

# ACN PRIVACY POLICY

Last updated: April 3, 2025

LKN Communications, Inc. dba ACN, Inc. and its group companies, including ACN Opportunity, LLC, ACN Communication Services, LLC, All Communications Network of Canada Co. (collectively “ACN” or “we”), are committed to protecting the privacy of personal information of our customers, independent business owners (“IBOs”), employees, and business partners (collectively “You” or “Your”). We know that You care how information about You is used and shared, and we appreciate Your trust that we will do so carefully and sensibly. This document will provide information about ACN’s policy relating to the collection, use, and disclosure of personal information and of Your right to limit such collection, use, or disclosure. This Notice applies to information we collect on our sites (the “Website”), including without limitation, acn.com, flashmobile.com, flashwireless.com, truvvi.com, myflashservices.com, via form submissions, purchases, and tracking tools as well as in email, text, and other electronic messages between You and ACN, mobile applications, social media pages, marketing activities and other activities described in this Privacy Policy. The Website includes, but is not limited to, other sites owned and operated by ACN that redirect to the Website, all subdomains provided through such other site or the Website, and all downloadable applications, features, functionality, content or information that is made available or provided on the Website. The Website is made available to you for the purposes of providing you with access to information about ACN and its product offerings (the “Services”).

This Privacy Policy applies to all of ACN products, Services, and Websites. Our Websites may display services, products, support or applications offered by third parties, which will be governed by the privacy policy of those third parties. In those instances, our Privacy Policy will not apply.

We may change this Privacy Policy from time to time in our sole discretion, so please be sure to check back periodically. You can tell if this Privacy Policy has changed by checking the last updated date that appears at the beginning of this Privacy Policy. We may, but are not obligated to, provide you with notice in case of any material changes made to this Privacy Policy. You should not continue using the Services if you do not agree with the version of this Privacy Policy in effect at that time. By continuing to use the Services, you agree and accept the version of this Privacy Policy in effect at that time. Any changes will be effective only after the effective date of the change and will not affect any dispute arising prior to the effective date of the change.

**By voluntarily providing us with personal information through the use of Services and the Website, You are consenting to its collection, use and disclosure in accordance with this Privacy Policy. You acknowledge and agree that such personal information may be transferred from your current location to the offices and servers of ACN and authorized third parties referred to herein located in Canada and the United States. When your personal information is transferred outside of your jurisdiction, it is subject to the laws of the country in which it is held, and may be subject to disclosure to the governments, courts, law enforcement or regulatory agencies of such other countries, pursuant to the laws of that country.**

- [What Personal Information About You Does Company Collect?](#)
- [For What Purposes Does Company Use Your Personal Information?](#)
- [How Are Cookies and Other Identifiers Used?](#)
- [Does ACN Share My Personal Information?](#)
- [How Secure Is Information About Me?](#)
- [What Information Can I Access?](#)
- [What Choices Do I Have?](#)
- [Are Children Allowed to Transact with Company?](#)
- [Conditions of Use, Notices, and Revisions](#)
- [California Consumer Privacy Act \(CCPA\) and Other State Privacy Law Supplemental Notice](#)
- [Examples of Information Collected](#)

## What Personal Information About You Does Company Collect?

We collect Your personal information in order to provide You with the services, products, support, and experience that You may inquire about or contract with us to obtain.

Here are the types of personal information we collect:

- **Information You Give Us:** We receive and store any information You provide in relation to Your interactions with ACN. Click [here](#) to see examples of what we collect. We may also keep records of Your communications with us, such as recordings of calls to customer service, emails, text messages, website chat tools, etc. You can choose not to provide certain information, but, as a result, You may not have the same experience or, depending upon the missing information, we may not be able to provide the services, products, or support You are seeking to obtain.
- **Automatic Information:** We automatically collect and store certain types of information about Your use of ACN, including information about Your interaction with content and services available through the Website. Like many websites, we use “cookies” and other tracking tools, and we obtain certain types of identifiers and other information when Your web browser or device accesses ACN and other content served by or on behalf of ACN. Click [here](#) to see examples of what we collect. We automatically receive certain types of information whenever You use our Services. We may collect information about Your device, Your computer, and online activities. For example, we collect Your device’s and computer’s IP address, the date and time of Your access and the type of browser You use, Your device’s and computer’s operating system and Your location. We may link information we automatically collect with personal information, such as information You give us at registration or check out. Information we collect when we provide You with Services includes when Your wireless device is turned on, how Your device is functioning, device signal strength, where it is located, what device You are using, what You have purchased or downloaded with Your device (including any applications), how and to what extent You are using it, what sites You visit, and other CPNI.
- **Information from Other Sources:** We may receive information about You from other sources, such as our service providers, IBOs, credit bureaus, or other business partners which we use to correct our records and assure continuity in providing Services, products, or support to You. Regarding Your payment card information, we may use third party providers to automatically update and collect Your payment card information.
- Click [here](#) to see additional examples of the information we receive.

## For What Purposes Does Company Use My Personal Information?

We use Your personal information to operate, provide, develop, and improve the services, products, and support that we offer.

These purposes include:

- **Purchase and delivery of services, products, and support.** We use Your personal information to take and handle orders, provision of Services and products, process payments, provide access to training and support, manage Your account, check Your credit, bill You and collect payment from You, and communicate with You about orders, services and products, and status updates.
- **Provide, troubleshoot, and improve ACN site(s).** We use Your personal information to provide functionality, analyze performance, fix errors, and improve the usability and effectiveness of our ACN site(s), monitor, evaluate or improve our Services, systems or networks.
- **Recommendations and personalization.** We use Your personal information to recommend services, products, and support that may be of interest to You, identify Your preferences, and personalize Your experience with ACN.
- **Comply with legal obligations.** In certain cases, we collect and use Your personal information to comply with laws. For instance, we collect from business partners certain taxpayer information to report properly. We may collect bank account information for identity verification and billing purposes from our customers, IBOs, and employees.
- **Communicate with You.** We use Your personal information to communicate with You in relation to ACN services, products, and support.
- **Fraud Prevention and Credit Risks.** We use personal information to prevent and detect fraud and abuse in order to protect the security of You, ACN, and others. We may also use scoring methods to assess and manage credit risks.

To the extent permitted by applicable law, we may use, process, transfer, and store any data about individuals and customers in an anonymous (or pseudonymous) and aggregated manner. We may combine personal information with other information collected online and offline, including information from third party sources. We may share anonymized data with third parties for business development purposes. By using the Website and/or the Services, You agree that we are hereby licensed to collect, use, share, and store anonymized (or pseudonymized) aggregated data collected through the Website or Your use of the Services for benchmarking, analytics, metrics, research, reporting, machine learning, and other business purposes.

## How Are Cookies and Other Tracking Tools Used?

To enable our systems to recognize Your browser or device and to provide and improve the Website, including remember your language and other preferences and to deliver video content, we use cookies and other tracking tools. A cookie is a small file placed on the hard drive of Your computer. We also use browser “log files” which record certain information when You visit our sites, including your IP address. These tools may use browsing information (e.g., click stream information, Web browser type, device information, time and date) during Your visits to the Website and other web sites. The first time You visit one of our Websites, You will receive notice about our use of cookies. You can control whether or not Your computer accepts cookies, by adjusting Your browser’s settings (for example, under the “Internet Options”, “Settings” or “Preferences” feature of Your browser). You can also use the Global Privacy Control (“GPC”) to signal Your opt-out. To learn more about the GPC, please visit <https://globalprivacycontrol.org>. If you delete cookies or reset your device, You may need to set your preference again to ensure we continue to honor your preferred choice. Please, note, however, that refusing to accept cookies may affect Your experience using our websites. For more information about how to manage or delete cookies, please go to the website [www.allaboutcookies.org](http://www.allaboutcookies.org).

We use Google Analytics to understand how users interact and engage with the Website. Google Analytics may collect information through cookies and other tools as described above. If You don’t want Analytics to be used in your browser, you can install the [Google Analytics browser add-on](https://support.google.com/analytics/answer/6004245). You can learn more here: <https://support.google.com/analytics/answer/6004245>.

## Does ACN Share My Personal Information?

Information about You, whether You are a customer, IBO, employee, or business partner, is an important part of our business, and we are not in the business of selling anyone’s personal information to others. We share personal information only as described below and with affiliates or contracted business support service providers that either are subject to this Privacy Policy or follow practices meeting the practices outlined in this Privacy Policy.

- **Sharing within the ACN group:** We may share information about You among and between ACN-related entities for reasonable business purposes, including for marketing and delivery of services, products, support, or applications.
- **Transactions involving Third Parties:** We make available to You services, products, support, or applications provided by third parties for use on or through the Website. For example, You may order services through ACN that are provisioned by our third-party service provider. You can tell when a third party is involved in Your transactions, and we share personal information related to those transactions with that third party to provide and deliver the service.
- **Third-Party Service Providers:** We employ other companies and individuals to perform functions on our behalf. Examples may include processing payments, scoring, assessing and managing credit risk, supporting our loyalty and IBO programs, and providing technical support. These third-party service providers have access to personal information needed to perform their functions, but may not use it for other purposes. We may also share personal information with our affiliates or any business partners or agents acting on our behalf or with our financial, insurance, legal, accounting or other advisors that provide professional services to us.
- **IBOs:** We may share certain customer personal information with our IBOs to enable them to track customers’ order status, billing, and services for which they earn commissions.

- **Group Account Holders:** We may offer group accounts to business and government customers, family customers and other group account holders (“Group Accounts”). The account holder for Group Accounts is the entity or person that buys the service or product for its employees, family members or other authorized users. You (as the user of a device) may receive service, certain pricing, terms or other benefits through a Group Account with us. We may share with the Group Account holder customer registration and other information related to Your use of our services.
- **Disclosures to Third Parties:** Some of our Services may be covered by third-party privacy policies and, in the event of a conflict between the two, the product or service specific policy governs. For example, our agency partners have separate policies or agreements for their products, services or brands which You must agree to when you sign up for their products or services.
- **Business Transfers:** As we continue to develop our business, we may sell or buy other businesses or services. In such transactions, information generally is one of the transferred business assets but remains subject to the promises made in any pre-existing Privacy Policy (and in accordance with any consents or requests formally made regarding Your information). Also, in the unlikely event that ACN or substantially all of its assets are acquired, information will be one of the transferred assets.
- **Protection of ACN and Others:** We release account and other personal information when we are compelled to do so by law or to respond to lawful requests or legal process; enforce or apply our Terms of Use and other agreements; or protect the rights, property, or safety of ACN, our users, IBOs, members, customers or others; respond to emergencies, initiate, render, bill and collect for Services, or facilitate or verify the appropriate calculation of taxes, fees, or other obligations due to a local, state, or federal government requirement or to determine eligibility for government benefits. This includes exchanging information with those organizations that may assist in fraud protection and credit risk reduction. As a result, subject to applicable regulations, we may disclose Your personal information to a government agency, court, or law enforcement personnel.

## How Secure Is Information About Me?

We design our systems with Your security and privacy in mind. While no method of processing, transmission, or storage is 100% secure, ACN has instituted robust security measures designed to provide protection to your data.

- We work to protect the security of Your personal information during transmission by using reasonable encryption protocols and software such as the use of Secure Socket Layer (SSL) technology where appropriate.
- We and our trusted vendors follow and attest to our compliance with the Payment Card Industry Data Security Standard (PCI DSS) with respect to credit and debit card data.
- We maintain physical, electronic, and procedural safeguards in connection with the collection, storage, and disclosure of personal information. Our security procedures mean that we may ask to verify Your identity before we disclose personal information to You.
- It is important for You to protect against unauthorized access to Your password and to Your computers, devices, and applications. We recommend using a unique password for Your ACN account (should You have one) that is not used for other online accounts. Be sure to sign off when finished using a shared computer. Never share your password with anyone and contact us immediately if you believe your password has been compromised.
- ACN will never request sensitive personal information through email. Do not respond to e-mails requesting credit information, account numbers, passwords or PINs. Call ACN to verify the legitimacy of the e-mail

Therefore, despite our efforts, we cannot guarantee its absolute security. **WE DO NOT WARRANT OR REPRESENT THAT PERSONAL INFORMATION ABOUT YOU WILL BE PROTECTED AGAINST LOSS, MISUSE, OR ALTERATION BY THIRD PARTIES.**

## What Information Can I Access?

You can access Your information, including Your name, address, payment options, profile information, account settings, and purchase history in the self-service portal (if You are a customer or IBO).

ACN honors requests from the individuals whose personal information is held by ACN. We maintain this information in a reasonably retrievable form, and will correct any such information which may be inaccurate.

We may request certain information from You for the purposes of verifying Your identity before granting access to personal information records and may restrict access to certain personal information as required or permitted by applicable law or legal process.

## What Choices Do I Have?

If You have any questions as to how we collect and use Your personal information, please contact our Privacy Officer at the email included in this Privacy Policy. Whether You are a visitor to our Website or have an account in a self-service portal, You have options as to how Your information is used that You can select.

- As described above, You can choose not to provide certain information, but then You may not be able to take advantage of specific services, have fulfilled certain products, or receive support.
- You can add or update certain information on pages within the self-service portal(s) if You have an account with ACN.
- If You do not want to receive email or other communications from us, please adjust Your preferences in the self-service portal relevant to Your relationship status with ACN. You can also withdraw your consent to receive ACN promotional emails by selecting the unsubscribe link in the footer of a promotional email sent by ACN. If You register a do-not-contact request, we may still contact You for non-promotional purposes, such as emails about Your accounts or our ongoing business relations.
- The Help feature on most browsers and devices will tell You how to prevent Your browser or device from accepting new cookies or other identifiers, how to have the browser notify You when You receive a new cookie, or how to block cookies altogether. Because cookies and identifiers allow You to take advantage of some essential features of our Website, we recommend that You leave them turned on. For more information about cookies and other identifiers, visit [www.allaboutcookies.org](http://www.allaboutcookies.org).
- If You want to browse our Websites without linking the browsing history to Your account, You may do so by logging out of Your account and blocking cookies on Your browser.
- You will also be able to opt out of certain other types of data usage by updating Your settings on the applicable Website or application.
- Some browsers have a “do not track” feature that lets You tell websites that You do not want to have Your online activities tracked. At this time, we do not respond to browser “do not track” signals.
- Residents of California, Connecticut, Colorado, Virginia, and Utah and certain other states have additional rights described in our California and Other State Consumer Privacy Act Supplemental Notice, below.

In addition, to the extent required by applicable law, You may have the right to request access to, rectify or delete Your personal information and the right to withdraw Your consent (subject to legal and contractual restrictions and provided that reasonable notice is given to us). If You wish to do any of these things, please contact the ACN Privacy Officer. Depending on Your choices regarding cookies and privacy settings, certain services may be limited or unavailable.

## Are Children Allowed to Transact with ACN?

ACN does not sell services or products for purchase by children. The Website is not directed to children, and ACN does not knowingly collect information from children under 14 without verifiable parental or guardian consent. If You are under 18, You may use ACN only with the involvement of a parent or guardian.

## Third Party Links

From time to time, we may include links to third party websites which are not controlled or maintained by us. We are not responsible for personal information submitted by You to third party websites or the personal information collected by third party websites. You should review the privacy policies of third-party websites or contact the third-party website's operator if You have questions or concerns.

## Customer Proprietary Network Information And Other Telecom Related Disclosures

This Policy also applies to our use of what is referred to in the telecommunications industry as "Customer Proprietary Network Information" ("CPNI"). CPNI relates to the use of voice services. It includes the length of calls, the phone numbers that customers call and similar information. CPNI does not include information, such as customer name, telephone number and e-mail address. You have a right, and ACN has a duty, under applicable law to ensure the confidentiality of CPNI. CPNI, for example, is a subset of the personal information that is generated in connection with the telecommunications services we provide to our customers. CPNI includes, for example, call detail records, call location information, technical configuration, and information about Your rate plans and features. Subject to Your permission, ACN may use Your CPNI to market additional communications and data products and services similar to the types currently purchased from us. For example, ACN may market, among other products and services:

- Wireless Internet access;
- New messaging products;
- Interactive service;
- Ringtones, wallpapers or games;
- Handsets or related equipment; and / or
- Web-based services (for example, photo sharing on the Net).

Again, subject to Your permission, ACN may contact You to market additional products and services we and our partners sell.

ACN also discloses Your CPNI as required by law (see "Does ACN Share My Personal Information" below). And, to provide service, we may use and disclose CPNI to our agents and independent contractors, but we restrict their use and limit disclosure of CPNI for purposes of providing service or to market products and services as previously described. We will also prohibit the third party from further disclosing the CPNI except as required by law and will require the third party to implement safeguards to protect the confidentiality of the CPNI.

You may choose to use services and products offered by third parties through our Services or devices like third party applications. When You leave our network You may also use mobile roaming services provided by third parties. Your use of such services and applications may result in these third parties collecting Your information and obtaining information from ACN, including location information (when applicable). You may also choose to give information directly to third parties when using our Services. In each case, information You give a third party will be subject to its terms, conditions, and policies; not this Privacy Policy. You should review a third party's privacy policy and terms of service before providing Your information or using the service.

## Conditions of Use, Notices, and Revisions

ACN uses reasonable efforts to comply with the terms of this Privacy Policy and applicable law regarding the processing of Your personal information. Except as provided by applicable law, ACN shall not be responsible for direct or indirect damages that may result from non-compliance with this Privacy Policy. If You have any concern about privacy at ACN, please contact us with a thorough description, and we will try to resolve it. Our business changes constantly, and our Privacy Policy will change also. You should check our Websites frequently to see recent changes. Unless stated otherwise, our current Privacy Policy applies to all information that we have about You and Your account. We stand behind the promises we make, however, and will never materially change our policies and practices to make them less protective of information collected in the past without the consent of affected individuals.

Should You have any questions with respect to the ACN Privacy Policy or if You do not consent to, or would like to limit, the manner in which information about You is collected, used or disclosed, please contact the ACN Privacy Officer in writing at 10150 Mallard Creek Road, Suite 400, Charlotte, North Carolina 28262 or via email at [privacyofficer@acninc.com](mailto:privacyofficer@acninc.com).

## Examples of Information Collected

### **Information You Give Us When You Use ACN**

You provide information to us when You:

- Search or shop for services or products on our Website;
- Add or remove item(s) from Your cart, or otherwise transact with ACN;
- Provide information regarding Your account in the self-service portal that is applicable to You;
- Configure Your settings or preferences for Your account;
- Communicate with us by phone, chat, snail mail or email, or otherwise;
- Complete a questionnaire or case ticket; or
- Attend a training event.

### **As a result of those actions, You may supply us with such information as:**

- Identifying information such as Your name, address, email address and phone numbers;
- Payment information;
- Login information, such as username and password;
- Your age;
- People, addresses and phone numbers listed in Your addresses;
- Personal description and photograph in Your profile;
- Information and documents regarding identity, including Social Security, Social Insurance and driver's license numbers;
- Corporate and financial information;
- Credit history information; and
- Other information that may be communicated during contact for support.

### **Automatic Information**

Examples of the information we collect and analyze include:

- the internet protocol (IP) address used to connect Your computer to the internet;
- the location of Your device or computer;
- ACN metrics (e.g., the occurrences of technical errors, Your interactions with service features and content, Your settings preferences and backup information);
- version and time zone settings;
- purchase and content use history, which we sometimes aggregate with similar information from other individuals to create features;
- the full Uniform Resource Locator (URL) click stream to, through, and from our Websites, including date and time; products and content You viewed or searched for; page response times, download errors, length of visits to certain pages, and page interaction information (such as scrolling, clicks, and mouse-overs);
- phone numbers used to call our service numbers; and
- details regarding the initiation of chat communications.

We may also use identifiers, cookies, and other technologies on, applications, and our web pages to collect browsing, usage, or other technical information.

### **Information from Other Sources**

Examples of information we receive from other sources include:

- Updated address information from our service providers, which we use to correct our records and assure continuity of the services You have purchased;
- Account information, purchase information, and page-view information from some of our site analytics tools;
- Information about Your interactions with services and products features on our Websites; and
- Credit history information from credit bureaus, which we use to help prevent and detect fraud.

### **Information You Can Access**

Examples of information You can access through ACN include:

- Status of recent orders (including subscriptions);
- Your complete order history;
- Personally identifiable information (including name, email, password, and address book);
- Payment settings (including payment card information and/or bank account information);
- Email notification settings (including marketing communications consent);
- Recommendations and the products You recently viewed;
- Your services, and related settings, and communications and personalized preferences;
- Content that You recently viewed; and
- Your Profile summary including summary of Your downline activity.



# California and Other State Consumer Privacy Act Supplemental Notice

*Effective January 1, 2020*

*Last Updated April 3, 2025*

In accordance with the California Consumer Privacy Act (CCPA) and when applicable, other state consumer privacy laws, including in Connecticut, Colorado, Virginia, and Utah, ACN includes the following additional details and / or provisions to our above Privacy Policy.

## **Information We Collect About You**

Our Website collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or device (“Personal Information”). Specifically, our Website has collected one of more data elements listed in the following categories of Personal Information designated with “Yes” in the “Collected” column within the last twelve (12) months:

| Category   | Examples   | Collected |
|--|--|-----------|
| <b>A. Identifiers</b>  | A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.   | Yes       |
| <b>B. Personal Information Categories.</b>   | A name, date of birth, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.<br>Some personal information included in this category may overlap with other categories. | Yes       |
| <b>C. Protected classification characteristics.</b>  | Race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).  | No        |
| <b>D. Commercial information.</b>  | Records of personal property, solutions purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.  | Yes       |
| <b>E. Biometric information.</b>   | Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.  | No        |
| <b>F. Internet or other similar network activity.</b>  | Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.   | Yes       |
| <b>G. Geo-location data.</b>   | Physical location or movements.  | Yes       |
| <b>H. Sensory data.</b>  | Audio, electronic, visual, thermal, olfactory, or similar information.   | No        |
| <b>I. Professional or employment-related information.</b>  | Current or past job history or performance evaluations.  | No        |
| <b>J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).</b> | Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.   | No        |
| <b>K. Inferences drawn from other personal information.</b>  | Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.  | No        |
| <b>L. Equipment information.</b>   | Information about Your internet connection, the equipment You use to access our Website, and usage details.  | Yes       |

Personal information does not include:

- Publicly available information from government records.
- Aggregated or anonymized consumer information.
- Information excluded from the scope of the CCPA or other state laws, like:
- health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA), other similar state laws or clinical trial data (only in the case of employees); and
- personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

ACN will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing You notice.

## **Our Business Purposes**

We use the personal information we may have about You to accomplish our business purposes, including:

- To conduct data analysis, for example, to improve the efficiency of our services;
- To conduct audits, to verify that our internal processes function as intended and are compliant with legal, regulatory or contractual requirements;
- To monitor for fraud and security purposes, for example, to detect and prevent cyberattacks or attempts to commit identity theft;
- To develop new products and services;
- To consider ways for enhancing, improving, or modifying our current products and services;
- To identify usage trends, for example, understanding which parts of our services are of most interest to users;
- To determine the effectiveness of our promotional campaigns, so that we can adapt our campaigns to the needs and interests of our users; and
- For operating and expanding our business activities, for example, understanding which parts of our services are of most interest to our users so we can focus our energies on meeting our users' interests.

We engage in these activities to manage our contractual relationship with You, to comply with a legal obligation, and/or because we have a legitimate interest.

## **Disclosure of Your Information**

We do not sell, share, trade, or rent User's Personal Information to others and we have not done so during the preceding twelve (12) months.

We may disclose Personal Information that we collect or You provide as described in this privacy policy according to the below:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of ACN's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by ACN about our Website users is among the assets transferred.
- To fulfill the purpose for which You provide it.
- For any other purpose disclosed by us when You provide the information.
- With Your consent.

## Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Company has disclosed the following categories of personal information for a business purpose: (A) Identifiers, (D) Commercial Information, and (I) Professional Employment-Related Information.

## Right to Know and Data Portability Rights

You have the right to request that Company disclose certain information to You about our collection and use of Your Personal Information over the past 12 months. Once we receive and confirm Your verifiable request (see Exercising Right to Know, Data Portability, Correction, and Deletion), we will disclose to You:

- The categories of Personal Information we collected about You;
- The categories of sources for the Personal Information we collected about You;
- Our business purpose for collecting that Personal Information;
- The categories of third parties with whom we share that Personal Information;
- The specific pieces of Personal Information we collected about You (also called a data portability request); and
- If we sold or disclosed Your Personal Information for a business purpose, two separate lists disclosing:
  - ◊ sales, identifying the Personal Information categories that each category of recipient purchased; and
  - ◊ disclosures for a business purpose, identifying the Personal Information categories that each category of recipient obtained.

## Right to Correction

You have the right to request that ACN correct inaccurate information that it maintains about You. Once we receive and confirm Your verifiable request (see Exercising Right to Know, Data Portability, Correction, and Deletion), we will confirm the correction, if applicable and appropriate. ACN may deny a request to correct if it determines that the contested personal information is more likely than not accurate based on the totality of the circumstances.

## Deletion Request Rights

You have the right to request that ACN delete any of Your Personal Information that we collected from You and retained, subject to certain exceptions. Once we receive and confirm Your verifiable request (see Exercising Right to Know, Data Portability, Correction, and Deletion, below), we will delete (and direct our service providers to delete) Your Personal Information from our records, unless an exception applies.

We may deny Your deletion request if retaining the information is necessary for us or our service provider(s) to accomplish any of the following.

- Complete the transaction for which we collected the Personal Information, provide a good or service that You requested, take actions reasonably anticipated within the context of our ongoing business relationship with You, or otherwise perform our contract with You.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another individual to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.) or other similar state laws.
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if You previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with expectations based on Your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which You provided it.

## Exercising Access, Data Portability, and Deletion Rights

To exercise the right to know, data portability, correction, and deletion described above, please submit a verifiable request to us by either:

- Submitting a request at ATTN: Privacy Officer, 10150 Mallard Creek Road, Suite 400, Charlotte, North Carolina 28262; or
- Sending an email to [privacyofficer@acninc.com](mailto:privacyofficer@acninc.com).

Only You, or a person properly authorized to act on Your behalf, may make a verifiable request related to Your personal information. You may also make a verifiable request on behalf of Your minor child.

Your request must:

- Provide sufficient information that allows us to reasonably verify You are the person about whom we collected personal information or an authorized representative; and
- Describe Your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to Your request or provide You with personal information if we cannot verify Your identity or authority to make the request and confirm the personal information relates to You. Making a verifiable request does not require You to create an account with us. We will only use personal information provided in a verifiable request to verify the requestor's identity or authority to make the request.

## Non-Discrimination

We will not discriminate against You for exercising any of Your CCPA or other state privacy rights. Unless permitted by CCPA or another state privacy law, as applicable, we will not:

- Deny You goods or services;
- Charge You different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties;
- Provide You a different level or quality of services, products, or support; or
- Suggest that You may receive a different price or rate or a different level or quality of services, products, or support.

However, we may offer You certain financial incentives that can result in different prices, rates, or quality levels. Any financial incentive we offer will reasonably relate to Your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires Your prior opt in consent, which You may revoke at any time.

## Right to Appeal

If you believe that ACN has failed to take appropriate action in response to Your privacy rights requests or you believe that we have denied Your request improperly, you may appeal by contacting our Privacy Officer, 10150 Mallard Creek Road, Suite 400, Charlotte, North Carolina 28262; or [privacyofficer@acninc.com](mailto:privacyofficer@acninc.com).

## Retention of Your Personal Information

We may retain Your personal information for as long as necessary to fulfill the purpose for which it was collected or to comply with legal or regulatory requirements. We strive to retain Your personal information no longer than is reasonably necessary to carry out the purposes listed in this Notice or as required by law.

## Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Websites that are California residents to request certain information regarding our disclosure of personal information to third parties for their own direct marketing purposes. To make such a request, please submit a request at [privacyofficer@acninc.com](mailto:privacyofficer@acninc.com).