

# Younique Privacy and Cookie Policy

## Introduction

Younique, LLC, a company organized under the laws of the State of Utah with a registered office address of 3400 Mayflower Avenue, Lehi, Utah 84043, United States, and Younique Products B.V., a company organized under the laws of the Netherlands with a registered office address of Prins Bernhardplein 200, 1097JB Amsterdam, the Netherlands, and an indirect subsidiary of Younique, LLC (collectively referred to herein as “Younique,” “we,” “us,” and “our”), understand the importance of privacy of individuals (referred to herein as “users” and “you”). This Privacy and Cookie Policy applies to information collection and use, including while you are visiting and using our website (located at <https://www.youniqueproducts.com>) (the “Site”), our mobile applications (the “Apps”), or our other services that reference this Privacy and Cookie Policy (the “Services”). Please note that, for the purposes of EU data protection laws, both Younique, LLC and Younique Products B.V. shall be “data controllers” (that is, the companies responsible for, and which control the processing of, your personal information collected in accordance with this Privacy and Cookie Policy).

## Information Collection

Younique may collect two different types of information: Personally Identifiable Information (“PII”) and Non-Personally Identifiable Information (“Non-PII”).

PII is information that identifies you as an individual or from which you are identifiable. This may include:

- information (such as your name, address, telephone number, email address, social media account information, including without limitation Facebook, Google+, and Instagram, birth date, taxpayer identification number and/or social security number, credit card information, billing address, IP address, images, purchase history, and shipping information) that you provide (i) by completing forms on the Site, the Apps, or our Facebook page (<https://www.facebook.com/YouniqueProducts>), including any information you provide during the registration process to become a Younique Presenter or customer, or any information you provide to purchase products, or (ii) in connection with any Services, including if you register, upload, or submit any material via the Site or the Apps or enter into any competition or promotion we may sponsor;
- in connection with an account sign-in facility, your log-in and password details;
- the content of any communications you send to us, for example, to report a problem or to submit questions, concerns, or comments regarding the Site, the Apps, the Services, our products, or any related content, as well as your preferred method of communication; and
- information from surveys that we may, from time to time, run on the Site, the Apps, or in connection with the Services, for research purposes, if you choose to respond to or participate in such surveys.

If you are a Younique Presenter, we may also collect your commission and bonus information. PII may also be collected from, among other places, information you provide directly to us, information regarding products or services that Younique currently provides or has previously provided to you, or information Younique receives from our affiliated entities, other Younique Presenters, or third parties relating to the establishment of our relationship or the provision of services to you. This information can be received in any manner, including via in-person discussions, telephone conversations, and

electronic or other written communications, such as email, Facebook instant messaging, Twitter, or text messages.

If you are a customer or the host of an in-person or online Yunique party, your PII may be provided to us by the Yunique Presenter who took your order or who attended a Yunique party that you hosted or attended.

The provision of PII by you is necessary in order for us to fulfil our legal and contractual obligations with you and for the purposes identified below where in our legitimate interests. You are under no obligation to provide any such information. However, if you should choose to withhold requested information, we may not be able to provide you with certain services.

Unless we specifically request or invite it, we ask that you not send or otherwise disclose to us any information that is considered a “special category of personal data” under EU data protection laws (such as information related to your health). Where we specifically request such information, we will seek your prior explicit consent to do so. You are under no obligation to provide any such information and do so on a strictly voluntary basis to help Yunique resolve any questions or complaints you have about our products. Yunique will not use such information for any other purpose and will only retain it as long as necessary to resolve your question or complaint.

Non-PII is aggregate information. This may include demographic information, user behavior data from web interaction metrics tools, and any other information that does not reveal your identity. Non-PII may be connected to other information we collect from you.

## **Information Use**

Yunique may use PII about you for the following purposes: (i) to establish or maintain our relationship with you; (ii) to contact you and respond to your requests and inquiries; (iii) to provide you with services you have requested; (iv) to keep you informed of products and services we think may be of interest to you; (v) to personalize your experience with us; (vi) to assist you while you use the Site, the Apps, or the Services; (vii) for business administration, including statistical analysis; (viii) to improve the Site, the Apps, or the Services by helping us to understand who uses the Site, the Apps, and/or the Services and how they are used; (ix) for fraud prevention and detection; and (x) to comply with applicable laws, regulations, and codes of practice.

## **Disclosure of Information**

Yunique may share PII about you with others, such as our affiliates, other Yunique Presenters, government entities and regulatory bodies, those with whom you have requested us to share information, third parties in order for them to provide us with services (including, for example, companies that provide us with technical support and assistance with respect to the Site, the Apps, or the Services, financial institutions who process payment for orders placed by you, our suppliers and other third parties who facilitate delivery of the products and services you have ordered, and third parties who assist us with research to help us improve the Site, the Apps, the Services, and our product offerings).

If you inquire about our products, services, or the Yunique business opportunity, we may provide your contact details to a Yunique Presenter in your local area to respond to your inquiry. Additionally, if you purchase Yunique products or set up a customer account with us, we may share your name, location, contact details, and purchase history with Yunique Presenters to help them establish and maintain a relationship with you. If you are a Yunique Presenter, your name, location, contact details, and performance may be shared with other Yunique Presenters. Additionally, PII about you may be shared with customers.

Younique requires third parties who perform services for us to agree to treat PII about you confidentially and securely and only for the purpose of performing services on our behalf. NOTE THAT THIS STATEMENT DOES NOT ADDRESS THE PRIVACY PRACTICES OR POLICIES OF OUR INDEPENDENT YOUNIQUE PRESENTERS. However, Younique Presenters agree, as specified in our Younique Independent Presenter Agreement, to comply with all applicable privacy laws and regulations.

Notwithstanding any other provision of this Privacy and Cookie Policy to the contrary, we reserve the right to disclose and use your PII if we believe that we are required or permitted to do so: (a) to our professional advisors, including lawyers, accountants, tax advisors, and auditors; (b) to debt collection agencies and other parties that assist with debt-recovery functions; (c) by law; (d) in response to legal process (for example, in response to a court order or a subpoena); (e) in response to a law enforcement agency's request; (f) to enforce our other terms, conditions, or policies; (g) to protect our operations; (h) to protect the rights, privacy, safety, or property of Younique, you, or others; and/or (i) to permit us to pursue available remedies or limit the damages we may sustain. For example, we may, to the fullest extent the law allows, disclose PII about you to law enforcement agencies to assist them in identifying individuals who have been or may be engaged in unlawful activities. We may also transfer your PII to a third party that acquires all or part of our assets or shares, or that succeeds us in carrying on all or part of our business, whether by merger, acquisition, reorganization, or otherwise.

Because Non-PII does not personally identify you, we reserve the right to use Non-PII, and to disclose Non-PII to third parties, for any purpose.

### **International Transfers of PII: Privacy Shield**

Unless restricted by law, regulation, contract, or professional standards, Younique may transfer PII about you outside of the United Kingdom to other countries for the purposes described in this Privacy and Cookie Policy.

If you are located in the European Economic Area ("EEA") or Switzerland, we may transfer your PII to countries outside of the EEA and Switzerland that may not provide a similar or adequate level of protection to that provided by the EEA and/or Switzerland (including the United States). To provide adequate protection for PII received in the United States from the EEA and/or Switzerland, Younique has self-certified its compliance with the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks (collectively, the "Privacy Shield Frameworks"), as set forth by the U.S. Department of Commerce and adheres to the Privacy Shield Principles regarding the collection, use, and retention of PII transferred from the EEA and Switzerland to Younique in the United States. If there is any conflict between the terms of this Privacy and Cookie Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield Frameworks, and to view our certification, please visit <https://www.privacyshield.gov/>.

Younique shall remain liable under the Privacy Shield Frameworks if a third party agent uses or discloses PII received from Younique in a manner inconsistent with the Privacy Shield Principles, unless Younique proves that it is not responsible for the event giving rise to the damage. If Younique has knowledge that a third party is using or disclosing PII in a manner contrary to this Privacy and Cookie Policy, we will take reasonable steps to stop such use or disclosure.

Under the Privacy Shield Frameworks, Younique will offer an individual the opportunity to choose (opt-out) whether PII about them will be disclosed to a third party or used for a purpose incompatible with the purpose for which it was originally collected or subsequently authorized by them, unless such choice is not required by law.

With respect to PII received under the Privacy Shield Frameworks, Younique is subject to the investigatory and enforcement authority of the U.S. Federal Trade Commission. Under certain circumstances, we may be required to disclose PII in response to lawful requests by public authorities,

including to meet national security or law enforcement requirements.

Where a complaint relates to PII transferred or received pursuant to the Privacy Shield Frameworks, you should first contact Younique using the contact information provided below. We will investigate and attempt to resolve any questions or complaints you may have within 45 days of receipt. If Younique is unable to resolve your complaint through its internal processes or you are unsatisfied with the response, you may file a complaint with JAMS at <https://www.jamsadr.com/file-an-eu-us-privacy-shield-or-safe-harbor-claim>, at no cost to you.

Under certain circumstances, EEA and Swiss individuals may invoke binding arbitration to resolve a Privacy Shield related dispute. In order to invoke arbitration, you must take the following steps prior to initiating an arbitration claim: (1) raise your complaint directly with Younique and provide us the opportunity to resolve the issue; (2) make use of the independent dispute resolution mechanism, in this case JAMS; and (3) raise the issue through your relevant data protection authority and allow the U.S. Department of Commerce an opportunity to resolve the complaint at no cost to you. For more information on binding arbitration, see the U.S. Department of Commerce's Privacy Shield Framework: [Annex I \(Binding Arbitration\)](#).

## **Your rights**

Individuals in the EEA and Switzerland have certain data subject rights which may be subject to limitations and/or restrictions. These rights include the right to: (i) request access to and rectification or erasure of their PII; (ii) obtain restriction of processing or to object to processing of their PII; and (iii) ask for a copy of their PII to be provided to them, or a third party, in a digital format. If you wish to exercise one of the above-mentioned rights, please send us your request to the contact details set out below. Individuals also have the right to lodge a complaint about the processing of their PII with their local data protection authority.

## **Information Security**

Younique maintains reasonable physical, administrative, and technical safeguards to protect PII from loss, misuse, or unauthorized access, disclosure, alteration, or destruction. As effective as modern security practices are, no physical or electronic security system is entirely secure. We cannot guarantee the complete security of our database, nor can we guarantee that information you supply will not be intercepted while being transmitted to us over the Internet. We will continue to revise policies and implement additional security features as new technologies become available. Our personnel and the personnel of our affiliates are provided access to PII about you only if they have a need to know the information in connection with a legitimate business purpose, such as (a) the provision of services to you or (b) to help identify other services that Younique and its affiliates offer that may be of interest or use to you.

Your online Younique account can be accessed by anyone who knows your log-in details. You should keep your log-in details, and any other information you use to remember these details, private and secure. Younique accepts no responsibility for information that is disclosed to or obtained by others who know your log-in details.

## **Retention Period**

We retain your PII for as long as you remain a customer or a Younique Presenter and thereafter only for the period necessary to fulfil the purposes outlined in this Privacy and Cookie Policy, unless a longer retention period is required or allowed by law or to otherwise fulfil a legal obligation.

## **Cookies**

A cookie is a small file placed on your computer by a website that uses the cookie to store information about your use of our Site. Younique may use cookies to recognise you when you return to our Site in order to provide you with a better user experience. Our cookies will collect technical details about your visit to our Site, such as traffic data, location data, your IP address, the type of browser you use, browser plug-in types and versions, the websites or other resources that you access on the Site, page interaction information, and the length of visits to certain pages. Accordingly, our Privacy and Cookie Policy will apply to our treatment of the information we obtain via our cookies.

### Types of Cookies Used on the Site

We may place our cookies on your device via the Site.

Our use of cookies ensures both the basic functioning of our Site and our Google Analytics statistics to help us improve engagement with our users.

You can find more information about the individual cookies we use and the purposes for which we use them in the table below

Cookie Type	Name	Purpose	Expiry/Opt-Out
Session Cookies	youniqueSesssion	Login Status – These cookies track your login status on our Site. Local – These cookies are used to track the locale and language used by our Site for your session. Shopping cart – These cookies are used to record your activity on our site, including items left in your shopping cart.	You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of the Younique Site. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to our site.

### Third-Party Cookies

You should also be aware that there are cookies which are found in other companies' internet tools which we are using to enhance the Site.

Provider	Name	Purpose	Expiry/Opt-Out
Google Analytics	_ga _gat	Site Analytics – These cookies collect standard internet log information and visitor behaviour information in an anonymous form. The information collected by these cookies is transmitted to Google who then use it to evaluate visitors' use of the Site and to	These cookies remain on your device even after you have logged out of the session. To opt out of being tracked by Google Analytics across all websites visit <a href="http://tools.google.com/dlpa/ge/gaoptout">http://tools.google.com/dlpa/ge/gaoptout</a> .

		compile statistical reports on Site activity.	
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### How to Manage and Disable Cookies

Users can set their browsers to accept or reject all, or certain, cookies. All recent versions of popular browsers give users a level of control over cookies. However, editing of our cookies preferences could prevent certain elements of our Site from functioning correctly. For more information on how to control cookies with your browser, please visit <http://www.aboutcookies.org/default.aspx?page=1>. You may also opt out of a third-party vendor's use of cookies by visiting the Network Advertising Initiative opt-out page.

We also allow our affiliates and third-party vendors to use cookies on our Site; some of these parties may use cookies in ways that we do not. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of our Site. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to our site.

### **Google® / Facebook® Privacy and Cookie Policy Update**

Technologies like cookies, pixel tags, device or other identifiers, and local storage are used to deliver, secure, and understand products, services, and ads, on and off of Facebook and other similar service providers. They also are used to gather information for remarketing to similar audiences on our Site. Because of this, third-party vendors, including Google, show our ads on sites across the Internet. This technology allows third-party vendors, including Google, to use cookies to serve ads based on someone's past visits to our Site. You may opt out of Google's use of cookies by visiting Google's "Ads Settings." You may also opt out of a third-party vendor's use of cookies by visiting the "Network Advertising Initiative" opt-out page online.

### **External Links**

The Site, the Apps, and the Services may, from time to time, contain links to external sites operated by third parties. We are not responsible for these third-party sites or the content of such third-party sites. Once you have left the Site, the Apps, or the Services, we cannot be responsible for the protection and privacy of any information which you provide. You should exercise caution and look at the privacy statement for any websites you visit.

### **Marketing**

We may contact you periodically by e-mail, social media, or text to provide information regarding events, products, services, and content that may be of interest to you, unless you advise us that you do not wish to receive marketing or market research communications from us. If applicable law requires that we receive your explicit consent before we send you certain types of marketing communications, we will only send you those types of communications after receiving your explicit consent.

If you wish to stop receiving marketing or market research communications from us, or would like us to stop processing your PII in any other way, you can contact us as described below to let us know what types of communications you wish to stop receiving.

### **Children Under the Age of 16**

The Site, the Apps, and the Services are not intended for children under 16 years of age, and we do not knowingly collect PII from children under 16. If you are under 16, do not use or provide any information

on the Site, the Apps, or the Services, or on or through any of their features, do not make any purchases through the Site, the Apps, or the Services, and do not use any of the interactive or public comment features of the Site, the Apps, or the Services. If we learn we have collected or received PII from a child under 16 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 16, please contact us as described below.

### **Your California Privacy Rights**

California Civil Code Section 1798.83 permits users of the Site who are California residents to request certain information regarding our disclosure of PII to third parties for direct marketing purposes. To make such a request, please contact us as described below.

### **Changes to This Privacy and Cookie Policy**

Younique reserves the right to change this Privacy and Cookie Policy. Any changes to this Privacy and Cookie Policy will become effective upon posting of the revised Privacy and Cookie Policy on the Site or as required by law. If we make material changes to this Privacy and Cookie Policy, we will notify you by means of a prominent notice on the Site prior to the change becoming effective.

### **Contact Us**

If you have any questions or concerns regarding this Privacy and Cookie Policy, please contact us at [privacy@yuniqueproducts.com](mailto:privacy@yuniqueproducts.com) or by regular mail at Younique, LLC, Attn: Legal Department, 3400 Mayflower Avenue, Lehi, Utah 84043. Please note that email communications are not necessarily secure. Accordingly, you should not include credit card information or other sensitive information in your email correspondence to us.

**Last Updated: March 15, 2018**