

PRIVACY POLICY

Effective Date: November 2, 2016

Introduction

Welcome! You have arrived at a web site that is provided by TorturedSoles, LLC (“TSL” or “we,” “our” or “us”). This “Privacy Policy” governs your use of www.tortured-soles.com (including, without limitation, both mobile and online versions of our sites and our ecommerce store), and also applies to your use of all features, applications, content, downloads and other services that we make available through these sites and/or that post a link to this Privacy Policy (collectively, referred to herein as the “Site”), regardless of how you access or use the Site, whether via personal computers, mobile devices or otherwise. This Privacy Policy does not apply to our data collection activities offline or otherwise outside of our Site (unless otherwise stated below).

To the extent we provide you notice on our Site of different or additional privacy policies or practices (e.g., at the point of our collection), those additional terms shall govern such data collection and use.

In addition, please review the Site’s [Terms and Conditions](#), which governs your use of the Site. *By using our Site, you consent to our Privacy Policy and Terms and Conditions and our collection, use and sharing of your information and data, and other activities, as described below.*

Linkable Table of Contents

It is important that you read and understand the entire Privacy Policy before using the Site. However, this table of contents highlights key issues and points and you can Click on the headings and the “More” links to be taken to the full explanation.

1. [What Information Does the Site Collect?](#)

(a) [Information You Provide to Us](#)

You may provide us with Personal Information and Demographic Information, such as when purchase a product from us on the Site or contact us through the Site. [More](#)

(b) [Information We Collect and Store As You Access and Use the Site](#)

Certain information may be collected from you automatically when you access and use the Site. For example, we and third parties may use Tracking Technologies to collect Usage Information based on your Device Identifier for a variety of purposes, including tracking, targeting, and advertising, which may include activities across time and third party locations. [More](#)

(c) [Information Third Parties Provide About You](#)

We may obtain information about you from third parties. [More](#)

(d) [Interactions with Third-Party Services](#)

If you interact with third-party services, those services may send us information about you and you or we may send them information about you. [More](#)

(e) [Information You Provide About a Third Party](#)

You may provide us information about others, such as when you send a friend a message. [More](#)

(f) **[California/Delaware Do Not Track Disclosures](#)**

We do not look for or respond to do not track signals, but you may have certain other options regarding tracking and/or targeting. **[More](#)**

2. **[How Do We Use the Information Collected?](#)**

We use your Personal Information, Demographic Information and Usage Information for a variety of purposes detailed in this section. **[More](#)**

3. **[How and When Do We Disclose Information to Third Parties?](#)**

We may provide your information to third parties under various circumstances detailed in this Section. These may include:

(a) **[When You Request Information From or Provide Information to Third Parties](#)**

If you request information from third parties, request that we send information to third parties or interact with third party services, content, ads or tools (including Facebook and other third party share functionality), we may share your information with such parties and/or they may collect your information directly. This may also include ordering or purchasing products from third parties through us where we indicate that the third party rather than us is the seller. **[More](#)**

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Our vendors may collect your information or we may share it with them. **[More](#)**

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We may share your information with our affiliates or in the event of a sale, merger or similar transaction. **[More](#)**

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Promotions entrants may be required to consent to certain information sharing. **[More](#)**

4. **[Do Third-Party Content, Links to Third-Party Sites and/or Third-Party Apps Appear on the Site?](#)**

We may allow you to access third-party content on the Site, or to link to third-party applications and locations from the Site, but we are not responsible for your interaction with third-party content, apps, and locations. **[More](#)**

5. **[How Do I Change My Information and Communications Preferences?](#)**

You may change your information and preferences. **[More](#)**

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Data may be transferred to the United States. **[More](#)**

7. [What Should Parents Know About Children?](#)

We do not intend to collect Personal Information from children. If you think we have, let us know. [More](#)

8. [What About Security?](#)

No data security is absolute, but we take reasonable steps to secure data appropriately. [More](#)

9. [What About Changes to the Privacy Policy?](#)

We may change this Privacy Policy. [More](#)

The Full Detailed Privacy Policy

1. What Information Does the Site Collect?

(a) Information You Provide to Us

Personal Information and Demographic Information. On the Site, we or our service providers may ask you to provide certain categories of information such as: (1) personally identifiable information, which is information that identifies you personally, such as your first and last name, credit card number, email address, home address and phone number (“**Personal Information**”); and (2) demographic information, such as information about your gender (“**Demographic Information**”). We may collect this information through various forms and in various places on the Site, including if you purchase a product through our ecommerce store, through “contact us” forms, or when you otherwise interact with the Site. If we combine Demographic Information with the Personal Information we collect directly from you on the Site, we will treat the combined data as Personal Information under this Privacy Policy.

(b) Information We Collect and Store as You Access and Use the Site

In addition to any Personal Information or other information that you choose to submit to us via our Site, we and our third-party service providers may use a variety of technologies that automatically (or passively) collect and store certain information whenever you visit or interact with the Site (“**Usage Information**”). This Usage Information may be stored or accessed using a variety of technologies that may be downloaded to your personal computer, browser, laptop, tablet, mobile phone or other device (a “**Device**”) whenever you visit or interact with our Site. Usage Information may be non-identifying or may be associated with you. Whenever we associate Usage Information with your Personal Information, we will treat it as Personal Information. This Usage Information may include:

- your IP address, UDID or other unique identifier (“**Device Identifier**”). A Device Identifier is a number that is automatically assigned to your Device used to access the Site, and our computers identify your Device by its Device Identifier;
- your Device functionality (including browser, operating system, hardware, mobile network information);
- the URL that referred you to our Site;
- the areas within our Site that you visit and your activities there, including remembering you and your preferences;
- your Device location;

- your Device characteristics; and
- certain other Device data, including the time of day, among other information.

We may use various methods and technologies to collect and store Usage Information (“**Tracking Technologies**”). Tracking Technologies may set, change, alter or modify settings or configurations on your Device. A few of the Tracking Technologies include, without limitation, the following (and subsequent technology and methods later developed):

Cookies. A cookie is a data file placed on a Device when it is used to visit the Site. A Flash cookie (or locally shared object) is a data file placed on a Device via the Adobe Flash plug-in that may be built-in to or downloaded by you to your Device. HTML5 cookies can be programmed through HTML5 local storage. Unlike Flash cookies, HTML5 cookies do not require a plug-in. Regular cookies may generally be disabled or removed by tools that are available as part of most commercial browsers, and in some but not all instances can be blocked in the future by selecting certain settings. Each browser you use will need to be set separately and different browsers offer different functionality and options in this regard. Also, these tools may not be effective with regard to Flash cookies or HTML5 cookies. For information on disabling Flash cookies, go to Adobe’s web site www.adobe.com. Please be aware that if you disable or remove cookies, Flash cookies, or HTML5 cookies on your Device, some parts of our Site may not function properly, and that when you revisit our Site your ability to limit cookies is subject to your browser settings and limitations.

Web Beacons. Small graphic images or other web programming code called web beacons (also known as “1x1 GIFs” or “clear GIFs”) may be included in our Site’s pages and messages. Web beacons may be invisible to you, but any electronic image or other web programming code inserted into a page or e-mail can act as a web beacon. Web beacons or similar technologies may be used for a number of purposes, including, without limitation, to count visitors to the Site, to monitor how users navigate the Site, to count how many e-mails that were sent were actually opened or to count how many particular articles or links were actually viewed.

Embedded Scripts. An embedded script is programming code that is designed to collect information about your interactions with the Site, such as the links you click on. The code is temporarily downloaded onto your Device from our web server or a third party service provider, is active only while you are connected to the Site, and is deactivated or deleted thereafter.

Browser Fingerprinting. Collection and analysis of information from your Device, such as, without limitation, your operating system, plug-ins, system fonts and other data, for purposes of identification.

ETag, or entity tag. A feature of the cache in browsers. It is an opaque identifier assigned by a web server to a specific version of a resource found at a URL. If the resource content at that URL ever changes, a new and different ETag is assigned. Used in this manner ETags are a form of Device Identifier. ETag tracking may generate unique tracking values even where the consumer blocks HTTP, Flash and/or HTML5 cookies.

Recognition Technologies. Technologies, including application of statistical probability to data sets, which attempt to recognize or make assumptions about users and devices (*e.g.*, that a user of multiple devices is the same user).

We may use Tracking Technologies for a variety of purposes, including:

Strictly Necessary. We may use cookies or other Tracking Technologies that we consider are strictly necessary to allow you to use and access our Site, including cookies required to prevent fraudulent activity, improve security or allow you to make use of shopping-cart functionality.

Performance-Related. We may use cookies or other Tracking Technologies that are useful in order to assess the performance of the Site, including as part of our analytic practices or otherwise to improve the content, products or services offered through the Site.

Functionality-Related. We may use cookies or other Tracking Technologies that are required to offer you enhanced functionality when accessing the Site, including identifying you when you visit our Site or keeping track of our specified preferences, including in terms of the presentation of content on our Site.

Targeting-Related. We may use Tracking Technologies to deliver content relevant to your interests on our Site and third-party sites based on how you interact with our content. This includes using Tracking Technologies to understand the usefulness to you of the content that have been delivered to you.

There may be other Tracking Technologies now and later devised and used by us in connection with the Site. Further, third parties may use Tracking Technologies in connection with our Site, which may include the collection of information about your online activities over time and across third-party web sites or online services. We may not control those Tracking Technologies and we are not responsible for them. However, you consent to potentially encountering third-party Tracking Technologies in connection with use of our Site and accept that our statements under this Privacy Policy do not apply to the Tracking Technologies or practices of such third parties.

(c) Information Third Parties Provide About You

We may receive information about you from your friends and others that use the Site, such as when they submit your information to us if they send you a gift from the Site. Additionally, we may, from time to time, supplement the information we collect directly from you on our Site with outside records from third parties for various purposes, including to enhance our ability to serve you, to tailor our content to you and to offer you opportunities that may be of interest to you. To the extent we combine information we receive from those sources with your Personal Information we collect on the Site, it will be treated as Personal Information and we will apply this Privacy Policy to such combined information, unless we have disclosed otherwise. In no other circumstances do our statements under this Privacy Policy apply to information we receive about you from third parties.

(d) Interactions with Third Party Services

The Site may include functionality that allows certain kinds of interactions between the Site and your account on a third-party web site, application or other service. The use of this functionality may involve the third-party operator providing certain information, including Personal Information, to us. For example, we may provide third-party sites' interfaces or links on the Site to facilitate your sending a communication from the Site. For example, we may use third parties to facilitate emails, Tweets or Facebook postings. These third parties may retain any information used or provided in any such communications or other activities and these third parties' practices are not subject to our Privacy Policy. TSL may not control or have access to your communications through these third parties. Further, when you use third-party sites or services, you are using their services and not our services and they, not we, are responsible for their practices. You should review the applicable third-party privacy policies before using such third-party tools on our Site.

(e) Information You Provide About a Third Party

You may send someone else a communication from the Site, such as sending an invitation to a friend. If so, the information you provide (names, email addresses, mobile number, etc.) is used to facilitate the communication and is not used by us for any other marketing purpose unless we

obtain consent from that person or we explicitly say otherwise. Please be aware that when you use any send-to-a-friend functionality on our Site, your email address, mobile number, name or user name and message may be included in the communication sent to your addressee(s).

(f) California/Delaware Do Not Track Disclosures

Various third parties are developing or have developed signals or other mechanisms for the expression of consumer choice regarding the collection of information about an individual consumer's online activities over time and across third-party web sites or online services (*e.g.*, browser do not track signals). Currently, we do not monitor or take any action with respect to these signals or other mechanisms.

2. How Do We Use the Information Collected?

We may use your Personal Information, Demographic Information or Usage Information for various purposes, including:

- to place an order made through the Site;
- to process transactions or provide you with information such as to send you electronic newsletters or to provide you with special offers or promotional and marketing materials on behalf of us or third parties, including to let you know about new products, services or upcoming events;
- to enable you to participate in a variety of the Site's features such as to enable you to participate in online surveys, entry sweepstakes, contests or other promotions;
- to improve the Site, marketing endeavors or our Site offerings;
- to customize your experience on the Site or to serve you specific content or ads that are relevant to you;
- to provide customer support;
- to contact you with regard to your use of the Site and, in our discretion, changes to the Site and/or Site's policies;
- to notify you of product recalls or providing other information concerning products you have purchased;
- to identify your product and Site preferences so that you can be informed of new or additional products, services and promotions;
- to improve merchandise selections and the overall shopping experience at the Site;
- for internal business purposes; and
- for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Policy.

3. How and When Do We Disclose Information to Third Parties?

We may share non-Personal Information, such as aggregated user statistics, with third parties. Further, we may share your Device Identifiers with third parties along with data related to you and your activities. We do not share your Personal Information that we have collected directly from you on our Site with third parties for those third parties' direct marketing purposes unless you have consented (either through an opt-in or opt-out opportunity) at the time you provide your Personal Information. In addition, we may share the information we have collected about you, including Personal Information, as disclosed at the time you provide your information and as described below or otherwise in this Privacy Policy. TSL may disclose your information as follows:

(a) When You Request Information From or Provide Information to Third Parties

You may be presented with an option on our Site to receive certain information and/or marketing offers directly from third parties or to have us send certain information to third parties or give them access to it. If you choose to do so, your Personal Information and other information may be disclosed to such third parties and all information you disclose will be subject to the third-party privacy policies and practices of such third parties. In addition, third parties may store, collect or otherwise have access to your information when you interact with their Tracking Technologies, content, tools apps or ads on our Site or link to them from our Site. This may include using third party tools such as Facebook, Twitter, Pinterest or other third-party posting or content sharing tools and by so interacting you consent to such third party practices. It may also include ordering or purchasing products from third parties through us where we indicate that the third party rather than us is the seller. We are not responsible for the privacy policies and practices of such third parties and, therefore, you should review such third party privacy policies and practices of such third parties prior to requesting information from or otherwise interacting with them.

(b) Third Parties Providing Services on our Behalf

We may use third-party vendors to perform certain services on behalf of us or the Site, such as: (a) to assist us in Site operations such as e-commerce operations such as shipping of products and services and fulfillment of orders; (b) to manage a database of customer information; (c) hosting the Site; (d) designing and/or operating the Site's features such as our live chat functionality on the Site; (e) tracking the Site's activities and analytics; (f) enabling us to send you special offers or perform other administrative services; and (g) other services designed to assist us in maximizing our business potential. We may provide these vendors with access to user information, including Device Identifiers and Personal Information, to carry out the services they are performing for you or for us. Third-party analytics and other service providers may set and access their own Tracking Technologies on your Device and they may otherwise collect or have access to information about you, potentially including Personal Information, about you. We are not responsible for those third party technologies or activities arising out of them. However, some may offer you certain choices regarding their practices, and information we have been informed of regarding such choices is available [here](#). We are not responsible for the effectiveness of or compliance with any third parties' opt-out options.

(c) Administrative and Legal Reasons

We may access, use, preserve, transfer and disclose your information (including Device Identifiers and Personal Information) to third parties: (i) to satisfy any applicable law, regulation, subpoenas, governmental requests or legal process if in our good faith opinion such is required or permitted by law; (ii) to protect and/or defend the Site's [Terms and Conditions](#) or other policies applicable to the Site, including investigation of potential violations thereof; (iii) to protect the safety, rights, property or security of the Site or any third party; and/or (iv) to detect, prevent or otherwise address fraud, security or technical issues. Further, we may use IP address or other Device Identifiers, to identify users, and may do so in cooperation with third parties such as copyright owners, internet service providers, wireless service providers and/or law enforcement agencies, including disclosing such information to third parties, all in our discretion, subject to applicable law. Such disclosures may be carried out without notice to you.

(d) Affiliates and Business Transfer

We may share your information, including your Device Identifiers and Personal Information, Demographic Information and Usage Information with our parent, subsidiaries and affiliates. We also reserve the right to disclose and transfer all such information: (i) to a subsequent owner, co-owner or operator of the Site or applicable database; or (ii) in connection with a merger,

consolidation, restructuring, the sale of substantially all of our interests and/or assets or other corporate change, including, during the course of any due diligence process.

(e) Sweepstakes, Contests and Promotions

We may offer sweepstakes, contests, and other promotions (any, a “**Promotion**”) through the Site that may require registration. By participating in a Promotion, you are agreeing to official rules that govern that Promotion, which may contain specific requirements of you, including, allowing the sponsor of the Promotion to use your name, voice and/or likeness in advertising or marketing associated with the Promotion. If you choose to enter a Promotion, Personal Information may be disclosed to third parties or the public in connection with the administration of such Promotion, including, in connection with winner selection, prize fulfillment, and as required by law or permitted by the Promotion’s official rules, such as on a winners list.

4. Do Third-Party Content, Links to Third-Party Sites and/or Third-Party Apps Appear on the Site?

The Site may contain content, links or apps that are supplied by a third party, and those third parties may collect Usage Information and your Device Identifier when pages from the Site are served to you for their own commercial purposes. In addition, when you are on the Site you may be directed to other sites and apps that are operated and controlled by third parties that we do not control. We are not responsible for the data collection and privacy practices employed by any of these third parties or their sites or apps and they may be tracking you across multiple online services and may be sharing the results of that tracking with us and/or others. These third parties may have their own terms of service, privacy policies or other policies and ask you to agree to the same. For example, if you “click” on a link, the “click” may take you off the Site onto a different location. These other online services may associate their Tracking Technologies with you, independently collect information about you, including Personal Information, and may or may not have their own published privacy policies. We are not responsible for these third-party privacy policies or the practices of third-parties. Be sure to review any available policies before submitting any personally identifiable information to a third-party application or otherwise interacting with it and exercise caution in connection with these applications. We also encourage you to note when you leave our Site and to review the third-party privacy policies of all third-party locations and exercise caution in connection with them.

5. How Do I Change My Information and Communications Preferences?

You are responsible for maintaining the accuracy of the information you submit to us, such as your contact information provided as part of purchase. The Site may allow you to review, correct or update Personal Information you have provided through the Site’s forms and you may provide updates and changes by contacting us [here](#). If so, we will make good faith efforts to make requested changes in our then active databases as soon as reasonably practicable (but we may retain prior information as business records). Please note that it is not always possible to completely remove or delete all of your information from our databases and that residual data may remain on backup media or for other reasons. Also, if you have made any public postings on the Site such as in forums or blogs, these communications cannot generally be removed. When you edit your Personal Information or change your preferences on the Site, information that you remove may persist internally for our administrative purposes. You may cancel or modify our email marketing communications you receive from us by following the instructions contained within our promotional emails or in some cases by logging into your Site account and changing your communication preferences. This will not affect subsequent subscriptions and if your opt-out is limited to certain types of emails the opt-out will be so limited. Subsequent or different subscriptions will be unaffected. Please note that we reserve the right to send you certain communications relating to your account or use of our Site, such as administrative and Site announcements and these transactional account messages may be unaffected if you choose to opt-out from receiving our marketing communications. If you have any questions about the Privacy Policy or practices described in it, you should contact us by email [here](#).

6. What About Transfer of Information to the United States?

Our Site is operated in the United States and intended for users located in the United States. If you are located outside of the United States, please be aware that information we collect, including Personal Information, will be transferred to, and processed, stored and used in the United States. The data protection laws in the United States may differ from those of the country in which you are located, and your Personal Information may be subject to access requests from governments, courts, or law enforcement in the United States according to laws of the United States. By using the Site or providing us with any information, you consent to the transfer to, and processing, usage, sharing and storage of your information, including Personal Information, in the United States as set forth in this Privacy Policy.

7. What Should Parents Know About Children?

The Site is a general audience web site and we do not knowingly collect any personal information from children younger than the age of thirteen (13) as required by U.S. law. We will delete any personal information collected that we later determine to be from a user younger than the age of thirteen (13). If you are a parent or guardian of a child under the age of thirteen (13) and believe he or she has disclosed personal information to us, please contact us [here](#).

8. What About Security?

We endeavor to incorporate commercially reasonable safeguards to help protect and secure your Personal Information. However, no data transmission over the Internet, mobile networks, wireless transmission or electronic storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure the security of any information you transmit to us, and you use our Site and provide us with your information at your own risk.

9. What About Changes to the Privacy Policy?

We reserve the right to change this Privacy Policy at any time without notice to you. Any changes will be effective immediately upon the posting of the revised Privacy Policy and your use of our Site indicates your consent to the privacy policy posted at the time of use. However, we will not use your previously collected Personal Information in a manner materially different than indicated at the time it was collected without your consent. To the extent any provision of this Privacy Policy is found by a competent tribunal to be invalid or unenforceable, such provision shall be severed to the extent necessary for the remainder to be valid and enforceable.

The following third parties that collect information from you on the Site have given us notice that you may obtain information on their policies and practices, and in some instances, opt-out of certain of their activities, as follows:

Party	Service	For More Information	Use of Tracking Technologies	Privacy Choices
Google Analytics	Analytics	https://policies.google.com/privacy?hl=en	Yes	https://tools.google.com/dlpage/gaoptout/

PLEASE NOTE: We are not responsible for third-party policies or practices. We try to keep this information current, and will add to and subtract from the chart above as appropriate, but it is provided as a courtesy and may not be current or accurate. Please contact the applicable third parties regarding their privacy and data security policies and practices.