

**Makeena Privacy Policy**  
**Last Revised: September 23, 2014**

Makeena, Inc., and its affiliates and subsidiaries, (collectively, “Makeena”), is committed to protecting your privacy. We have prepared this Privacy Policy to describe to you our practices regarding the personal information we collect from users of our website located at [<http://Makeena.com>] (the “**Site**”), our mobile application entitled “*Makeena*” (the “**Application**”), and services to enable you to search for, locate, and compare natural products brands as well as create shopping lists, compare nutritional information and receive special rebates from your favorite brands (the “**Services**”).

**1. Questions; Contacting Company; Reporting Violations.** If you have any questions or concerns or complaints about our Privacy Policy or our data collection or processing practices, or if you want to report any security violations to us, please contact us at the following address or phone number:

Makeena, Inc.  
*Attn:* Karen Frame, CEO & Founder  
1035 Pearl Street, 5<sup>th</sup> Floor  
Boulder, Colorado 80302  
408.466.4673

**2. Types of Data We Collect.** We collect personal information from users, as described below.

**(a) Information You Provide to Us.**

- We may collect personal information from you, such as your first and last name, e-mail, and password when you create an account to log in to our network (“**Account**”). If you provide a profile picture we will collect it and add it to your Account.
- If you use our Services on your mobile device, including through our Application(s), we may collect your phone number and the unique device id number.
- If you tell us where you are (e.g., by allowing your mobile device to send us your location), we may store and use that information to provide you with location-based information and advertising. If you want to deactivate this feature, you can either reinstall the Application(s) or deactivate GPS on your mobile device. If you deactivate your location-aware services certain functions of the Application will not be available to you (e.g., rebates, etc.).
- When you post reviews, ratings, and messages on the message boards and comments sections of our Service, the information contained in your posting will be stored on our servers and other users will be able to see it.
- If you voluntarily provide certain demographic information about you and your family, such as your age, number of members in your household, and income information, then we will collect this information and add it to your Account. Our Services may use this information in order to help you plan your meals and suggest products to help you stay within your budget.

- If you provide us feedback or contact us via e-mail, we will collect your name and e-mail address, as well as any other content included in the e-mail, in order to send you a reply.
- When you search for products, brands, health food and natural products stores, and certain product attributes (e.g., gluten-free products, non-GMO products, b-certified products, etc.), we may collect this information and add it to your Account.
- We retain information on your behalf, such as images, picture, files, and messages that you store using your Account.
- If you participate in a sweepstakes, contest, or giveaway on our Site, we may ask you for your e-mail address and/or phone number (to notify you if you win or not). We may also ask for first and last names, and sometimes post office addresses to verify your identity. In some situations we may need additional information as a part of the entry process, such as a prize selection choice. These sweepstakes and contests are voluntary. We recommend that you read the rules for each sweepstakes and contest that you enter.
- We may also collect personal information, such as at other points in our Service that state that personal information is being collected.

**(b) Information Collected from SNS Accounts.** If you login to the Services using your Facebook or Google+ account or another social networking service (“SNS”) that we support, you will first be asked to enter your SNS credentials and then be given the option to register for the Services. In this case, we may receive information from the SNS to make it easier for you to create an Account on the Service and show our relevant content from your Facebook or SNS friends. Once you register on the Site and connect with a SNS, you will be able to eventually automatically post recent activity back to the SNS. Any information that we collect from your SNS account may depend on the privacy settings you have with that SNS, so please consult the SNS’s privacy and data practices. You will eventually have the option to disable Facebook Connect at any time by logging into your Account through the App and going to “Settings,” and then unselecting “Linked to Facebook.” Further, you will eventually be able to edit privacy settings for the reviews that appear on Facebook or disconnect your Services activity stream by visiting the Facebook Applications Settings page.

**(c) Information Collected via Technology.**

- Log Files. As is true of most websites and mobile applications, we gather certain information automatically and store it in log files. This information includes IP addresses, browser type, Internet service provider (“ISP”), referring/exit pages, operating system, date/time stamp, and clickstream data. We use this information to analyze trends, administer the Site, track users’ movements around the Site, gather demographic information about our user base as a whole, and better tailor our Services to our users’ needs. For example, some of the information may be collected so that when you visit the Site or the Services again, it will recognize you and the information could then be used to serve advertisements and other information appropriate to your interests. Except as noted in this Privacy Policy, we do not link this automatically-collected data to personal information.
- Mobile Services. We may also collect non-personal information from your mobile device if you have downloaded our Application. This information is

generally used to help us deliver the most relevant information to you. Examples of information that may be collected and used include your geographic location, how you use the Application, and information about the type of device you use. In addition, in the event our Application crashes on your mobile device, we will receive information about your mobile device model software version and device carrier, which allows us to identify and fix bugs and otherwise improve the performance of our Application.

- **Cookies.** Like many online services, we use cookies to collect information. “**Cookies**” are small pieces of information that a website sends to your computer’s hard drive while you are viewing the website. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our Service. This type of information is collected to make the Service more useful to you and to tailor the experience with us to meet your special interests and needs.
- **Pixel Tags.** In addition, we may use “**Pixel Tags**” (also referred to as clear Gifs, Web beacons, or Web bugs). Pixel Tags are tiny graphic images with a unique identifier, similar in function to Cookies that are used to track online movements of Web users. In contrast to Cookies, which are stored on a user’s computer hard drive, Pixel Tags are embedded invisibly in Web pages. Pixel Tags also allow us to send e-mail messages in a format users can read, and they tell us whether e-mails have been opened to ensure that we are sending only messages that are of interest to our users. We may use this information to reduce or eliminate messages sent to a user. We do not tie the information gathered by Pixel Tags to our users’ personal information.
- **Traffic Analytics.** We use a number of third party service providers, such as Google Analytics, to help analyze how users use the Service (“**Analytics Companies**”). These Analytics Companies use Cookies to collect information such as how often users visit the Service, what features they use on our Application, and what other sites they used prior to coming to the Website. We use the information we get from these Analytics Companies only to improve our Website, Application, and Services. These Analytics Companies collect only the IP address assigned to you on the date you visit the Service, rather than your name or other personally identifying information unless you have specifically allowed us to do otherwise in our updated Premium Service. We do not combine the information generated through the use of our Analytics Companies with your personal information. Although these Analytics Companies may plant a persistent Cookie on your web browser or mobile device to identify you as a unique user the next time you visit the Service, the Cookie cannot be used by anyone but the Analytics Company that placed the applicable Cookie. This Policy does not apply to and we are not responsible for the Cookies used by these Analytics Companies.

**(d) Information Collected from Third Party Companies.** We may obtain information from other sources and combine that with information we collect on our Services.

**(e) Location Information.** If you have enabled location services on your mobile device, we collect your location information to show you the locations of health food stores, supermarkets, and other retailers near you, and to provide you with more relevant search results. If you do not want this information collected by us, you can disable location services on your

mobile device. If you disable location services on your mobile device, certain functionalities and features of the Application and Services, such as participation in certain discounts and rebates, may be unavailable to you.

(f) **Third Party Payment Providers.** In order to participate in and receive certain rebates and other discounts on the Services, you will need to create an account with our third party payment provider identified on the Service (“**Payment Provider**”). In order to process such rebates and discounts, we may collect certain information about you in accordance with the Payment Provider’s privacy policy. If you have any have questions about the Payment Provider’s privacy practices, please contact the Payment Provider.

### 3. Use of Your Personal information

(a) **General Use.** In general, personal information you submit to us is used either to respond to requests that you make, or to aid us in serving you better. We use your personal information in the following ways, to:

- facilitate the creation of and secure your Account on our network;
- identify you as a user in our system;
- provide improved administration of our Application and Services;
- provide the Services you request;
- improve the quality of experience when you interact with our Application and Services;
- send you a welcome e-mail to verify ownership of the e-mail address provided when your Account was created;
- send you administrative e-mail notifications, such as security or support and maintenance advisories;
- respond to your inquiries related to employment opportunities or other requests; and/or
- send newsletters, surveys, offers, and other promotional materials related to our Services and for other marketing purposes of Company and related companies.

(b) **User Feedback.** We often receive comments from users who have had positive experiences with our Services. We may post user feedback on the Website from time to time. We will share your feedback with your first name and last initial only or a user name if provided by you. If we choose to post your first and last name along with your feedback, we will obtain your consent prior to posting your name with your feedback.

(c) **Creation of Anonymous Data.** We may create anonymous data records from personal information by excluding information (such as your name) that makes the data personally identifiable to you. We use this anonymous data to analyze request and usage patterns so that we may enhance the content of our Services and improve Application navigation. We reserve the right to use anonymous data for any purpose and disclose anonymous data to third parties in our sole discretion.

4. **Disclosure of Your Personal information.** We disclose your personal information as described below and as described elsewhere in this Privacy Policy.

**(a) Third Parties Designated by You.** When you use the Services, the personal information you provide will be shared with the third parties that you designate to receive such information.

**(b) Third Party Service Providers.** We may share your personal information with third party service providers to: provide you with the Services that we offer you through our Site; to conduct quality assurance testing; to facilitate creation of accounts; provide technical support; and/or provide other services to the Company.

**(c) Corporate Restructuring.** We may share some or all of your personal information in connection with or during negotiation of any merger, financing, acquisition or dissolution, transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets. In the event of an insolvency, bankruptcy, or receivership, personal information may also be transferred as a business asset. If another company acquires our company, business, or assets, that company will possess the personal information collected by us and will assume the rights and obligations regarding your personal information as described in this Privacy Policy.

**(d) Social Networking Sites.** Some of our Applications and Services may enable you to post content to SNSs (e.g., Facebook). If you choose to do this, we will provide information to such SNS in accordance with your elections. You acknowledge and agree that you are solely responsible for your use of those websites and that it is your responsibility to review the terms of use and privacy policy of the SNS of such SNSs. We will not be responsible or liable for: (i) the availability or accuracy of such SNSs; (ii) the content, products, or services on or availability of such SNSs; or (iii) your use of any such SNSs.

**(e) Disclosure to Third Party Companies.** We may disclose your personal information to those brands, merchants, and retailers that offer rebates and discounts on our Services to allow them to market their products and services to you, to offer rebates and discounts, to measure the effectiveness of their advertising campaigns, promotions, endorsements and sponsorships, or for other marketing purposes.

**(f) Other Disclosures.** Regardless of any choices you make regarding your personal information (as described below), Company may disclose personal information if it believes in good faith that such disclosure is necessary (a) in connection with any legal investigation; (b) to comply with relevant laws or to respond to subpoenas or warrants served on Company; (c) to protect or defend the rights or property of Company or users of the Application or Services; and/or (d) to investigate or assist in preventing any violation or potential violation of the law, this Privacy Policy, or our Terms of Use.

## **5. Notice to California Residents.**

### **YOUR CALIFORNIA PRIVACY RIGHTS**

**(As Provided by California Civil Code Section 1798.83).**

**A CALIFORNIA RESIDENT WHO HAS PROVIDED PERSONAL INFORMATION TO A BUSINESS WITH WHOM HE/SHE HAS ESTABLISHED A BUSINESS RELATIONSHIP FOR PERSONAL, FAMILY, OR HOUSEHOLD PURPOSES (A “CALIFORNIA CUSTOMER”) MAY REQUEST INFORMATION ABOUT WHETHER THE BUSINESS HAS DISCLOSED PERSONAL INFORMATION TO**

**ANY THIRD PARTIES FOR THE THIRD PARTIES' DIRECT MARKETING PURPOSES. IN GENERAL, IF THE BUSINESS HAS MADE SUCH A DISCLOSURE OF PERSONAL INFORMATION, UPON RECEIPT OF A REQUEST BY A CALIFORNIA CUSTOMER, THE BUSINESS IS REQUIRED TO PROVIDE A LIST OF ALL THIRD PARTIES TO WHOM PERSONAL INFORMATION WAS DISCLOSED IN THE PRECEDING CALENDAR YEAR, AS WELL AS A LIST OF THE CATEGORIES OF PERSONAL INFORMATION THAT WERE DISCLOSED. CALIFORNIA CUSTOMERS MAY REQUEST FURTHER INFORMATION ABOUT OUR COMPLIANCE WITH THIS LAW BY E-MAILING INFO@MAKEENA.COM. PLEASE NOTE THAT WE ARE REQUIRED TO RESPOND TO ONE REQUEST PER CALIFORNIA CUSTOMER EACH YEAR AND WE ARE NOT REQUIRED TO RESPOND TO REQUESTS MADE BY MEANS OTHER THAN THROUGH THIS E-MAIL ADDRESS.**

**6. Your Choices Regarding Your Information.** You have several choices regarding use of information on our Services:

**(a) Email Communications.** We will periodically send you free newsletters, recipes, and other e-mails that directly promote the use of our Application or Services. When you receive newsletters or promotional communications from us, you may indicate a preference to stop receiving further communications from us and you will have the opportunity to “opt-out” by following the unsubscribe instructions provided in the e-mail you receive or by contacting us directly (please see contact information below). Despite your indicated e-mail preferences, we may send you service-related communications, including notices of any updates to our Terms of Use or Privacy Policy.

**(b) Changing or Deleting Your Personal Data.** All users may review, update, correct, or delete the personal information in their user Account by contacting us or by editing their profile via the Service. If you completely delete all of your Personal Information, then your User account may become deactivated. We will use commercially reasonable efforts to honor your request. We may retain an archived copy of your records as required by law or for legitimate business purposes.

**(c) Applications.** You can stop all collection of information by the Application by uninstalling the Application. You may use the standard uninstall processes as may be available as part of your mobile device or via the mobile application marketplace or network.

**7. Security of Your Personal information.** Company is committed to protecting the security of your personal information. We use a variety of industry-standard security technologies and procedures to help protect your personal information from unauthorized access, use, or disclosure. We also require you to enter a password to access your Account information. Please do not disclose your Account password to unauthorized people. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while Company uses reasonable efforts to protect your personal information, Company cannot guarantee its absolute security.

**8. Changes to This Privacy Policy.** This Privacy Policy is subject to occasional revision, and if we make any material changes in the way we use your personal information, we will notify you by sending you an e-mail to the last e-mail address you provided to us and/or by prominently posting notice of the changes on our Application. Any changes to this Privacy Policy will be effective upon the earlier of thirty (30) calendar days following our dispatch of an e-mail notice to

you or thirty (30) calendar days following our posting of notice of the changes on our Site or within the Application. These changes will be effective immediately for new users of our Service. Please note that at all times you are responsible for updating your personal information to provide us with your most current e-mail address. In the event that the last e-mail address that you have provided us is not valid, or for any reason is not capable of delivering to you the notice described above, our dispatch of the e-mail containing such notice will nonetheless constitute effective notice of the changes described in the notice. If you do not wish to permit changes in our use of your personal information, you must notify us prior to the effective date of the changes that you wish to deactivate your Account with us. Continued use of our Application or Service, following notice of such changes shall indicate your acknowledgement of such changes and agreement to be bound by the terms and conditions of such changes.