



## PRIVACY POLICY

Your privacy and the security of your personal information are very important to us. We want you to be as comfortable as possible visiting our Website and using our Internet Products. We are dedicated to protecting the privacy of those who visit our Website and use our Internet Products. This Privacy Policy governs the United Kingdom and Ireland websites operated by us (our "Website") and our Internet Products and explains how we collect your personal information on our Website or through our Internet Products, how we protect such information, and the choices you have concerning the use of such information. Please read this Privacy Policy carefully. The Website is for use by residents of the United Kingdom only (excluding the Channel Islands) and Ireland only. Except as DR ACTIVE Limited ("DR ACTIVE.co.uk"), (collectively, "we", "us", or "our" disclose in this Privacy Policy, we will not sell, share, licence, trade, or rent your personal information collected on our Website or through the Internet Products to others.

We may amend this Privacy Policy from time to time. We will post any changes to this Privacy Policy here so that you will always know what information we gather, how we might use that information, and whether we will disclose that information to anyone. Please refer back to this Privacy Policy on a regular basis. By using our Website or any of our products, offerings, features, tools or resources that we provide on our Website (collectively, our "Internet Products"), you agree to the terms of this Privacy Policy.

Please remember that this Privacy Policy applies only to information collected by our Website. We are not responsible for the privacy of any information you reveal or post in any public forum (e.g., message board) or through the "Public Profile" feature available on our Website, or for the privacy practices of websites that are operated or owned by third parties.

The following are links to the provisions of our Privacy Policy. For immediate access to a particular topic, click on that provision title below.

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WHAT INFORMATION ABOUT ME IS COLLECTED ON OUR WEBSITE OR THROUGH OUR INTERNET PRODUCTS?

We collect two types of information: personally identifiable information and non-personally identifiable information.

#### Personally Identifiable Information

Personally identifiable information is information that identifies you or can be used to identify or contact you ("Personally Identifiable Information"). Such Personally Identifiable Information may include your name, address, email address, telephone number, birth date (primarily for eligibility purposes) and billing and credit card information. We may request Personally Identifiable Information from you when you register on our Website or subscribe to our Internet Products, or in connection with other Internet Products we may make available on our Website from time to time. In all of these cases, we will collect Personally Identifiable Information from you only if you voluntarily submit such information to us. Unless you give us permission to do so, we will not sell, share, license, trade or rent your Personally Identifiable Information other than as specified in this Privacy Policy.

You do not have to provide us with any Personally Identifiable Information to visit our Website. However, if you choose to withhold requested information, you may not be able to visit all sections of our Website or use all of our Internet Products, such as subscribing to our online weight loss tools, posting messages on our message Boards. In addition, we may not be able to provide you with some of the other Internet Products dependent upon the collection of such information, such as a personalised DR ACTIVE.co.uk home page.

#### Non-Personally Identifiable Information

When you become a community user of our Website, subscribe to one of our current Internet Products, or in connection with other Internet Products we may make available on our Website from time to time, we also may collect information that by itself cannot be used to identify or contact you, such as demographic information (like age, profession or gender) and health information (like current weight) ("Non-Personally Identifiable Information"). Non-Personally Identifiable Information may also include user IP addresses, browser types, domain names, and other anonymous statistical data involving the use of our Website. Non-Personally Identifiable Information is used to help us understand who uses our Website and to improve and market our Website in general and our Internet Products in particular.

#### Information from Other Sources

We may also supplement the information we collect with information from other sources to assist us in evaluating and improving our Website and Internet Products, to determine your preferences so that we can tailor our Website and Internet Products to your needs, and/or to study nutritional, weight loss, behavioural and fitness questions in general.

#### WHO OPERATES THIS WEBSITE AND WHERE ARE OUR SERVERS LOCATED?

This website is operated by DR ACTIVE Limited, a company incorporated in England and Wales (company registration no. 5912922) and its registered office is at Sovereign House,12 Warwick Street,Earlsdon,Coventry,CV5 6ET, United Kingdom. When you provide us with your Personally Identifiable Information, you acknowledge that this information may be stored and processed on servers located outside the European Economic Area ("EEA") and you consent to your Personally Identifiable Information being exported outside the EEA and being stored and processed at our discretion on any of our servers wherever located.

## WHERE AND WHEN IS INFORMATION COLLECTED ON OUR WEBSITE OR THROUGH OUR INTERNET PRODUCTS (INCLUDING THROUGH THE USE OF COOKIES AND ACTION TAGS)?

We may collect information (including information that is Personally Identifiable Information) from you in different manners and at different places and times on our Website, such as when you become a community user on our Website or subscribe to one of our Internet Products. We also may collect information from you in connection with, or through, other Internet Products we may make available on our Website from time to time. The following is a description of the areas and/or manners in which we primarily collect information about you.

### Becoming a Community User and Subscriber.

In order to access certain Internet Products on our Website, such as our message boards, weight loss tools and food database, you must first complete certain steps to become either a community user or a subscriber. During these steps, you may be required to provide us with information (including Personally Identifiable Information) such as name, postcode and email address, and, if you subscribe to one of our Internet Products, credit card and billing information. This information is used to help us understand who uses our Website, to improve our Website and our Internet Products, to contact users about requested Internet Products and/or for subscription billing purposes. It is optional for you to provide demographic information (such as profession and number of children), but providing this information is encouraged so we can provide a more personalised experience on our Website.

### Cookies and Action Tags.

We also collect Non-Personally Identifiable Information passively using "cookies" and "action tags."

"Cookies" are small text files that are placed on your computer in order to identify (i) your Web browser, (ii) the activities of your computer on our Website and (iii) your activity in connection with our advertisements and other marketing and promotional efforts. Cookies are used to

personalise your experience on our Website (such as dynamically generating content on webpages specifically designed for you),

assist you in using our Internet Products (such as saving time by not having to reenter your name upon each visit to our Website),

allow us to statistically monitor how you are using our Website to help us improve our online offerings.

We also may use cookies to conduct marketing and promotional efforts, tailor certain advertisements to your browser that we think may be of interest to you, or to determine the popularity of certain content.

In addition to cookies that we place on your computer, cookies may also be placed on your computer by third parties that we use to display or serve advertisements or to collect Non-Personally Identifiable Information.

You do not have to accept cookies to use our Website. Although most browsers are initially set to accept cookies, you may reset your browser to notify you when you receive a cookie or to reject cookies generally. Most browsers offer instructions on how to do so in the "Help" section of the toolbar. While you are not required to accept our cookies to access our Website, if you reject cookies, certain products, offerings, features, or resources of our Website (including certain Internet Products) may not work properly and you may experience some loss of convenience.

"Action tags," also known as web beacons or gif tags, are a web technology used to help track website usage information, such as how many times a specific page has been viewed. Action tags are invisible to you, and any portion of our Website, including advertisements, or e-mail sent on our behalf, may contain cookies that are associated with action tags that are located on our Website. Unlike cookies, action tags are not placed on your computer.

We may select and use different third parties from time to time to track website usage through action tags on our Website and on our advertisements on other websites. For example, Atlas track anonymous website usage by setting a cookie (or reading a cookie previously placed by them) on users' computers to track the activities of users who view a web page that contains action tags. Atlas may use information about your visits to this Website and other websites in order to provide advertisements about goods and services that may be of interest to you. If you would like more information about this practice and to know your choices about not having this information used by one of these companies, please refer to its respective Privacy Policy. Many Internet users already have a Atlas cookie on their computer today, and tracking through the use of action tags is considered common practice in the industry. Periodically, upon our request, Atlas may report the anonymous data that they collect on our behalf back to us for our internal use and analysis and our treatment of this anonymous data is governed by the terms of this Privacy Policy.

By using cookies and action tags together, we are able to gain valuable information to improve our Website and our Internet Products and measure the effectiveness of our advertising and marketing

campaigns. We do not disclose any of your Personally Identifiable Information to our advertising partners through the use of cookies or action tags.

Finally, please note that advertisers and other third parties may also use their own cookies or action tags when you click on their advertisement or link to their website or service, on or from our Website. This Privacy Policy does not govern the use by such third-party websites or providers of third-party advertising.

#### Referral Programmes.

Through third party referral programme operators and others, we offer referral programmes whereby referral websites can earn commissions through the referral of subscribers or other purchasers to our Website. To track the earning of such commissions, and to determine the effectiveness of the referral programmes, the users who become subscribers to our Internet Products or purchasers through such referral websites are tracked using technologies that do not include Personally Identifiable Information (such as cookies and/or action tags). Our programme operators and the referral websites themselves can only access non-Personally Identifiable Information such as data relating to the number of impressions served, the number of transactions completed, and their resulting earnings. They cannot access our customers' personal data.

If you choose to apply to a referral website, we use the data you provide strictly for conducting business with you. We have entered into certain agreements with third party program operators for the purpose of administering our referral programmes. Should you become a referral website of ours through one of our third party programme operators, any information you provide to them is subject to their privacy policies.

#### Internet Products.

We collect information, some of which may be Personally Identifiable Information, that you voluntarily provide to us when you choose to use some of our Internet Products (available either for free or on a subscription basis) We also collect information that you provide voluntarily through responses to special Internet Products such as surveys, questionnaires, self-assessment quizzes, contests and the like. Some of these Internet Products may ask you for health related information. We collect this information in order to personalise your Internet experience.

#### Public Forums and the Public Profile Feature.

We feature public forums such as message boards, bulletin boards, recipe swaps or similar activities where you and other users of our Website can communicate with one another. In addition, we offer the "Public Profile" feature of our Website to permit you to share information about yourself (including, if you elect, Personally Identifiable Information) with others. THIS PRIVACY POLICY DOES NOT PROTECT YOU WHEN YOU USE OUR PUBLIC FORUMS OR PROVIDE INFORMATION (INCLUDING PERSONALLY IDENTIFIABLE INFORMATION) ABOUT YOURSELF THROUGH THE PUBLIC PROFILE FEATURE AVAILABLE ON OUR WEBSITE. You should be aware that any information shared in a public forum such as a message board, bulletin board or recipe swap or through our Public Profile feature is public information and may be seen or collected by third parties that do not adhere to our Privacy Policy. You should think carefully before disclosing any information in any public forum, or through the Public Profile feature, on our Website.

#### Log Files.

We also collect Non-Personally Identifiable Information through our Internet log files, which record data such as user IP addresses, browser types, domain names, and other anonymous statistical data involving the use of our Website. This information may be used to analyse trends, to administer the Website, to monitor our Website's use, and to gather general demographic information. We may link this information to Personally Identifiable Information for these and other purposes such as personalizing your experience on our Website and evaluating our Internet Products in general.

#### Email a Friend

Through our Email a Friend tool on our Website, we will automatically send your friend a one-time email containing the information you request to be sent. If you elect to use the Email a Friend tool, we will collect from you Personally Identifiable Information about your friend which you have provided, such as your friend's name and email address. We recommend, however, that you make sure that your friend wants to receive emails from you regarding materials on our Website.

#### DO WE COLLECT INFORMATION FROM CHILDREN?

We are committed to protecting the privacy of children. Our Website and Internet Products are not designed for or directed to individuals under the age of 18. We do not collect Personally Identifiable Information from any person we actually know is under the age of 18. We urge all parents or guardians to participate in their children's exploration of the Internet, and to teach their children about protecting their personal information while online.

## WHAT DO WE DO WITH THE INFORMATION WE COLLECT?

In general, we use the information collected on our Website and through our Internet Products to help us understand who uses our Website and Internet Products and how they are used, to personalise your online experience, to assist you in using our Internet Products, to improve our Website and Internet Products, and for subscription billing purposes, if applicable.

If you become a community user of our Website or subscribe to one of our Internet Products, we may use your information to send you a welcoming email that may confirm your user name and password. If you "opt-in" we may send you electronic newsletters, contact you about DR ACTIVE products, services, information and news that may be of interest to you, and provide you with targeted feedback. If you no longer desire to receive these communications, we will provide you with the option to change your preferences. In addition, if you identify yourself to us by sending us an email with questions or comments, we may use your information (including Personally Identifiable Information) to respond to your questions or comments, and we may file your questions or comments for future reference. We may also use the information collected to send you important service announcements and updates regarding our Website or Internet Products or, if you are a subscriber, about your billing account status. You will not be able to unsubscribe from these service announcements and updates as they contain important information relevant to your use of our Website and/or our Internet Products.

In addition, if you become a registered user or subscribe to one of our Internet Products after 16 th January 2008, we may use your information to contact you by postal mail about DR ACTIVE products, services, information and news that may be of interest to you, unless you notify us that you no longer desire to receive these communications.

We may also use the information gathered on our Website and through our Internet Products to perform statistical analysis of user behaviour, to analyse and evaluate issues relating to nutrition, weight loss, behaviour and fitness, or to evaluate and improve our Internet Products. We may link some of this information to Personally Identifiable Information for internal purposes only or to assist you in your personal weight loss efforts.

## WHEN DO WE DISCLOSE INFORMATION TO THIRD PARTIES?

Except as set forth in this Privacy Policy or as specifically agreed to by you, we will not disclose any information we gather from you on our Website.

#### Affiliates.

We may disclose information (including Personally Identifiable Information) about you to our Affiliates. For purposes of this Privacy Policy, "Affiliates" means any person or entity which directly or indirectly controls, is controlled by or is under common control with DR ACTIVE Limited, whether by ownership or otherwise. Any information relating to you that we provide to our Affiliates will be treated by those Affiliates in accordance with the terms of this Privacy Policy. We may share your information (including Personally Identifiable Information) with franchisees of DR ACTIVE LTD, but only where we indicate to you at time of information collection that such information will be provided to a franchisee, or if we otherwise obtain your permission.

#### Laws and Legal Rights.

We may also disclose your information (including Personally Identifiable Information) if we believe in good faith that we are required to do so in order to comply with an applicable statute, regulation, rule or law, a subpoena, a search warrant, a court or regulatory order, or other valid legal process. We may disclose Personally Identifiable Information in special circumstances when we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be violating our Terms & Conditions or our Subscription Agreement, or to protect the safety and/or security of our users, our Website or the general public.

#### Third Parties Generally.

We may provide to third parties information about you that does not allow you to be identified or contacted, including where such information is combined with similar information of other users of our Website. For example, we might inform third parties regarding the number of unique users who visit our Website, the demographic breakdown of our community users of our Website, or the activities that visitors to our Website engage in while on our Website. The third parties to which we may provide this information may include potential or actual advertisers, providers of advertising services (including website tracking services), commercial partners, sponsors, licensees, researchers and other similar parties.

