

# WellNetIQ Privacy Policy

Ensuring the security of the personal information you submit is a priority of WellNetIQ GmbH. Our Privacy Policy was developed as an extension of our commitment to combine quality products and services with integrity in dealing with our users and reflects our commitment to your privacy and security.

By using our web site, you consent to the collection and use of information by WellNetIQ as described in this Privacy Policy.

WellNetIQ adheres to the privacy principles of notice, choice, onward transfer, security, data integrity, access, and enforcement.

This privacy policy covers the collection and use of data through the web sites designed for our Ambassadors, and includes, but is not limited to the following domain: WellNetIQ.com, all of which are collectively referred to as the "Websites". This privacy policy also covers the collection and use of data through any WellNetIQ corporate smart phone applications, (collectively, the "Smart Phone Apps"). The Websites and Smart Phone Apps are collectively referred to as the "WellNetIQ Site".

We want your use of the [www.wellnetiq.com](http://www.wellnetiq.com) website and the services we offer to be productive and safe and we have taken great efforts to keep your information confidential and secure at all times within our system.

If you have questions or concerns regarding this statement, you should first contact [privacy@wellnetiq.com](mailto:privacy@wellnetiq.com). The entity responsible for data processing outlined in this Privacy Policy is WellNetIQ GmbH, ABC-Straße 10, 20354 Hamburg, Germany. The responsible contact person at WellNetIQ GmbH for matters regarding Data Privacy is Mr. Tilman Spangenberg.

Our Privacy Policy is designed to assist you in understanding how we collect, use and safeguard the personal information you provide to us and to assist you in making informed decisions when using our site and our products and services.

As a company under private law, we are subject to the provisions of the European General Data Protection Regulation (GDPR) and the regulations of the German Federal Data Protection Act (BDSG). We have taken technical and organizational measures to ensure that the regulations on data protection are observed both by us and by our external service providers.

# Legal Basis for Data Processing

By law, in principle, any processing of personal data is prohibited and allowed only if the data processing falls under one of the following justifications:

- Art. 6 (1) p. 1 lit. a) GDPR ("Consent"): When the data subject has voluntarily, in an informed manner and unambiguously indicated by a statement or other unambiguous affirmative act that he or she consents to the processing of personal data relating to him or her for one or more specific purposes;
- Art. 6 (1) p. 1 lit. b) GDPR: If the processing is necessary for the performance of a contract to which the data subject is a party or for the performance of pre-contractual measures taken at the data subject's request;
- Art. 6 para. 1 sentence 1 lit. c) GDPR: If the processing is necessary for compliance with a legal obligation to which the controller, WellNet IQ GmbH, is subject (e.g. a legal obligation to preserve records);
- Art. 6 (1) p. 1 lit. d) GDPR: If the processing is necessary to protect the vital interests of the data subject or another natural person;
- Art. 6 (1) p. 1 lit. e) GDPR: If the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, WellNetIQ GmbH;  
or
- Art. 6 (1) p. 1 lit. f) GDPR ("Legitimate Interests"): If the processing is necessary to protect legitimate (in particular legal or economic) interests of the controller or a third party, unless the conflicting interests or rights of the data subject override (in particular if the data subject is a minor).

For the processing operations carried out by us, we indicate below the applicable legal basis in each case. A processing operation may also be based on several legal bases.

# Personal Information

The WellNetIQ Site collects different types of personal identifiable information (PII) such as name, address, email address and phone number.

When you download and use the Smart Phone Apps, we automatically collect information on the type of device you use, operating system version, and the device identifier. We do not ask for, access or track any location based information from the use of Smart Phone Apps.

We may send you push notifications from time-to-time in order to update you about any events or promotions that we may be running. If you no longer wish to receive these types of communications, you may turn them off at the device level. To ensure you receive proper notifications, we will need to collect certain information about your device such as operating system and user identification information.

In order to tailor our subsequent communications to you and continuously improve our products and services, we may also ask you to voluntarily provide us with information regarding your personal or professional interests, demographics, experience with our products, and contact preferences.

Generally, you can visit the WellNetIQ Site without entering any PII. However, if you choose to place an order on the WellNetIQ Site, we require that you provide your name, mailing address, billing address, email address, phone number, credit card number and its expiration date.

All of this information is necessary for us to complete the transaction and notify you of your order status.

For Ambassadors, the purpose of the WellNetIQ Site is to manage your Ambassadorship, preferred customers and network of Ambassadors. If you are an Ambassador, the WellNetIQ Site allows you to order products and manage your Ambassadorship.

When enrolling to become a WellNetIQ Ambassador through the Websites, we collect your PII, including your name, home or business address, telephone numbers, email address, IP address, credit card number and expiration date, bank account information (for direct deposit or direct debit), and various government-issued identifying data, including, but not limited to, your passport number, tax identification number, national ID card number, social insurance number, etc. We may also collect scanned copies of government-issued photo ID's.

This data is necessary to manage your WellNetIQ Ambassadorship for purposes of identifying who you are, placement of your Ambassadorship and of downline Ambassadorships in the tree, compliance management, product ordering, recognition and rewards, and commissions calculations and payment.

We permit your upline to see only the following PII: your name, email address and phone number.

If you choose to use a replicated website, we will display the PII that you expressly choose: name, Site URL, phone number.

We also collect third party personal information from customers, including their name, address, telephone number, email address, and credit card number and expiration date.

This PII is used to charge for product orders and ship product and for no other purposes.

We will collect third party personal information from those persons in your Smartphone's personal contact list that you elect for emailing or texting when participating in the Customer Loyalty Program's Refer-A-Friend function.

As a company under private law, we are subject to the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG). We have taken technical and organizational measures to ensure that the regulations on data protection are observed both by us, and by our external service providers.

# Non-Personally Identifiable Information Collected Automatically

As is true of most web sites, we gather certain information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, domain type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data.

We use mobile analytics software to allow us to better understand the functionality of our Smart Phone Apps on your device. This software may record information such as how often you use the application, the events that occur within the application, aggregated usage, performance data, and where the application was downloaded from. We do not link the information we store within the analytics software to any personally identifiable information you submit within the Smart Phone Apps.

## Supplementation of Information

In order to protect your account, we may on occasion supplement the personal information you submitted to us with information from third party sources.

We use services from leaders in the industry to verify your identity, in order to prevent others from defrauding your account or the company.

## Testimonials/Product Reviews

If you provide a testimonial or product review on the WellNetIQ Site, you should be aware that any personal information you submit there can be read, collected, or used by other users of these forums, and could be used to send you unsolicited messages.

For testimonials, we do obtain the customer's consent prior to posting his or her name and video testimonial. If you enter a comment in a public forum we are not responsible for the personal information you choose to submit in these comments.

If you want to remove your personal information that is being displayed on the WellNetIQ Site under public pages, please contact us at [privacy@wellnetiq.com](mailto:privacy@wellnetiq.com)

# How We Use Your Information

We may use your email address, mailing address and/or phone number to provide quality customer support or to reach you regarding order status, product or fulfillment issues and other customer service related activities.

We may use your email address, mailing address and/or phone number to contact you regarding new product offerings, special sales, newsletters, market research, and enforcement of the Ambassador contract and other aspects of your use of the WellNetIQ Sites.

If, however, you do not wish to receive such communications, you have the ability to "opt-out" at any time and you will not be contacted further, unless you place a product order. In that case, we will send you an order confirmation.

From time to time, we may ask you to answer surveys regarding current or future WellNetIQ products, as well as to determine hours worked at each rank in the compensation plan. Participation in these surveys is always optional. Survey responses are only used in the aggregate, and are never linked to an individual.

We may occasionally share the aggregate survey data with our affiliates and development partners in order to facilitate new product development and improve customer service and overall customer satisfaction.

# Information Sharing and Choice

WellNetIQ is not an "information broker".

We do not engage in the selling of the profile, contact, web usage habits, behavior, buying patterns, or demographic information of our customers, partners or users.

We use the information we collect about you to process orders, pay commissions and provide the best and most personalized service possible.

We will not use or share the PII provided to us online in ways unrelated to the ones described above without first letting you know and offering you a choice. We will also provide you the opportunity to let us know if you do not wish to receive unsolicited direct marketing materials from us and we will do everything we can to honor such requests.

## Agents/Service Providers

We use third parties such as a shipping company to fulfill orders and a credit card processing company to bill you for goods and services.

We use Live Chat to assist you if you have questions while using our site or regarding your order.

When you purchase a product and use our site, we will share your name, address, telephone number, and email address as necessary for the third party to provide that service.

These third parties, irrespective of their country of registration, are prohibited from using your personal information for promotional purposes or any other purpose aside from what is necessary to *provide* services to us and are contractually obligated to comply with GDPR and BDSG.

## Business Transition

In the event WellNetIQ goes through a business transition, such as a merger, acquisition by another company, or sale of all or a portion of its assets, your personal information will likely be among the assets transferred. You will be notified via email and/or a prominent notice on our website of any such change in ownership or control of your personal information, as well as any choices you may have regarding your personal information.

## Legal Disclaimer

In addition to the circumstances described above, WellNetIQ may disclose or release information when we, in good faith, believe that doing so is reasonably necessary: (i) to comply with the law, judicial proceeding, court order, or legal process served on our Web site; (ii) to enforce or apply the terms of User Agreement; or (iii) to protect the rights, property or safety of WellNetIQ Sites, our users, or others.

## Links to Other Sites

This WellNetIQ Site contains links to other sites that are not owned or controlled by WellNetIQ.

Please be aware that we, WellNetIQ, are not responsible for the privacy practices of such other sites.

We encourage you to be aware when you leave our site and to read the privacy policies of each and every Web site that collects personal information.

**This privacy policy applies only to information collected by this WellNetIQ Site.**

# Social Media Widgets

Our Websites may include social media features, such as the Facebook Like button and widgets, such as the ShareThis button or interactive mini-programs that run on our site.

These features may collect your IP address, which page you are visiting on our site, and may set a *cookie* to enable the feature to function properly.

Social media features and widgets are either hosted by a third party or hosted directly on our web site. Your interactions with these features are governed by the privacy policy of the company providing it.

# Tracking Information

WellNetIQ does not track users of WellNetIQ Site online activity over time or allow other parties to do this on the WellNetIQ Site.

# Log Files

Like most every web site, the WellNetIQ Site records certain tracking information any time someone visits the site.

For every web page that is viewed, our web server records an IP address, the operating system, browser version and the name of the page that was viewed.

We use a third-party tracking service that uses tracking technologies to track non-personal information about visitors to our site.

This information is not linked to any specific user and is used in the aggregate to maintain, track performance and improve the WellNetIQ Sites.

# Cookies

A *cookie* is a small piece of information that is stored by your browser on your computer's hard drive.

The WellNetIQ Site uses *cookies* for the sole purpose of uniquely identifying our users and securing their personal information.

We also use *cookies* to track your order process without requiring reentry or re-verification of password or personal information on each page of the site.

Rather than storing this information on WellNetIQ's server, the *cookie* is stored in your computer and is activated only when you visit the WellNetIQ Site.

Your privacy and security are not compromised when you accept a *cookie* from the WellNetIQ Site.

No one can access the information except WellNetIQ.

If personal data is also processed by individual cookies used by us, the processing is carried out in accordance with Art. 6 para. 1 lit b GDPR either for the performance contract, in accordance with Art. 6 para. 1 lit a. GDPR in the case of consent given, or in accordance with Art 6. Para. 1 lit. f GDPR to protect our legitimate interests in the best possible functionality of the website and a customer-friendly and effective design of the page visit.

## Third Party Tracking Technologies

Some of our business partners use cookies and web beacons on our site.

We do not have access or control over these third party trackers.

## Clear Gifs (Web Beacons/Web Bugs)

We may employ a software technology called clear gifs (aka Web Beacons/Web Bugs), that help us better manage content on our site by informing us what content is effective.

Clear gifs are tiny graphics with a unique identifier, similar in function to *cookies*, and are used to track the online movements of Web users.

In contrast to cookies, which are stored on a user's computer hard drive, clear gifs are embedded invisibly on Web pages and are about the size of the period at the end of this sentence.

We do not tie the information gathered by clear gifs to our customers' personal information.

We may use clear gifs in our HTML-based emails to let us know which emails have been opened by recipients.

This allows us to gauge the effectiveness of certain communications and the effectiveness of our marketing campaigns.

If you would like to opt-out of these emails, please see “How We Use Your Information”

## Flash *Cookies*

We do not use Flash *cookies* to collect and store information.

## Data Retention

We process your data only as long as it is necessary for the fulfillment of our contract or applicable legal provisions and the maintenance of our relationship with you. We will inform you about the specific storage period of the data in the context of the respective description of the individual data processing. If you do not find a concrete indication of the storage period there, then it is not possible for us to name such a period because it depends on various individual factors (e.g. the term of the contract, assertion of claims, etc.). In these cases, we base the duration of storage on the principle of data minimization and proportionality.

Business documents are kept for a maximum of 6 and 10 years in accordance with the requirements of the German Commercial Code and the German Fiscal Code.

As long as you do not object or revoke your consent, we will use your data to maintain and intensify our trusting business relationship for our mutual benefit.

Should you wish your data to be deleted, we will delete your data without delay, provided that there are no legal obligations to retain the data.

## Email & "Opt Out" Policy

We may use your email address provided to contact you regarding the following:

- 1 User Registration Status (including confirmation of account signup);
- 2 Order Status and Shipping Notification
- 3 Online Customer Satisfaction Survey
- 4 Major changes to the website, addition of new products or services;
- 5 Promotional and marketing materials that we think you may find useful

If you desire not to receive information about products or services we think may be of interest, you can change the notification options in your account settings.

If you wish to not receive any of these emails, you may *opt-out* by clicking the Opt-Out link or submitting your email address to [unsubscribe@wellnetiq.com](mailto:unsubscribe@wellnetiq.com) or by following the unsubscribe instructions within each email communication.

## Protecting Your Personal Information

WellNetIQ is committed to ensuring the security of your information. To prevent unauthorized access or disclosure, maintain data accuracy, and ensure the appropriate use of information, we have put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we collect online. We place a priority on protecting your Personally Identifiable Information and take commercially reasonable measures to secure and protect such information.

The WellNetIQ Sites use secure sockets layer (SSL) to encrypt the transfer of sensitive information, such as your account password and billing information including credit card, from your web browser to our web server.

Only the last four (4) digits of your credit card number will be displayed in your account.

When you place an Order with us, you are given an opportunity to select if you wish to have your credit card numbers stored on our system.

Emails you send to us may not be secure unless otherwise told that security measures will be in place prior to your transmitting the information. For this reason, we ask that you do not send confidential information such as credit card numbers or account numbers to us through emails.

The same SSL protocol also acts to authenticate the WellNetIQ Sites and prevent unauthorized "hackers" from masquerading as any of our sites while you are logged in to your account. This is accomplished through a "digital certificate", which is an unforgettable electronic "identity card".

If another website attempts to falsely identify itself as a WellNetIQ site, your web browser will display a warning indicating that there is a problem with the digital certificate for the WellNetIQ Site. Do not log in to those sites if you see any such warning.

We follow generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it.

No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

If you have any questions about security on our Web site, you can email us at [privacy@wellnetiq.com](mailto:privacy@wellnetiq.com)

# Updating Your Personal Information

Preferred customers and Ambassadors can update or correct their personal information at any time by visiting the "My Profile" section of the WellNetIQ Site.

If you wish to access, delete or correct your information, please fill out a help desk ticket through your WellNetIQ Backoffice or contact us by telephone.

Requests for access will be responded to within 30 days of the request.

## **Rights of the data subject**

### **1. revocation of consent**

If the processing of personal data is based on a granted consent, you have the right to revoke the consent at any time. The revocation of consent does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation.

### **2. right to confirmation**

You have the right to request confirmation from the controller as to whether we are processing personal data relating to you. You can request the confirmation at any time using the contact details above.

### **3. right to information**

If personal data is processed, you can request information about this personal data and about the following information at any time:

- a) the purposes of processing;
- b) the categories of personal data processed;
- c) the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular in the case of recipients in third countries or international organizations;
- d) if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration;
- (e) the existence of a right to obtain the rectification or erasure of personal data concerning you, or the restriction of processing by the controller, or a right to object to such processing;
- f) the existence of a right of appeal to a supervisory authority;
- g) if the personal data are not collected from the data subject, any available information on the origin of the data;

(h) the existence of automated decision-making, including profiling, pursuant to Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved and the scope and intended effects of such processing for the data subject.

i) If personal data are transferred to a third country or to an international organization, you have the right to be informed about the appropriate safeguards pursuant to Article 46 DPA Regulation in connection with the transfer. We will provide a copy of the personal data that is the subject of the processing. For any additional copies you request as an individual, we may charge a reasonable fee based on administrative costs. If you make the request electronically, the information shall be provided in a commonly used electronic format, unless it indicates otherwise. The right to receive a copy under Article 20 shall not interfere with the rights and freedoms of any other person.

#### **4. right to rectification and completion**

You have the right to request that we correct any inaccurate personal data concerning you without undue delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

#### **5. right to erasure ("right to be forgotten")**

You have the right to request from the controller that personal data concerning you be deleted without delay and we are obliged to delete personal data without delay if one of the following reasons applies:

- a) The personal data are no longer necessary for the purposes for which they were collected or otherwise processed.
- b) The data subject revokes the consent on which the processing was based pursuant to Article 6(1)(a) or Article 9(2)(a) of the GDPR and there is no other legal basis for the processing.
- c) the data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing or the data subject objects to the processing pursuant to Article 21(2) of the GDPR.
- d) the personal data have been processed unlawfully.
- e) The deletion of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject.

If the controller has disclosed the personal data to the public and is obliged to erase it pursuant to paragraph 1, it shall implement reasonable measures, including technical measures, taking into account the available technology and the cost of implementation, to inform the data controllers that process the personal data that a data subject has requested that they erase all links to or copies or replications of the personal data.

The right to erasure ("right to be forgotten") does not exist insofar as the processing is necessary:

- to exercise the right to freedom of expression and information;
- for compliance with a legal obligation which requires processing under Union or Member State law to which the controller is subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- for reasons of public interest in the field of public health pursuant to Article 9(2)(h) and (i) and Article 9(3) of the GDPR;
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes pursuant to Article 89(1) of the GDPR, insofar as the right referred to in paragraph 1 is likely to render impossible or seriously prejudice the achievement of the purposes of such processing, or
- for the assertion, exercise or defense of legal claims.

#### **6. right to restriction of processing**

You have the right to request us to restrict the processing of your personal data if one of the following conditions is met:

- (a) the accuracy of the personal data is contested by the data subject for a period enabling the controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject refuses the erasure of the personal data and instead requests the restriction of the use of the personal data;
- (c) the controller no longer needs the personal data for the purposes of processing, but the data subject needs them for the establishment, exercise or defense of legal claims; or
- (d) the data subject has objected to the processing pursuant to Article 21(1) of the GDPR for as long as it is not yet clear whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted in accordance with the above conditions, such personal data shall - apart from being stored - only be processed with the consent of the data subject or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of substantial public interest of the Union or a Member State.

## **7. right to data portability**

You have the right to receive the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format, and you have the right to transfer this data to another controller without hindrance from the controller to whom the personal data was provided, provided that:

- a) the processing is based on consent pursuant to Article 6 (1) a) or Article 9 (2) lit.
- b) ) or is based on a contract pursuant to Article 6 (1) b) GDPR and
- c) the processing is carried out with the help of automated procedures.

When exercising the right to data portability pursuant to paragraph 1, you have the right to obtain that the personal data be transferred directly from one controller to another controller, insofar as this is technically feasible. The exercise of the right to data portability does not affect the right to erasure ("right to be forgotten"). This right does not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

## **8. right of objection**

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Article 6 (1) (e) or (f) GDPR; this also applies to profiling based on these provisions. The controller shall no longer process the personal data unless it can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defense of legal claims.

If personal data are processed for the purpose of direct marketing, you have the right to object at any time to processing of personal data concerning you for such marketing; this also applies to profiling insofar as it is related to such direct marketing. If you object to the processing for direct marketing purposes, the personal data will no longer be processed for these purposes.

In connection with the use of information society services, notwithstanding Directive 2002/58/EC, you may exercise your right to object by means of automated procedures using technical specifications.

You have the right to object, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out for scientific or historical research purposes or for statistical purposes pursuant to Article 89(1), unless the processing is necessary for the performance of a task carried out in the public interest.

You can exercise the right to object at any time by contacting the respective person responsible.

#### **9. right to complain to a supervisory authority**

They shall also have the right, without prejudice to any other administrative or judicial remedy, to lodge a complaint with a supervisory authority, in particular in the Member State of their residence, place of work or the place of the alleged infringement, if the data subject considers that the processing of personal data relating to him or her infringes this Regulation.

#### **10. right to effective judicial remedy**

Without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority pursuant to Article 77 GDPR, you have the right to an effective judicial remedy if you consider that your rights under this Regulation have been infringed as a result of the processing of your personal data not in compliance with this Regulation.

## Children's Policy

The Website is not intended for use by children, and children under the age of 18 are not authorized to use the Website and should not submit any personal information to us. We do not knowingly market to or solicit information from children under the age of 18.

## Changes in this Privacy Policy

If we decide to change our privacy policy, we will post those changes to this privacy policy, the home page, and other places we deem appropriate so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it.

We reserve the right to modify this privacy policy at any time, so please review it frequently.

If we make material changes to this policy, we will notify you here, by email, or by means of a notice on our home page prior to the change becoming effective.

Status of the Privacy Policy: September 13<sup>th</sup> 2022