

# **DRAFT TEMPLATE**

## **Online Privacy Statement (OPS)**

This DRAFT TEMPLATE is intended for general informational purposes only and does not constitute legal advice. For legal issues that arise, the reader should consult independent legal counsel. Responses to inquiries, whether by email, telephone, or other means, do not constitute legal advice, nor do they create or imply the existence of an attorney-client relationship.

*This is a template Online Privacy Statement (OPS) for use by an online business in connection with the collection, storage, use, and disclosure of personal information, including for the purpose of selling goods or services to users of the website, or for contacting users with direct marketing information.*

## READ THIS PAGE BEFORE USING THIS TEMPLATE

### Background

An OPS notifies users and visitors of a website about the website operator's practices concerning the collection, storage, use, and disclosure of information, including **personal information**.

This draft template is intended for a website that collects basic personal information (for example, name, address) from users of the site in an online application or registration form for purposes that may include:

- Providing goods or services, including content and information.
- Using interactive features or **social media** applications.
- Direct marketing.

However, no standard OPS works for all or even most websites. Instead, an OPS must be carefully drafted to specifically reflect the company's actual or anticipated information collection and privacy practices.

### Key Issues

In the US, federal and state law may apply to the creation and maintenance of an OPS. However, even where the law does not specifically require an OPS, posting an accurate and well-drafted statement can reassure website visitors that the site operator does not use their personal information irresponsibly.

### California Privacy Laws

Websites that collect, sell, share, or use information about California residents must ensure their notices address California's unique requirements, including under the:

- California Consumer Protection Action of 2018 (CCPA), a comprehensive data protection statute governing the personal information of California residents, effective January 1, 2020 ([Cal. Civ. Code §§ 1798.100 to 1798.199](#))
- California Online Privacy Protection Act (CalOPPA), regulating commercial website operators that collect California residents' personal information and establishing some of the nation's most stringent privacy notice requirements ([Cal. Bus & Prof. Code §§ 22575 to 22579](#))
- "Shine the Light" Law ([Cal. Civ. Code §§ 1798.83-1798.84](#))

### Assumptions

This OPS assumes that:

- **The website operates only in the US and only collects personal information from US residents.** If the website operates in more than one jurisdiction (which may include storing or hosting data in that jurisdiction) or collects personal information from website visitors located outside of the US, the website operator must determine whether it is subject to the laws of those foreign jurisdictions and, if so, take steps to comply with those jurisdictions' laws, including any personal information transfer restrictions.
- **The site operator is not subject to the privacy and data security requirements of the Gramm-Leach Bliley Act (GLBA) or the Health Information Portability and Accountability Act (HIPAA).** Financial institutions subject to GLBA and healthcare providers and other entities subject to HIPAA should review those regulations to ensure that their website privacy policies comply with relevant requirements.
- **The website is not subject to the Children Online Privacy Protection Act (COPPA).** If the website is directed to or knowingly collects information from children under 13, the website operator must ensure that the privacy statement and its practices comply with COPPA's requirements.
- **The website addresses any applicable CCPA requirements in a separate notice.** Websites collecting personal information from California residents must comply with the CCPA's notice requirements by January 1, 2020.

**You and your legal counsel should periodically audit the compliance with this Statement, particularly in regard to any choices and methods given to users to opt-out of certain uses or disclosures (for example, to unsubscribe to a mailing list). Failing to implement effective procedures and technology to comply with user opt-out requests exposes you to potential liability for failing to comply with your Statement.**

### Bracketed Items

You must fill in all bracketed items **highlighted in yellow** (e.g., replace with your Agency Name). For other bracketed **highlighted in blue**, you may include or remove each item at your discretion.

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## Willig Knodel (Lifetime Financial Growth) Online Privacy Statement

Effective Date: 01/01/2020

### **Introduction**

Lifetime Financial Growth ("Company" or "We") respect your privacy and are committed to protecting it through our compliance with this Online Privacy Statement ("Statement" or "OPS").

This Statement describes the types of information we may collect from you or that you may provide when you visit the website [www.willigknodel.com](http://www.willigknodel.com) (our "Website") and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This Statement applies to information we collect:

- On this Website.
- In email, text, and other electronic messages between you and this Website.
- Through mobile and desktop applications you download from this Website, which provide dedicated non-browser-based interaction between you and this Website.
- When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this Statement.

It does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by Company or any third party; or
- Any third party, including through any application or content (including advertising) that may link to or be accessible from or on the Website

Please read this Statement carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you agree to this privacy Statement. This Statement may change from time to time (see [Changes to Our Privacy Statement](#)). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the Statement periodically for updates.

### **Children Under the Age of [13/16]**

Our Website is not intended for children under 16 years of age. No one under age 16 may provide any information to or on the Website. We do not knowingly collect personal information from children under 16. If you are under 16 do not use or provide any information on this Website or through any of its features, [register on the Website, make any purchases through the Website, use any of the interactive or public comment features of this Website, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received personal information 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 at 419 Plum Street, Cincinnati, OH 45202.

California residents under 16 years of age may have additional rights regarding the collection and sale of their personal information. Please see [\[Your California Privacy Rights\]](#) for more information.

### **Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Website, including information:

- By which you may be personally identified, such as name, postal address, e-mail address, telephone number, or any other information ("personal information");
- That is about you but individually does not identify you, and/or

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- About your internet connection, the equipment you use to access our Website, and usage details.

We collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies.
- From third parties, for example, our business partners.

### *Information You Provide to Us*

The information we collect on or through our Website may include:

- Information that you provide by filling in forms on our Website. This includes information provided at the time of registering to use our Website, subscribing to our service, posting material, or requesting further services. We may also ask you for information when you enter a contest or promotion sponsored by us, and when you report a problem with our Website.
- Records and copies of your correspondence (including email addresses), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Details of transactions you carry out through our Website and of the fulfillment of your orders. You may be required to provide financial information before placing an order through our Website.
- Your search queries on the Website.

You also may provide information to be published or displayed (hereinafter, “**posted**”) on public areas of the Website, or transmitted to other users of the Website or third parties (collectively, “**User Contributions**”). Your User Contributions are posted on and transmitted to others at your own risk. Although we limit access to certain pages/you may set certain privacy settings for such information by logging into your account profile, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Website with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

### *Information We Collect Through Automatic Data Collection Technologies*

As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our Website, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking).

The information we collect automatically may include statistical data as well as personal information, and we may maintain it or associate it with personal information we collect in other ways or receive from third parties. This helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our Website according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our Website.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You

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may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.

- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies. For information about managing your privacy and security settings for Flash cookies, see [Choices About How We Use and Disclose Your Information](#).
- **Web Beacons.** Pages of our the Website [and our e-mails] may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or [opened an email] and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

We do not collect personal information automatically, but we may tie this information to personal information about you that we collect from other sources or you provide to us.

### **[Third-Party Use of Cookies [and Other Tracking Technologies]]**

Some content or applications, including advertisements, on the Website are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our website. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see [Choices About How We Use and Disclose Your Information](#).

### **How We Use Your Information**

We use information that we collect about you or that you provide to us, including any personal information:

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us.
- To fulfill any other purpose for which you provide it.
- To provide you with notices about your account/subscription, including expiration and renewal notices.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To notify you about changes to our Website or any products or services we offer or provide though it.
- To allow you to participate in interactive features on our Website.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may also use your information to contact you about our own and third-parties' goods and services that may be of interest to you. For more information, see [Choices About How We Use and Disclose Your Information](#).

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

### **Disclosure of Your Information**

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We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy Statement:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Lifetime Financial Growth's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Lifetime Financial Growth about our Website users is among the assets transferred.
- To third parties to market their products or services to you if you have consented to/not opted out of these disclosures. For more information, see [Choices About How We Use and Disclose Your Information](#).
- To fulfill the purpose for which you provide it. For example, if you give us an email address to use the "email a friend" feature of our Website, we will transmit the contents of that email and your email address to the recipients.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce or apply our terms of use <http://www.fmgwebsites.com/ae797efb-fea2-48c0-a913-be0d500e0f52/donotsellmypersonalinformation> and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Lifetime Financial Growth, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

### **Choices About How We Use and Disclose Your Information**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's [website](#). If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- **Disclosure of Your Information for Third-Party Advertising.** If you do not want us to share your personal information with unaffiliated or non-agent third parties for promotional purposes, you can opt-out by [checking the relevant box located on the form on which we collect your data (the [order form/registration form]). You can also always opt-out by [logging into the Website and adjusting your user preferences in your account profile][,][ checking or unchecking the relevant boxes] [or by] sending us an email with your request to [erin\\_knodel@lfgco.com](mailto:erin_knodel@lfgco.com).
- distributions. [This opt out does not apply to information provided to the Company as a result of a product purchase, warranty registration, product service experience or other transactions.]]
- **Targeted Advertising.** If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers' target-audience preferences, you can opt-out by [OPT-OUT METHOD]. [For this opt-out to function, you must have your browser set to accept all browser cookies.]

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We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's [website](#).

California residents may have additional personal information rights and choices. Please see [\[Your California Privacy Rights\]](#) for more information.

### **Accessing and Correcting Your Information**

You can review and change your personal information by logging into the Website and visiting your account profile page.

You may also send us an email at [erin\\_knodel@lfgco.com](mailto:erin_knodel@lfgco.com) to request access to, correct or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

If you delete your User Contributions from the Website, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Website users. Proper access and use of information provided on the Website, including User Contributions, is governed by our terms of use <http://www.fmgwebsites.com/ae797efb-fea2-48c0-a913-be0d500e0f52/donotsellmypersonalinformation>

California residents may have additional personal information rights and choices. Please see [\[Your California Privacy Rights\]](#) for more information.

### **[Your California Privacy Rights]**

[California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our App that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [erin\\_knodel@lfgco.com](mailto:erin_knodel@lfgco.com) [ or write us at: 419 Plum Street, Cincinnati OH 45202.

### **[Data Security]**

[We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. [All information you provide to us is stored on our secure servers behind firewalls. Any payment transactions [and [OTHER INFORMATION]] will be encrypted [using SSL technology].]

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Website like message boards. The information you share in public areas may be viewed by any user of the Website.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

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### **Changes to Our Privacy Statement**

It is our Statement to post any changes we make to our privacy Statement on this page. If we make material changes to how we treat our users' personal information, we may notify you through a notice on the Website home page. The date the privacy Statement was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this privacy Statement to check for any changes.

### **Contact Information**

To ask questions or comment about this privacy Statement and our privacy practices, contact us at: 419 Plum Street, Cincinnati OH 45202, [erin\\_knodel@lfgco.com](mailto:erin_knodel@lfgco.com)

513-579-1114