



EXSILENT USA, LLC

Privacy Policy

Last modified: [August 14, 2013]

Introduction

Your privacy is very important to ExSilent USA, LLC (“ExSilent”). To that end, we have developed this privacy policy (“Privacy Policy”) and our Terms of Use in order for you to understand how we collect, use, communicate, disclose, and make use of the personal information we collect from you or that you provide on the website www.exsilent.com/us (“Site”). The terms “we,” “us” and “our” as used herein refer to ExSilent.

This policy does not apply to information collected on any third-party site that may link to or be accessible from our Site.

Please read the following carefully to understand our policies and practices regarding your personal information and how we will treat it. By using or accessing our Site, you agree to this Privacy Policy and our [Terms of Use](#), and of the collection and use of your personal information in accordance with this Privacy Policy. This Privacy Policy may change from time to time and your continued use of our Site is deemed to be acceptance of such changes, so please check our Privacy Policy periodically for updates.

If you choose to visit our Site, your visit and any dispute over privacy is subject to this Privacy Policy and our [Terms of Use](#), including limitations on damages, resolution of disputes, and application of the laws of the State of Delaware. If you have any concern about privacy at ExSilent, please contact us at contact@exsilent.com with a thorough description, and we will try to resolve it. Unless stated otherwise, our current Privacy Policy applies to all information that we have about you and your account.

Children Under the Age of 13

Our Site is not intended for children under 13 years of age. No one under age 13 may provide any personal information to our Site. We do not knowingly collect personal information from children under 13. If you are under 13, please do not register on our Site, make any purchases through our Site or send any information about yourself to us, including your name, address, telephone number or e-mail address. In the event that we learn that we have collected personal information from a child under age 13 without verification of parental consent, we will delete that information. If you believe that we might have any information from or about a child under 13, please contact us at contact@exsilent.com.

The Types of Information that We Collect

We collect several types of information from and about users of our Site in order to continually improve our Site, provide and improve our services and to design new products and services for future usage. Such information includes both personally identifiable and non-

personally identifiable information.

If you purchase our products or inquire about any of our services, we request certain personally identifiable information from you on our order or contact form. This may include contact information such as your name, email address, phone number, and shipping/ mailing address, as well as financial information such as a credit or debit card number and its expiration date. We use the personally identifiable information such as this for billing purposes and to fill or otherwise process your orders and returns. If you are inquiring with respect to our audiologist partners or otherwise request, we may also use this information to redirect you to one of the independent audiologist in our network. If we have trouble processing an order or the nature of your request otherwise requires it, we also will use this information to contact you. For security reasons, your complete financial data, including debit/credit card details, are never saved or stored. Your personal billing information is only used for payment processing verification. We do not distribute, sell, or otherwise exploit this information in any way, except as may be required by law.

If you contact us by email through our website, we may keep a record of your contact information and correspondence, and use your email address and any other personal information that you provide to us to respond to you and to send you marketing materials for our own products and services. We will not share your information with outside parties who wish to market other products and services to you.

Our Site may incorporate “cookies” or similar tracking technologies that allow us to track the actions of visitors of our website. A cookie is a small file stored on the hard drive of your computer, which is used to collect certain non-personally identifiable information, such as (i) the name of your internet service provider, (ii) the IP address of the computer you are using, (iii) the type of browser software and operating system that you use, (iv) the date and time you access our Site, (v) the website address, if any, from which you linked directly to our Site, (vi) the website address, if any, to which you travel from our Site, (vii) your home page customization preferences, and (viii) other similar traffic-related information. We may aggregate this information with similar data collected from other visitors to help us improve our Site and the products, services, applications, content and features that we provide through our Site. We do not use this non-personally identifiable information in any way to create or maintain a personal profile of you or collect personally identifiable information from you.

In addition to cookies, certain pages of our Site may contain electronic images known as web beacons (also referred to as single-pixel gifs) that permit us to count users who have visited those pages and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity). Web beacons are not used to access your personal information on our Site and are only used to compile aggregated statistics concerning use of our Site. Again, we do not use this kind of information in any way to create or maintain a personal profile of you or collect personally identifiable information from you.

Our Site includes social media features, such as the Facebook® “like” button, and widgets,

such as the “Share” button or interactive mini-programs that run on our Site (collectively, the “Social Media Features”). These Social Media Features may collect your IP address and which page you are visiting on our Site, and may set a cookie to enable the Social Media Feature to work properly. Social Media Features are either hosted by a third party or hosted directly on our Site. Your interactions with these Social Media Features are governed by the privacy policy of the company providing the applicable Social Media Feature.

If at any time you would like to change or update your personal information, or if you no longer wish to receive materials from us or would like your personal information removed from our database, please contact us at contact@exsilent.com.

User Contributions

You are responsible for any content, including personal information, that you contribute to be published or displayed (hereinafter, "Posted") on our Site, or transmit to other users of our Site (collectively, "User Contributions"). Your User Contributions are Posted on and transmitted to other users of our Site at your own risk. Although you may set certain privacy settings for removal, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other users. You may remove your post along with the personal data you submit within these forums by contacting us at contact@exsilent.com. Proper access and use of information provided on our Site, including User Contributions, is governed by our [Terms of Use](#), and known or suspected violations should be reported to contact@exsilent.com.

What we do with the information we collect

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

Product and Service Fulfillment

Fulfill and manage purchases, orders, payments, returns/exchanges or requests for information or to otherwise service you.

Our Marketing Purposes

Deliver coupons, newsletters, in-store promotions, notification of events and special offers, e-mail or mobile messages, etc.

Internal Operations

To present our Site and its contents in a suitable and effective manner for you and for your computer.

To notify you about changes to our service or products.

To allow you to participate in interactive features of our service, when you choose to do so.

For statistical purposes and reporting of aggregate data.

Legal Compliance

To carry out our obligations and enforce our legal rights or in response to legal actions. As required by law, such as to comply with a subpoena, or similar legal process, when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

Disclosure of your information

We may disclose personal information that you provide via our Site to the following third parties:

Our subsidiaries, affiliates and related companies.

Contractors and service providers we use to support our business. For example we might use a credit card processing company to bill you.

Business partners and subcontractors, as necessary, in connection with the performance of requested services or solutions, or as otherwise appropriate in connection with a legitimate business need. The service provider is Multi Safe Pay. ExSilent uses Sales force as e-mail provider.

In the event of merger, acquisition, or any form of sale of some or all of our assets, in which case personal information held by us about our customers could be among the assets transferred to the buyer.

We may disclose e-mail addresses as part of a suppression file or do-not-e-mail list to make sure that unsubscribe requests are forwarded to the appropriate parties to insure removal from databases, in compliance with law, including without limitation, the Can-Spam Act of 2003.

We may also disclose your personal information to third parties to:

Where required or permitted by law, or where ExSilent believes that such disclosures are appropriate in connection with a law enforcement request.

Enforce or apply our legal rights.

Enforce or apply our [Terms of Use](#).

Protect the rights, property, or safety of ExSilent, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

Protection of your personal information

We are committed to ensuring that your information is secure. In order to prevent unauthorized access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we gather online. Please keep in mind that 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 Site, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, no security system, or system of transmitting data over the Internet, can be guaranteed to be 100% secure. Consequently, while we use commercially reasonable efforts to protect your personal information, we cannot guarantee the security of our

servers, the means by which information is transmitted between your computer and our servers, or any information provided to us or to any third party through or in connection with the Site. Any information that you provide to us is done so entirely at your own risk.

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:

Cookies. If you do not wish us to collect cookies, you may set your browser to refuse cookies, or to alert you when cookies are being sent. If you do so, please note that some parts of our Site may then be inaccessible or not function properly.

Promotional Offers from the Company. If you do not wish to have your e-mail address used for promotional purposes by us, you can opt-out/unsubscribe by checking the relevant box located on the form on which we collect your data. You can also always opt-out of receiving promotional e-mail information from us by sending us an e-mail stating your request to contact@exsilent.com. If we have sent you a promotional e-mail, you may send us a return e-mail asking to be unsubscribed from future e-mail distributions or follow the unsubscribe link located at the bottom of each communication. Please note that any opt-out/unsubscribe from our promotional emails would not apply to transactional emails from us (i.e., warranty information, returns, password requests, etc.).

You should review this Privacy Policy carefully, because if you do not agree with our practices, your ultimate choice is not to use our Site. Remember, by using any part of our Site, you accept and agree to our privacy practices, and our Terms of Use [[hyperlink](#)]. If we update this Privacy Policy, your continued use of our Site (following the posting of the revised Privacy Policy) means that you accept and agree to the terms of the revised privacy policy.

Retention; Choice

ExSilent will retain your information for as long as your account is active or as needed to provide you services, such as order fulfillment, exchanges, returns, etc. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

IF YOU ARE NOT A CUSTOMER OF EXSILENT AND/OR DO NOT HAVE AN ACCOUNT WITH EXSILENT, BUT HAVE SUBMITTED YOUR PERSONAL DATA THROUGH THE “CONTACT US” LINK AND WISH TO HAVE YOUR INFORMATION UPDATED OR WISH TO HAVE US DELETE INACCURACIES, PLEASE CONTACT US AT CONTACT@EXSILENT.COM

IF YOU WISH TO SAVE YOUR PAYMENT METHOD TO YOUR ACCOUNT, WE ALLOW YOU TO DO SO. YOU MAY AT ANY TIME DELETE YOUR PAYMENT INFORMATION BY LOGGING INTO YOUR ACCOUNT. WE DO NOT HAVE ACCESS TO THIS INFORMATION. THIS INFORMATION IS STORED ON AN SSL ENCRYPTED PAGE.



Your California Privacy Rights

California Civil Code Section § 1798.83 permits users of our Site 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 e-mail to contact@exsilent.com or write us at:

3030 HARBOR LANE, SUITE 215, PLYMOUTH, MN 55447.

Links to other websites

This Privacy Policy only addresses the use and disclosure of information we collect from you on www.exsilent.com/us/. Other websites that may be accessible through this Website have their own privacy policies and data collection, use and disclosure practices. If you link to any such website, we urge you review the website's privacy policy. We are not responsible for the policies or practices of third parties.

Changes to this Privacy Statement

ExSilent may update its Privacy Policy from time to time. When we change the policy in a material way, a notice will be posted on our website along with the updated Privacy Policy. The date the Privacy Policy was last revised is identified at the top of the page.

Disclaimer of Liability

Under no circumstances shall we be liable for any damages, including, but not limited to, direct, indirect, special, incidental, consequential or exemplary damages, that result from the use of the information or materials posted to or collected as a result of the user's accessing our Site, even if we have been advised of the possibility of such damages.

Enforcement/Redress

If for some reason you believe that we have not adhered to this privacy policy, please notify us at contact@exsilent.com. We will do our best to respond to your concerns and, when appropriate, take steps to correct a problem. In any event, if any dispute arises under this privacy policy or through your use of our Site, you agree to be bound by the venue and choice of law provisions of our [Terms of Use](#).

Contacting Us

If you have any questions about this Privacy Policy please contact ExSilent at:

Email: contact@exsilent.com

Telephone: 888-979-6918