



Privacy Policy

1. Scope. Vitality (“Vitality”) recognizes the importance of maintaining the privacy of all confidential and personal information and Vitality appreciates your trust in us. By visiting and/or using our website and participating in any of our programs or service offerings, you agree to this Privacy Policy. This Privacy Policy provides information about how Vitality collects, uses and transfers information that includes personally identifiable information (“Personal Information”); that you provide to Vitality or that Vitality collects from you when you visit and/or use any of Vitality’s websites.

This Privacy Policy does **not** cover any other data collection or processing, including, without limitation, data collection practices of webpages to which the site links.

2. Types of Data and Collection Methods: Through the Website, Vitality receives data that you actively submit as well as data that Vitality tracks:

Actively Submitted Data: When you voluntarily provide or request information, subscribe to a service or mailing list, respond to an online survey or otherwise actively enter data such as your name, mailing address(es), telephone number(s), you will know what data Vitality collects through the site, because you actively submit it. You can elect not to provide information by not entering it when asked. When you provide such information, you are agreeing that Vitality may use that information to provide the products and services that you have requested or for which you have registered and to contact you to learn about your experience and to improve Vitality’s product and service offerings. You also agree that Vitality may use that information when aggregated with other data in any manner in which the data is not linked to an identified individual, and to share such information with others, in the promotion of Vitality’s business to potential investors, business partners or customers, and in the conduct of research or product development.

Passively Tracked Data: Vitality uses tracking technology that has become standard operating procedures employed by many other websites including, without limitation, "cookies" or small data files stored on your computer's hard drive, to collect such information. When you visit Vitality’s Websites, Vitality also passively tracks information from your computer and Internet connection, such as the IP address of your computer and/or Internet service provider, the date and time you access our Websites, the Internet address of websites from which you link to our site, the computer technology you are using and your movements and preferences on our site. In some instances, Vitality also uses cookies to collect information in connection with future visits from that website, to recognize you as a previous visitor, or to track your activity on our Websites. If you follow a link to the site from an affiliate or promotion, Vitality stores information about your arrival from that affiliate or promotion in a “session cookie”. You do not need to have cookies turned on to visit our Websites. You can refuse cookies by turning them off on your browser. But, if you choose to access webpages that require registration, you need to accept a mandatory session cookie, which you can delete after you leave the site.

Vitality collects *passively tracked data* primarily for purposes of administering, protecting and improving our Website and our systems, to better understand the preferences of our Website visitors, to identify server problems, to compile aggregated statistics about Website usage, and to help improve your experience on our Websites.

Vitality uses the information that it collects about you to maintain, improve, and administer our Websites, operate our business, provide products and services that you request, administer your



account, inform you about products and services that might be of interest to you, and personalize your online experience. In order to carry out certain business functions, such as e-mail delivery or marketing, Vitality sometimes hires other companies to perform services on our behalf. Vitality may disclose Personal Information that Vitality collects about you to these companies to enable them to perform these services, but they are required to safeguard the Personal Information and are not authorized to use it for any purpose other than completing their contractual requirements to Vitality. In addition, Vitality may share the Personal Information Vitality collects with other companies with whom Vitality has joint marketing arrangements. Vitality may also disclose information, including Personal Information, Vitality collects about you in other circumstances as required or permitted by law. For example, Vitality reserves the right to disclose Personal Information, including account information, when Vitality believes such disclosure is appropriate to cooperate with an investigation of activities claimed to be unlawful or to protect the rights or property of Vitality or others. In addition, it is possible that in the future another company may acquire Vitality or its assets. It is also possible that Vitality may partner with or purchase another company to continue to do business as a combined entity. In the event that this occurs, it is possible that our Subscriber information, including your Personal Information, may be transferred to the new business entity as one of Vitality's assets. In such an event, Vitality will update this policy to reflect any change in ownership or control of your Personal Information.

Combinations: Unless you also actively submit personal information such as your name or address, passively tracked data does not typically allow Vitality to identify you personally. To the extent permitted by applicable law, Vitality reserves the right to combine passively tracked data with Personal Information that you actively submit.

4. Cookies and Similar Files: Vitality's Websites may use "cookies" and files that are similar to cookies. Cookies are alphanumeric identifiers created by your browser at our request and stored in an approved and standardized place on your computer. By transferring these cookies, Vitality assigns you a unique Subscriber code and record locator. Information about your activity on our Websites can then be included in your Subscriber record. When you visit or return to one of our Websites, Vitality reads the cookie to identify you as one of our Subscribers and help recall orders or preferences you have selected. The cookie also enables us to recall your past activities, post your account data, and tailor site elements and special offers to you. No Personal Information about you is stored on the cookie. Most Web browsers accept cookies by default, but allow users to reject cookies by changing the browser preferences. If you have set up your browser to reject cookies, some aspects of our Websites, will not work properly. If you have Macromedia Flash installed on your computer, Vitality may also use a file called a Flash Object to store your unique Subscriber code and record locator on your computer. Unless deactivated by you, the Flash Object provides us with a backup method for recognizing you in the event that Vitality is unable to identify your cookies. This Privacy Policy covers the use of cookies and similar files by Vitality only and does not cover the use of cookies and similar files by any third party advertisers or websites linked to the Websites. Vitality may use third-party advertising companies to serve ads on our behalf. These companies may use a cookie or an action tag, to track your response to their advertisement and to measure the effectiveness of their advertising or to award incentives or points to their members who respond to their advertisements. Vitality has no access to or control over cookies or action tags used by these third party companies. Vitality does not receive any Personal Information collected by these advertisers using action tags or cookies nor does Vitality disclose any of your Personal Information such as your name, telephone number or address with these companies except in accordance with this Privacy Policy.



6. Links To Third Party Products and Services: While you are visiting or using Vitality's Websites, you may be presented with an opportunity to purchase third party products or services. These products and services are offered and supplied by independent companies not owned or operated by Vitality. If you click on one of the presented offers, you will be redirected to the website of the third party, and any information you provide in response to the offer will be collected and used by the third party and **not** by Vitality. Information you provide to the third party and any dealings you have with third parties will be governed by the privacy and other policies of that third party.

7. Effective Date, Amendments: This statement is effective as of March 10, 2009. Vitality reserves the right to change, modify, add or remove portions of this statement from time to time and in our sole discretion, but will alert you that changes have been made by indicating on the statement the date it was last updated. When you visit Vitality's Websites, you are accepting the current version of this statement as posted on the at that time. Vitality recommends that users revisit this Privacy Policy statement on a regular basis to learn of any changes.

10. Contact Us: Please feel free to contact us with any comments, questions, complaints or suggestions you might have regarding the privacy policy described in this statement. You may send us an e-mail at [\[redacted\]](#) or write to us .