treat it before you start to use Vibrnz. If you do not agree with the practices in this Privacy Policy, you must exit Vibrnz.

## 1 COLLECTION AND USE OF PERSONAL INFORMATION

Depending on how you use Vibrnz, we may ask you to share personally identifiable information (“Personal Information”) with us. Whether you choose to share your Personal Information is completely up to you, but keep in mind that you may not be able to access some areas of Vibrnz or effectively use the services we offer on Vibrnz without sharing Personal Information. Personal Information includes any information that identifies or can be used to identify, contact or locate you. Below are some examples of when we collect Personal Information.

- 1.1 Account Information. When you register for Vibrnz, we will ask for certain information about you, such as your name, address, email, birth date and phone number.
  - 1.1.1 If you use an account from an online social platform (e.g., Facebook or Google) to register for Vibrnz, we will request your permission to access certain information about you from that social platform. We will use your information from these online social platforms to make Vibrnz registration process easier.
  - 1.1.2 We may also, either during or after the registration process, use the Personal Information you have provided to us, request further Personal Information from you and/or use third party services, to verify your account or registration information or compliance with Company’s Terms of Use.
  - 1.1.3 We may use your email address and/or your phone number (if you choose to provide it) to send you account confirmations, notifications and appointment status reminders, to request reviews, to contact you on behalf of other Users sending you messages, and to otherwise provide services to you in connection with Vibrnz. We may also send you promotional emails. If you would rather not receive promotional emails, you may change your preferences under your account settings.
  - 1.1.4 We will also use your Personal Information for administrative purposes, such as addressing account issues, troubleshooting Vibrnz issues,

investigating abuse on Vibrnz, responding to User inquiries and enforcing and applying our Terms of Use. We may also send you text message communications in connection with the Services if you opt in to receive text messages by providing your mobile phone number as part of your registration process or in your account settings.

- 1.1.5 Other Users may also be able to find your Profile on Vibrnz by using search parameters that coincide with the Personal Information you have provided to us.
- 1.2 User Profile. After you register for Vibrnz, you will have the opportunity to create a Profile about yourself. Your Profile may include different information depending on whether you are a Client Member or Service Member. How much information you disclose on your Profile is entirely up to you, though at a minimum, your Profile will include information you provided to us in the account registration process (though your contact information, as well as certain other information, is disclosed only in the limited manner described below.)
- 1.3 Reviews and Other Public Content. Client Members will have the opportunity to provide Reviews about Service Members they have engaged. Users may also have other opportunities to contribute to Vibrnz, such as public forums, bulletin boards and talk threads. We may store these contributions (“Public Content”), display them to other Users, and use them for promotional purposes. Your Public Content becomes public information once you post it, and copies of it may continue to be viewable even after you delete your account. Your Public Content may appear on other websites or web searches, and therefore this information can be read, collected and used by others. Note that if you include Personal Information about yourself in your Public Content, it can be used and viewed by others. Please remember that you are not permitted to disclose any Personal Information about another User or anyone else in your Public Content.

## **2 COLLECTION AND USE OF NON-PERSONAL INFORMATION**

Non-personal information is information that does not identify the specific User. This type of information may include things like the URL of the website you visited before and after visiting Vibrnz, the type of browser you are including, or the IP address of the computer you use to visit Vibrnz.

- 2.1 Cookies. We collect some anonymous information about how you use Vibrnz by setting and accessing cookies on your computer. A cookie is a small text file that is stored on your computer.
  - 2.1.1 Use of cookies enable us to:
    - 2.1.1.1 Estimate our audience size and usage patterns;
    - 2.1.1.2 Store individual interests;
    - 2.1.1.3 Speed up your searches; and
    - 2.1.1.4 Recognize you when you return to the Website.

- 2.1.2 You may refuse the use of cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of Vibrnz. Unless you have adjusted your browser setting so that it will refuse cookies, our system may issue cookies when you direct your browser to Vibrnz.
- 2.2 Activity and Log Data. We automatically store information related to your use of Vibrnz in our log files, such as the pages you view on Vibrnz, your browser type, IP address, operating system, referring URL and the date and time of your visit. We use this type of information to administer Vibrnz and to analyze trends. This information is not tied to personally identifiable information.
- 2.3 Do Not Track Signals. Some web browsers have a “Do Not Track” feature. This feature lets you tell websites you visit that you do not want to have your online activity tracked. These features are not yet uniform across browsers. Company does not engage in online tracking of Users, and therefore, Vibrnz is not currently set up to respond to “Do Not Track” signals. Company also does not authorize third parties to collect personally identifiable information about an individual consumer’s online activities over time and across different websites when a consumer uses Vibrnz.

### **3 DISCLOSURE OF YOUR INFORMATION TO THIRD PARTIES**

- 3.1 Disclosure By Law; Protection of Us and Others. We may disclose information you provide if required to do so by law, at the request of a third party, or if we, in our sole discretion, believe that disclosure is reasonable to (i) comply with the law, requests or orders from law enforcement, or any legal process (whether or not such disclosure is required by applicable law), (ii) protect or defend Company’s, or a third party’s rights or property, or (iii) protect someone’s health or safety, such as when harm or violence against any person (including you) is threatened.
- 3.2 Aggregate Data. We may share aggregate data about Users with third parties, including advertisers and marketing partners. This information does not identify individual Users.
- 3.3 Service Providers. We may share your Personal Information with companies that perform services for us, such as analyzing customer data, providing marketing assistance, and processing credit card payments. They have access to Personal Information as needed to perform their functions, but may not disclose your Personal Information for other purposes.

### **4 UPDATING AND CORRECTING INFORMATION**

If you need to change your Personal Information, you may update or correct this information by logging into your account and accessing either the “Profile” section within your account or the “Settings” section under “My Account.” We encourage you to update your Personal Information promptly if it changes.

### **5 YOUR CHOICES**

Company provides you with the ability to opt-out of receiving promotional emails from us. If you wish to discontinue receiving promotion emails, you can opt-out by using the link on the bottom of every promotional email you receive from Company.

Please note that you cannot opt-out of receiving administrative and transaction-related emails from us. These emails relate to your account or your activity on Vibrnz.

## **6 SECURITY OF INFORMATION**

We take reasonable measures to protect the confidentiality, security, and integrity of the personal information collected from you. Personal information is stored in secure operating environments that are not available to the public and that are only accessible to authorized employees. We also practice measures to protect against the loss, misuse, and alteration of the information under our control.

Unfortunately, there is no such thing as perfect security. As a result, although we strive to protect personally identifying information, we cannot ensure or warrant the security of any information transmitted to us through or in connection with Vibrnz, that we store on our systems or that is stored on our service providers' systems.

## **7 AGE RESTRICTIONS**

7.1 You understand and acknowledge that:

7.1.1 Vibrnz is not intended for children under 13 years of age;

7.1.2 In order to comply with the Children's Online Privacy Protection Act, we do not knowingly or intentionally collect any Personal Information about children under 13 years of age; and

7.1.3 If we obtain actual knowledge that we have collected personal information about a child under 13 years of age without verification of parental consent, that information will be immediately deleted from our database.

7.2 If you are under 13 years of age, you must not:

7.2.1 Make any purchases through Vibrnz; or

7.2.2 Send any information about yourself to us or any third party through Vibrnz (including your name, address, telephone number or e-mail address). If you believe that we might have any information from or about a child under 13 years of age, please contact us at [info@vibrnz.com](mailto:info@vibrnz.com).

## **8 CHANGES TO OUR PRIVACY POLICY**

We may revise our Privacy Policy from time to time. The most current version of the Privacy Policy will govern our use of your information and will always be located on this webpage. By continuing to access Vibrnz and use the Services after those changes become effective, you agree to be bound by the revised Privacy Policy.

## **9 LINKS**

Vibrnz may contain links to other websites. You must not hold us responsible for the content on the other websites or for the privacy policies or any other policies on those websites. This Privacy Policy applies solely to information collected by Vibrnz.

## **10 DISPUTE RESOLUTION AND MEDIATION**

10.1 Dispute Resolution Policy. Any dispute arising from this Privacy Policy which cannot be resolved by the parties in good faith after making the best effort for a period of not less than 15 days, shall first be submitted to mediation with a neutral mediator agreed upon by the parties, with the cost of the mediator to be borne equally by them.

10.1.1 If a dispute cannot be resolved through mediation, the parties agree to submit to binding arbitration with a neutral arbitrator mutually agreed upon by the parties. The cost of binding arbitration will be borne by the parties equally.

10.1.2 In the event the parties are unable to mutually agree upon an arbitrator, we have the exclusive right to select the arbitrator. The place of arbitration shall be the state of New Jersey and New Jersey law shall apply. The parties further agree that the parties will perform any award rendered by the arbitrator, and that a judgment of any court having jurisdiction may be entered on the award.

## **11 GOVERNING LAW**

This Privacy Policy shall be governed by and construed in accordance with the laws of the State of New Jersey regardless of any conflicts of law principles.

## **12 COMMENTS AND CONCERNS**

If you would like to contact us with any concerns about your Personal Information or this Privacy Policy, please e-mail us at [info@vibrnz.com](mailto:info@vibrnz.com). We welcome your questions and comments.