

OUR PRIVACY POLICY

We pledge to comply with the requirements of all applicable laws (including the Personal Data (Privacy) Ordinance). In doing so, We will ensure compliance by Our staff with the strictest standards of security and confidentiality.

I. ABOUT THIS PRIVACY POLICY AND USING OUR SITE AND TOOLS

This Privacy Policy applies to the collection and use of data by **OPTAVIA LLC** and **OPTAVIA (HONG KONG) LIMITED** and their subsidiaries and affiliates (“Company” or “We” or “Our” or “Us”) through Our websites or Mobile Apps and by other means. Within this Privacy Policy, the term “Company Websites” pertains to any and all websites hosted and/or operated by **OPTAVIA LLC** and **OPTAVIA (HONG KONG) LIMITED**, including co-branded, product and divisional websites which link to this Privacy Policy.

The Company Websites contain links to other sites. Once you enter another website, be aware that the Company is not responsible for the privacy practices of such other sites. We encourage you to look for and review the privacy statements of each and every website that you visit through links on the Company Websites. We hope that reading Our Privacy Policy gives you a clear idea of how We manage information about you.

While you may use some of the functionality of the Company Websites without registering for an account, many of the specific tools and services on the Company Websites require registration. If you choose to register with the Company Websites for certain services, We require you to submit Personal Data. Depending on the tool or service you have selected, We may also collect Personal Health Information such as your weight, height, waist circumference, Body Mass Index (BMI), daily steps taken, health conditions, and medications, among other information. “Personal Data” means any information relating directly or indirectly to an individual from which it is practicable for the identity of the individual to be directly or indirectly ascertained and in a form in which access to or processing of the data is practicable. Common examples of Personal Data that We collect include name, date of birth, sex, address, phone number, email address, identification number, location data, and online identifier to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of an individual. By registering your Personal Data with the Company, you consent to allow your Personal Data to be transferred for administrative or operational purposes in other companies within the Company’s group, and to be transferred and/or stored outside Hong Kong. We will ensure that the recipients thereof provide a standard of protection to your Personal Data so transferred that is comparable to that which is provided herein.

You are responsible for ensuring the accuracy of the Personal Data you submit to the Company Websites. Inaccurate information will affect the information you receive when using the Company Websites and tools and Our ability to contact you as contemplated in this Privacy Policy. For example, your email address should be kept current because that is how We communicate with you.

II. INFORMATION WE COLLECT ABOUT YOU

Even if you do not register with the Company Websites, We collect information about your use of the Company Websites, special promotions and newsletters.

Automatically Collected Information

A. Cookies

We collect information about your use of the Company Websites and your use of the websites of selected sponsors and advertisers through the use of Cookies. The Company Websites and Our sponsors' or advertisers' websites assign every computer a different Cookie. The information collected by Cookies (i) helps Us dynamically generate advertising and content on web pages or in newsletters, and (ii) allows Us to statistically monitor how many people are using the Company Websites and selected sponsors' and advertisers' sites, how many people open Our emails, and for what purposes these actions are being taken. We may use Cookie information to target certain advertisements to your browser or to determine the popularity of certain content or advertisements. Cookies are also used to facilitate a user's log-in, as navigation aids, and as session timers, but not to retain Personal Health Information about you.

Your browser software can be set to reject all Cookies. Most browsers offer instructions on how to reset the browser to reject Cookies in the "Help" section of the toolbar. If you reject Our Cookies, certain of the functions and conveniences of the Company Websites may not work properly but you do not have to accept Our Cookies in order to productively use the Company Websites.

We and Our service providers also use Cookies to collect information from you over time and across the Company Websites and other websites to provide you with and improve the performance of Our advertising that Our service providers deliver to you on other websites. You may opt-out of receiving future commercial emails by clicking on the "unsubscribe" link at the end of commercial e-mails or following instructions on how to unsubscribe from the mailing list.

Some of Our service providers may offer the ability to opt out of their use of your information for the placement of targeted advertisements. To opt out of these service providers' use of your information for the placement of targeted advertisements, please visit <http://optout.aboutads.info>. We do not currently respond to web browser "do not track" signals or other mechanisms that provide a method to opt out of the collection of information across the networks of websites and online services in which We participate. For more information about "do not track" signals, visit <http://www.allaboutdnt.org>.

B. Web Beacons

We also use Web Beacons to collect information about your use of the Company Websites and the websites of selected sponsors and advertisers, and your use of special promotions or newsletters. The information collected by Web Beacons allows Us to statistically monitor your usage of the Company Websites.

We do not link information from Web Beacons to your personal details without your permission and do not use Web Beacons to collect or store Personal Health Information about you.

C. Third-Party Web Beacons

We use third-party web beacons to help analyze where visitors go and what they do while visiting the Company Websites. We allow search engines to use web beacons on the Company Websites to collect information about your visits to this and other websites in order to improve its products and services and provide advertisements about goods and services of interest to you.

Information You Provide

We collect Personal Data that you provide to Us when you register as a member of the Company Websites and/or when you update your member profile.

We may also collect certain Personal Data about you if you wish to enroll in Our **OPTAVIA** Coach programs or as a consequence of any contractual relationship We have with you. The provision of such Personal Data is mandatory. Failure to provide this information may prevent or delay you from enrolling in Our programs and We may not be able to provide services to you or fulfil obligations We have to you.

A. Emails You Send to the Company Websites

If you want to keep content or business information, ideas, concepts or inventions private or proprietary, please do not send them in an email to any of the Company Websites.

B. Website Registration and Interactive Tools on the Company Websites

After you have registered as a member of the Company Websites, you may choose to use certain interactive content, tools and services that may ask you to voluntarily provide other types of information about yourself including Personal Health Information.

C. Children

The Company Websites do not sell products for purchase by children. We sell products for purchase by adults. If you are under 18, you may only use the Company Websites with the involvement of a parent or guardian. In this case, a parent or guardian is solely responsible for providing supervision of the minor's use of the Company Websites. The parent or guardian assumes full responsibility for ensuring that the registration information is kept secure and that the information submitted is accurate. The parent or guardian also assumes full responsibility for the interpretation and use of any information or suggestions provided through the Company Websites for the minor. If you become aware that your child has provided their Personal Data through the Company Websites, please contact Us at the contact information provided below.

D. Market Research

From time to time the Company marketing department, or operations contractors acting on its behalf, may conduct online research surveys in order to gather feedback about the Company Websites through email invitations, pop-up surveys or online focus groups. When participating in a survey, We may ask you to submit Personal Data. This Personal Data is used for research purposes, and is not used for sales solicitations. When a third party sponsors a survey, information aggregated from the survey results is reported to the sponsor. This aggregate data does not contain any information that could be used to contact or identify you. Personal Data collected through market research will only be used by Company and its operations contractors and will not be given or sold to a third party without your consent.

III. USE OF YOUR INFORMATION

We use the Personal Data that you provide to:

- Respond to your questions, as it is in Our legitimate interest to provide you with appropriate responses;
- Verify that you are a Citizen or Permanent Resident of Hong Kong;
- Comply with certain reporting obligations to the competent authorities (such as the Hong Kong Inland Revenue Department);
- Verify your identity when you access and use Our services, and ensure the security of your Personal Data, so We can comply with Our contractual obligations to you;
- Provide you with the specific services you select, so We can comply with Our contractual obligations to you;
- Analyze how you use Our services and improve Our services, as it is in Our legitimate interest to understand any issues with Our services and improve them;
- Send you emails about website maintenance and updates, and inform you of significant changes to this Privacy Policy, as it is in Our legitimate interest to provide you with notices about Our services;
- Communicate with you about offers, products, and services that may be of interest to you, as it is in Our legitimate interest to make the messages We send more relevant and interesting—where required by law, We will obtain your consent first;
- Exercise Our rights where it is necessary to do so, for example to detect, prevent, and respond to fraud, intellectual property infringement, or violations of law or contract; and
- Comply with Our legal and regulatory obligations.

IV. DISCLOSURE OF YOUR INFORMATION

Except as set forth in this Privacy Policy or as specifically agreed to by you, Company will not disclose any Personal Data it gathers from you through the Company Websites. We will only release Personal Data to third parties such as regulatory bodies: (1) to comply with valid legal requirements such as a law, regulation, search warrant, subpoena or court order; or (2) in special cases, such as a physical threat to you or others. In the event that We are legally compelled to disclose your Personal Data to a third party, We will attempt to notify you unless doing so would violate the law or court order. In addition, We may disclose Personal Data as described below.

If you are a Client of **OPTAVIA**, in order to provide you with the products and services you have requested, We may share your Personal Data, including, but not limited to, your name, contact information (such as e-mail, address and phone number), as well as product order history, with your personal **OPTAVIA** Coach and other **OPTAVIA** Coaches in your personal **OPTAVIA** Coach's up line organization. However, any payment information you may give to the Company in the course of ordering Our products will only be disclosed to the Company's Client Success Team or Coach Success Team members and will not be available to any third parties for any reason except to comply with valid legal requirements. Coaches who receive your information have agreed not to share your information with any third parties and are obligated to observe the intent of this Privacy Policy under the terms of their Independent **OPTAVIA** Coach Agreement with the Company.

If you are an **OPTAVIA** Coach, you will receive mentorship, advice and information from your own sponsoring Business Coach and your Business Coach's up line organization. To allow such mentorship and communication, We may share your Personal Data as well as other data related to your business with your Business Coach and Coaches in your Business Coach's up line organization. In the ordinary course of supporting your business, information about you, as well as product order history may also be shared with your sponsoring Business Coach and your Business Coach's up line organization. Coaches who receive your information have agreed not to share your information with any third parties and are obligated to observe the intent of this Privacy Policy under the terms of their Independent **OPTAVIA** Coach Agreement with the Company.

We periodically share your information, including your personal improvement and weight-loss related information, with Company partners. This includes companies that are controlled by, or are under common control with Medifast Inc., Independent Medifast Weight Control Centers, Medifast independent distributors and “**OPTAVIA** Coaches”. These partners use your information to make predictions about your interests and reach out to you with special offers, promotions, advertisements, newsletters, and other materials. Where required by law, We will obtain your consent prior to such sharing.

We also share your information in limited form with third party service providers and maintenance contractors who need to use that information in the course of their provision of products or services to the Company. These contractors include vendors and suppliers that provide Us with technology, services, and/or content related to better operation and maintenance of the Company Websites. Access to your Personal Data by these contractors is limited to the information reasonably necessary for the contractor to perform its services to the Company. We also contractually require that Our service providers and maintenance contractors:

1. protect the privacy of your Personal Data consistent with this Privacy Policy
2. not use or disclose your Personal Data for any purpose other than providing Us with products and services

V. HOW COMPANY HANDLES PRIVACY AND SECURITY INTERNALLY

Listed below are some of the security procedures that Company uses to protect your privacy:

- Requires both an email address and a password in order for users to access their Personal Data, including Personal Health Information.
- Uses encryption technology to protect your Personal Data, including credit card information, as it is transmitted to Us.
- Uses firewalls and other intrusion detection and prevention technologies to protect information stored on Our servers.
- Closely monitors the limited number of Company employees who have potential access to your Personal Data.
- Requires all Company employees to abide by Our Privacy Policy and be subject to disciplinary action if they violate it.
- Systems back-ups to protect the integrity of your Personal Data.
- Provides secure messaging within the Company Websites so that information related to your personal health is sent through a secure, encrypted connection.

Despite Company’s efforts to protect your Personal Data, including Personal Health Information, there is always some risk that an unauthorized third party may find a way around Our security systems or that transmissions of your information over the Internet will be intercepted.

VI. UPDATING YOUR INFORMATION AND CONTACTING COMPANY

A. Updating Your Personal Data

The Company Websites' pages that collect and store self-reported data allow you to correct, update or review information you have submitted by going back to the specific page, logging-in and making the desired changes.

B. Removing your Personal Data

If you have a complaint or problem, including a request to remove your information from Our systems, please email Us at hkprivacy@OPTAVIA.com. Our customer service department will forward your complaint to the appropriate internal Company department for a response or resolution. If you do not receive adequate resolution of a privacy related problem, you may write to Us at:

Attn: Privacy Officer
100 International Drive
18th Floor
Baltimore, MD 21202 USA

C. Limitations on Removing or Changing Information

Upon your request, We will delete your Personal Data from Our active databases and where feasible from Our back-up media. You should be aware that it may not be possible to remove each and every record of the information you have provided to the Company Websites from Our servers.

In addition, you may have certain rights regarding your Personal Data, subject to local law. These include the following rights to:

- Access your information;
- Rectify the information We hold about you;
- Erase your information;
- Restrict Our use of your information;
- Object to Our use of your information;
- Receive your information in a usable electronic format and transmit it to a third party (right to data portability);
- Lodge a complaint with your local data protection authority; and
- Where the processing of your information is based on your consent, you have the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal.

Please note that We will likely require additional information from you in order to honor your requests.

If you would like to discuss or exercise such rights, please contact Us at the details provided above.

VII. DATA RETENTION POLICY

We will keep your Personal Data for as long as We have a relationship with you for the purposes of providing Our services. When deciding how long to keep your information after Our relationship with you has ended, We take into account Our legal obligations and regulators' expectations. We may also retain records to investigate or defend potential legal claims.

VIII. CHANGES TO THIS PRIVACY POLICY

Company retains the right to update this Privacy Policy at its general discretion according to the needs of the business, its consumers or in accordance with the mandates of applicable laws. If We update this Privacy Policy, We will notify you by posting a new Privacy Policy on this page or by notifying you through the Company Websites or at other contact information We have on file for you. If any such update materially increases the ways in which We collect, use or share the information previously collected from you, We will give you the opportunity to consent to such changes before applying them to that information.

This version of the Privacy Policy is effective January 15, 2020.