

## PRIVACY STATEMENT

StudioPlus Software, LLC, recognizes and respects the importance of maintaining the privacy of our photographers, consumers and other users, who are all considered registered members ("Members") and users and has therefore established this Privacy Policy. Below we describe why we gather information from you, what information we collect, how we collect it, what we use the information for and how you can instruct us if you prefer to limit the use of that information. This Privacy Policy is part of the Terms of Use, which governs your use of our web site located at StudioPlusSoftware.com and MyStudioPlus.com (the "Web Site"). The Web Site is owned by StudioPlus Software, LLC. (the "Company"). By visiting StudioPlusSoftware.com or MyStudioPlus.com, you are accepting the practices described in this privacy notice and agree to receive our current privacy policies through our web site.

You must be 18 years or older to register as a member or use StudioPlusSoftware.com and MyStudioPlus.com.

We reserve the right to gather personal information to allow us and certain third parties, including Your Photographer, to communicate with you, to forward your order in order for your Photographer to process your order, to provide an enhanced and more personalized interactive shopping experience and to inform you, and your invited guests, of special offers and discounts. Some of these offers and discounts may be offered by on behalf of third parties, some of which may be independent and not under the control of StudioPlus Software.

### When are we collecting information?

StudioPlus Software, LLC collects personal information online when:

- you register to become a member of the Web Site or any other partner services
- you use our services to store, share, and/or print your pictures online
- you make online purchases
- you submit questions or comments to us
- you participate in online surveys, forums, chats, bulletin boards, discussion groups
- you participate in online promotions, premiums, sweepstakes or contests
- you request that we send information to you, your friends, family and colleagues

This information is collected through our Web Site and emails. Information you enter might be collected even if you cancel or do not complete the intended use, registration, or order process.

When you place an order or access your Web Site account, you are automatically using our secure server. The secure server software (SSL) encrypts all information you enter before it's sent to us. This means that all of the customer information we gather is protected against unauthorized access. If your web browser does not permit a secure connection, the web site will not accept your credit card information. Your browser should display a "lock" or "key" icon at the bottom screen when a secure connection is made, and the URL bar on the top of your browser typically shows the first characters as "https." All of the customer data we collect, once submitted by you, is reasonably protected against unauthorized access.

**Note:** If you opt-out from receiving further promotional emails from us, we will not share any of your information with any third parties, including our Affiliates.

## **What information do we gather?**

The information that StudioPlus Software, LLC may collect includes, but is not limited to:

- Name
- Address
- Telephone number
- Email address
- Title (gender)
- Birth date
- Billing information (credit card number, expiration date and billing address)
- Products purchased
- Any relevant promotion code and information
- Your invited guest's name, address, telephone number, email address, and any other information you provide to us
- IP address, equipment and browser information - StudioPlus Software, LLC keeps your IP address, equipment and browser information confidential and uses it only to help diagnose problems with our server, to generate internal statistics, and to administer the Website.

We receive and store certain types of information automatically whenever you interact with us. For example, like many web sites, we use "cookies," and we obtain certain types of information when your web browser accesses StudioPlus Software. Please note that a number of companies offer utilities designed to help you visit web sites anonymously. Although this may interfere with and limit our ability to provide you with the services StudioPlus Software, LLC offers, we want you to be aware that these tools exist. StudioPlus Software does not warrant the effectiveness of these utilities, and does not represent that we will be able to process your requests or provide services to you should you use such a utility.

We reserve the right to gather personal information to allow us and certain third parties to communicate with you, to process your orders, to provide an enhanced and more personalized interactive shopping experience and to inform you, and your invited guests, of special offers and discounts. Some of these offers and discounts may be offered by on behalf of third parties, some of which may be independent and not under the control of StudioPlus Software.

## **Your Security**

If you place an order, our Web site encrypts your credit card number you submit prior to transmission over the Internet using secure socket layer (SSL) encryption technology. This technology works best when the site is viewed using Microsoft's Internet Explorer® or Apple Safari® or Mozilla Firefox®. However, no transmission of data over the Internet or any other public network can be guaranteed to be 100% secure. Although we make reasonable efforts to safeguard your personal information once we receive it, we cannot warrant the security of information you transmit to us.

If you prefer not to have us provide personal information about you to third parties (other than our Affiliates, subcontractors, or agents acting on our behalf in compliance with this Privacy Policy), please let us know by either:

### **1. Writing to us at:**

StudioPlus Software, LLC.  
600 South Main Street Suite 120  
Cambridge, MN 55008

## **2. Emailing us at: Info@StudioPlusSoftware.com**

**Note:** If you opt-out from receiving further promotional emails from us, we will not share your email address with any third parties, including our Affiliates and partners.

### **What are "cookies" and how does StudioPlus Software, LLC use them?**

A cookie is a piece of data stored on your hard drive, which contains information about you, such as the web pages you visit. These cookies allow the web site to remember important information that will make your use of the Service more enjoyable. StudioPlus Software, LLC cookies do not contain any personal information and are used for these reasons: (1) cookies allow us to keep track of the pictures you upload and download; (2) cookies allow us to remember you when you login to the places on our site which require Membership; (3) to remember your country and language preferences; (4) to help us understand the size of our audience, traffic, and bandwidth patterns; (5) to manage and present site information; (6) to deliver information specific to your interests; and (7) to manage site information and pictures displayed on your computer.

### **What do we do with the information we collect?**

We use information we collect to:

- communicate with you
- to forward on your orders so that your Photographer may process them.
- register you in programs
- create and maintain accounts
- answer your e-mail
- send information that you request
- send friends, families and colleagues information on your behalf
- to provide an enhanced and more personalized interactive shopping experience
- to inform you, and your invited guests, of offers and discounts from StudioPlus Software, LLC or other web sites and partners.

In addition, from time to time we make such information (except for credit card number and expiration date, unless you consent otherwise), including aggregated information, personally identifiable information with third party businesses and affiliates for the purpose of direct mail, email marketing and telemarketing. You may instruct us not to share personal information about you that you have provided to us with third parties by following the instructions provided below.

In the event of a merger, consolidation, or sale or transfer of all or substantially all of the assets or business of the Company by, with, or into another company (a "Successor"), it is likely that this information would be an asset that would be transferred to the Successor company. However, the use of this information by any Successor would still be governed by the terms of this Privacy Policy, as amended from time to time, including any amendment after such transaction, and you will continue to have the right to opt-out of sharing your information with third parties.

Note that we may disclose any information you provide to us (i) when we believe disclosure to be appropriate to comply with any law, regulation, or governmental or law enforcement request, or to comply with judicial process; (ii) if such disclosure is necessary or appropriate to operate this Web Site or to process any orders or registrations or to conduct any promotions, contests, or sweepstakes you participate in; (iii) to protect the rights or property of the Company, its Affiliates,, users, customers,

recipients, Members, Sponsors, Providers, Licensors, or Merchants (as such terms are defined in the Terms of Use).

Please further note that any personal information you reveal or post on one our public forums (as defined in the Terms of Use), such as a message board, chat room, discussion group, folder, survey, contest, sweepstakes, user review and rate forum, and all User Submissions, are not protected by this Privacy Policy and may be collected, shared and used by us or with third parties, including to contact you. Information you give out or post on our public forums you disclose at your own risk.

Portions of the Web Site (such as our Member registration and guest/event login screen) require registration and log-in processes in which you will need a user ID and password (collectively, the "Password"). Any Password provided to you will be the exclusive property and confidential information of the Company and may be used by you solely for your individual use of this Web Site. You are responsible for maintaining the confidentiality of any Password provided to you. Any activities that occur using your Password are your responsibility, whether or not authorized by you. You agree to immediately notify us of any unauthorized use of your Password or accounts.

### **Consent to Transfer**

StudioPlus Software, LLC is operated in the United States. If you are located in the European Union or elsewhere outside the United States, please be aware that any information you provide to us will be transferred to the United States. By using the Web Site or providing us with your information, you hereby consent to this transfer. In addition, if you provide data to us about other individuals (such as your message recipients), you agree that you have obtained consent from each such individual to the submission and processing of such information under the terms of this Privacy Policy, including without limitation the transfer of such data to the United States. Although we will collect and use your information only as stated in this Privacy Policy, laws generally applicable to the protection of personal data in the United States may not be as stringent as those in some users' home jurisdictions.

### **Links**

StudioPlus Software, LLC appries you that when you click on links and/or ad banners that take you to third-party web sites, you will be subject to the privacy policies and terms of use of those third party web sites, not ours. While we support the protection of privacy on the Internet, we cannot be responsible for the actions of third parties. We encourage you to read the posted privacy statement and user terms and conditions whenever interacting with, and prior to providing any personal information to, any other web site.

### **From the Company and its Affiliates**

If you prefer not to receive further product information and promotional mailings/emails from us based on information you provided to StudioPlus Software, LLC, please indicate this in your instructions to us and please include your mailing address. Any email from us for which the primary purpose is the advertising or promotion of a product or service will contain contact information/link and a reply email address to which you may reply to opt-out from receiving similar future emails. Please note that your instructions do not govern the use of personal information you may have provided to third party merchants, including your Photographer, whose products and services may be displayed or accessible on or through the Web Site. The use of information you have provided to these third party merchants is governed by their privacy polices and terms. Also, your instructions do not apply to "transactional or relationship" email messages which include, but are not limited to, registration, order status, confirmation or reply emails. (These email messages may also contain promotional items and offers however, that is not their primary purpose.)

Your instructions will only apply to the StudioPlus Software, LLC Web Site, not to any third party or their web sites. Please refer to the policies and opt-out provisions of those other web sites.

Your instructions to limit the use of your information will be processed as soon as reasonably practicable and in accordance with applicable law.

### **Your Consent and Changes to this Policy**

Subject to the above provisions, by using our Web Site, you consent to the collection and use of information by us and the terms of this Privacy Policy. We may change our Privacy Policy from time to time and we will post those changes so that you are always aware of what information we collect, how we use it, and under what circumstances we may disclose it. In addition, if you would like prior notice of changes to the Privacy Policy or Terms of Use, email us at [Info@StudioPlusSoftware.com](mailto:Info@StudioPlusSoftware.com) from the email address to which you would like notice sent. By using MyStudioPlus.com after such changes and posting, you agree to be legally bound and to abide by the changes and other provisions contained in the Privacy Policy and Terms of Use of which this policy is a part.

### **Your Comments**

StudioPlus Software, LLC welcomes feedback concerning this Privacy Policy. Please send your comments and questions to [Info@StudioPlusSoftware.com](mailto:Info@StudioPlusSoftware.com).

Last Revised: July 28, 2009