

# Talk Fusion® PRIVACY POLICY

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Effective January 4, 2019

Talk Fusion, Inc., (“Talk Fusion”, “we”, “us”, and “our”) value your privacy and understand the importance of protecting it. This “Privacy Policy” applies to Personal Information (as defined below) we collect from you when you visit Talk Fusion’s corporate website, a “Replicated Website,” of an Independent Associate for Talk Fusion (“Associate”), or the Back-Office of an Associate, (referred to herein collectively as “Site”). This Site is operated by Talk Fusion, and is hosted on Talk Fusion’s server as well as on the servers of Talk Fusion’s third-party technology providers. The Personal Information you submit on this Site is accessed by Talk Fusion and the Associate to whom this Site is assigned (as set forth in this Privacy Policy). For the purpose of EU data protection laws, Talk Fusion and Associates (depending on your relationship with Associates) are “data controllers” and are responsible for, and control the processing of, your Personal Information collected pursuant to this Privacy Policy.

## PERSONAL INFORMATION COLLECTION

Through your use of or visits to the Site, we may collect Personal Information you provide to us. “Personal Information” is any piece of information that can potentially be used to identify, contact, or locate a single person. We may collect the following Personal Information from you: your name, address, email address, telephone number, social security and tax identification number, and credit card or banking information, billing address, IP address, images or videos that you upload to the Site, passport information, date of birth, driver’s license information and purchase history. We may also collect Personal Information in connection with communications you send us, for example, to report a problem or to submit questions, concerns, or comments regarding the Site, our products or any related content. Finally, we may collect Personal Information from surveys, if you choose to respond or participate in such surveys. In addition, Associates may collect your name, email address and telephone number.

In order to become an Associate or Customer (you can become a “Customer” by purchasing one of Talk Fusion’s product packages), you must provide biographical and contact information (such as name, mailing address, telephone numbers, and email address) to us. Associate applicants must also provide Personal Information such as an applicant’s Social Security Number or Federal Tax ID Number so that we may prepare and file necessary non-employee compensation forms for the IRS. Associates and Customers are also required to provide payment information (such as credit card or debit card). We may also collect Associates’ commission and bonus information.

## USE OF PERSONAL INFORMATION

We collect and use your Personal Information to fulfil our legal and contractual obligations with you and to pursue our legitimate interests, which include: (i) establishing or maintaining our relationship with you; (ii) contacting you and responding to your requests and inquiries; (iii) providing you with services you have requested; (iv) keeping you informed of products and services we think may be of interest to you; (v) personalizing your experience with us; (vi) assisting you while you use the Site; (vii) business administration, including statistical analysis; (viii) improving the Site by helping us to understand who uses the Site and how they are used; (ix) for fraud prevention and detection; and (x) to comply with applicable laws, regulations, and codes of practice.

## DISCLOSURE OF PERSONAL INFORMATION

### **Personal Information**

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### ***“Genealogy” Information***

As a network marketing company, Talk Fusion provides certain information to Associates regarding the other Associates and Customers enrolled in an Associate’s downline marketing organization.

- If you complete a “Contact Me” form, all information provided within that form is sent to the sponsoring Associate.
- If you join as a Customer, the sponsoring Associate will have access to your name, email address and sales volume associated with your purchase.
- If you join as an Associate, the sponsoring Associate will have access to:
  - The new Associate’s name
  - Identification of the product the new Associate purchased
  - The sales volume associated with the new Associate’s purchase
  - The downline Associate’s rank
  - The personal enrollments of the downline Associate made in the past 30 days
  - The weekly cycles of the personally sponsored Associate
  - The number of Associates that the downline Associate has personally sponsored
  - The total active volume of each personally sponsored Associate

Any Associate can see the total leg count of any other Associate in their downline and whether any downline member is Active and/or qualified.

Personal Information relating to downline Associates is made available to Associates subject to a confidentiality and non-solicitation covenant in the agreement that each Associate enters into with Talk Fusion. However Talk Fusion does not warrant that other Associates will adhere to the confidentiality and non-solicitation covenants, and Talk Fusion shall not be responsible for Associates’ violation of these covenants.

### ***Sales Information***

If you make a purchase from an Associate’s Replicated Website, we will provide the Associate to whom Replicated Website is assigned with your name, contact information, a description of the item(s) purchased, and the sales volume associated with the purchase.

### ***Aggregate Information (non-personally identifiable)***

Talk Fusion may share aggregated demographic information with our partners, vendors, suppliers, third party providers, and advertisers. This is not linked to any Personal Information.

### ***Lead Assignment and Associate Locator Features***

Talk Fusion occasionally will assign prospective sales and new Associate leads to Associates. In these cases, we will provide the lead with the appropriate Associate’s name and contact information and/or provide an Associate with the prospective lead’s name and contact information. If Talk Fusion adds an Associate Locator feature on the Site, in order to make the Associate Locator feature and the lead assignments effective, the we will provide you with the Associate’s name and contact information, which may include his/her telephone number, address, and/or email address.

### ***Legally Required Law Enforcement, Judicial and Administrative Agency Disclosures***

Talk Fusion will provide Personal Information as necessary to comply with judicial and administrative orders, subpoenas, civil or criminal investigative demands, administrative and regulatory demands and other legal obligations. In order for Talk Fusion to conduct business in certain jurisdictions, Talk Fusion may be called upon to disclose certain personally identifiable and confidential information to regulatory authorities in those jurisdictions. Such information may include, but is not limited to, income information and personally identifiable information. We will provide such information as we deem necessary.

## **INTERNATIONAL TRANSFERS OF PERSONAL INFORMATION**

Talk Fusion is located, and this Site is hosted, in the United States. If you are visiting this Site from outside the United States, please note that any Personal Information you share with us will be stored and processed in the United States. Unless restricted by law, regulation, contract, or professional standards, we may transfer your Personal Information outside of the United States to other countries for the purposes described in this Privacy Policy.

If you are located in the European Economic Area (“EEA”), we may transfer your Personal Information to countries outside of the EEA that may not provide a similar or adequate level of protection to that provided by the EEA (including the United States). To provide adequate protection for Personal Information transferred from the EEA, Talk Fusion relies on European Commission approved Standard Contractual Clauses.

## **YOUR RIGHTS**

Individuals in the EEA have certain data subject rights which may be subject to limitations and/or restrictions. These rights include the right to: (i) request access to and rectification or erasure of their Personal Information; (ii) obtain restriction of processing or to object to processing of their Personal Information; and (iii) ask for a copy of their Personal Information to be provided to them, or a third party, in a digital format. If you wish to exercise one of the above-mentioned rights, please send us your request to the contact details set out below. Individuals also have the right to lodge a complaint about the processing of their Personal Information with their local data protection authority.

## **COMMUNICATIONS**

### ***Communication from Talk Fusion and from Upline Associates***

Talk Fusion sends all new Associates and Customers a welcoming email to verify identification numbers. All Associates and Customers will occasionally receive information on the Talk Fusion business, products, services, special deals, and a newsletter. An Associate in another Associate’s upline may contact a downline Associate via the downline message feature from within the upline Associate’s account, they can choose to send a video email message to their downline, including but not limited to inactive Associates. This message is delivered by Talk Fusion to the email address on file within the person’s account. The sending Associate is NOT provided with the personal email of all the Associates in their downline.

Customers may receive communication via any form of media from their Associate.

### ***Contact by Other Associates***

Associates may be contacted by their sponsor or other upline Associate.

### ***Service Announcements***

On rare occasions it is necessary to send out a strictly service related announcement. For instance, if our service is temporarily suspended for maintenance we might send Associates and/or Customers an email.

### ***Customer Service***

Talk Fusion communicates with Associates and Customers via email, regular mail, text, social media and telephone on a regular basis to provide requested services and in regards to issues relating to their Talk Fusion business. Talk Fusion communicates with Customers with respect to products or services purchased by such Customers from Talk Fusion. Such communications may be by email, regular mail, text message, social media or telephone. Talk Fusion also communicates with Associates through leaving messages in Associates’ Back-Offices.

## **MISCELLANEOUS**

### ***Information Collection and Use***

I understand that Talk Fusion is the sole owner of the information collected on this site and that they will not sell, share, or rent this information to others. By purchasing or using any Talk Fusion Product or Service, I authorize Talk Fusion to use my brand, name, video, photograph, personal story and/or likeness in advertising or promotional materials and waive all claims for remuneration for such use.

### ***Retention of Personal Information***

We retain your Personal Information for as long as necessary to fulfil the purposes outlined in this Privacy Policy, unless a longer retention period is required or allowed by law, including to fulfil a legal obligation.

## **Google Information**

Talk Fusion may access users' Google account information to import Google contacts into our Talk Fusion Suite Contact Manager.

## **Security**

Talk Fusion implements and maintains reasonable physical, administrative and technical security measures to protect your Personal Information from loss, misuse, or unauthorized access, disclosure, alteration, or destruction.

While we use SSL encryption to protect sensitive information online, we also seek to protect your information off-line. All Personal Information is restricted in our offices. Only employees who need the Personal Information to perform a specific job (for example, our billing clerk or a Customer service representative) are granted access to Personal Information. Furthermore, our employees are kept up-to-date on our security and privacy practices and trained accordingly.

## **Changes to this Privacy Policy**

Talk Fusion reserves the right to amend or change this Privacy Policy at any time at its sole discretion. When material changes or amendments are made to the Privacy Policy, we will announce the same under the Privacy Policy tab for a period of at least 30 days prior to implementation of the amended Privacy Policy.

## **Third Party Links**

This Site may contain links to or from other sites. Please be aware that Talk Fusion is not responsible for the privacy practices of such other sites. We encourage users to be aware when they leave our site and to read the privacy statements of each and every website that collects personally identifiable information. This privacy statement applies solely to information collected by Talk Fusion websites.

## **California Online Privacy Protection Act Compliance**

California Civil Code Section § 1798.83 permits users of our website 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, you may contact us as described below.

## **Cookies**

Our Site uses "cookies" to enhance your experience while using the Site. Your web browser places cookies on your hard drive for record-keeping purposes and sometimes to track information about you. You may choose to set your web browser to refuse cookies, or to alert you when cookies are being sent. If you do so, please note that certain Site features may not function properly.

## **"Do Not Track" disclosure**

Certain web browsers may allow you to enable a "do not track" option that sends signals to the websites you visit indicating that you do not want your online activities tracked. This is different than blocking cookies as browsers with the "do not track" option selected may still accept cookies. We currently do not honor "do not track" signals. If we do so in the future, we will update this Privacy Policy accordingly.

## **Children's Privacy**

This Site is not intended for children under the age of 13. If you are under the age of 13, do not use this Site. We do not knowingly collect any information from anyone under 13 years of age. If we learn that we have collected or received Personal Information from a child under the age of 13 without verification of parental consent, we will delete that information.

## **Dispute Resolution**

This privacy policy is governed by the law of the State of Florida. Exclusive jurisdiction and venue for any dispute arising from or relating to this Agreement shall be in the courts of the State of Florida residing in Hillsborough County, or the United States District Court for the Middle District of Florida, Tampa Division.

Notwithstanding the foregoing, if you have a claim arising from or relating to this Agreement that is within the jurisdictional amount of your local U.S. Small Claims Court, You may bring such action before the small claims court in the U.S. jurisdiction in which you reside.

***Class Waiver***

**The parties to this privacy policy waive the right to seek relief under a class or consolidated action. All claims shall be brought and prosecuted on an individual, rather than a consolidated, or class basis. You may opt out of this class waiver by sending written notice to Talk Fusion of your desire to opt out within 30 days from the date on which you subscribe to the Products and Services. Opt out notices should be sent to Talk Fusion at 1319 Kingsway Road, Brandon, FL 33510.**

***Contact Us***

If you have questions regarding this Privacy Policy, please contact us at [support@talkfusion.com](mailto:support@talkfusion.com) or by mail at:

Talk Fusion  
1319 Kingsway Road  
Brandon, FL 33510