

# Schwarzbein

## Privacy Policy

When you interact with us through this website you provide certain information that is personal to you. We appreciate that, in so doing, you are trusting us to use this information solely for the purpose(s) for which it is collected, and to appropriately protect the privacy of the information you provide.

This Privacy Policy is meant to help you understand who we are, what information we collect, how we collect it, use it, and secure it, and how you can update, manage, or delete your information. We urge you to read this Privacy Policy carefully.

The DrsSchwarzbein.com website (the "Website") is owned and managed by Schwarzbein Principle Programs, Inc. a California corporation established in 1988 by Diana Schwarzbein, MD ("SPP" "we" or "us").

In order to provide you with the information, services, and products available on and from this Website ("Content"), we collect and use certain information about you that is provided by or through you, whether or not you register with us ("Personal Information"). If you do not want us to collect or use Personal Information or disclose information about you and your use of the Website as described in this Privacy Policy, then you should not use the Website.

By using the Website, you are implicitly agreeing to the "DrsSchwarzbein.com Terms of Use," which is the contract between SPP and those who use the Website. By accepting the DrsSchwarzbein.com Terms of Use, you confirm that you have read, understand, and agree to this Privacy Policy and the DrsSchwarzbein.com Cookie Policy, and you acknowledge that we will store, use and otherwise process your Personal Information in the United States where we are located. Except as otherwise noted in this Privacy Policy, SPP is the data controller responsible for the processing of your Personal Information as described in this Privacy Policy.

## Information We May Collect About You

When you use the Website, we collect information as follows:

**Registration:** While you may access and use some of the Content offered on the Website without registering, access to other Content requires registration. If you choose to register, to update an existing account with us, or access other Content, you may be required to provide certain Personal Information, such as your name, address, telephone number, gender, email address or date of birth, and a username and password to access your account. You are responsible for ensuring the accuracy of the Personal Information you submit to us.

**Interactive Content:** Some of our Content, such as the *Schwarzbein Metabolic Health & Habits Self-Assessment* (the "Assessment") is interactive and requires that you submit health-related information, along with other Personal Information such as your age and gender. You are required to register with us to use the Assessment.

Email: At registration and at various times as you use the Website, you will be given the option of providing us with your email address in order to receive information about us, our services and other offerings, or about certain health topics about which you have indicated an interest. If you later decide you no longer want to receive such emails, you have the option to “unsubscribe” and we will cease sending you such email within a reasonable period of time.

Website and Device Information: When you access the Website, we automatically collect and store in our server logs information from your browser or mobile device such as your IP address or unique device identifier, browser information (including referring URL), your preferences and settings, cookies, and information about the Content you have viewed and actions taken (e.g., search queries, clicks, and the associated dates and times). When enabled by you, we collect precise location information provided by your mobile device, which you may disable through the device settings.

Cookies and Other Tracking Technologies: We use “cookies” to collect information about your use of the Website. Cookies are small data files assigned to your browser when you visit a website that enable recognition of your browser and collect and store information about your use of that website. In addition to cookies, we may use other tracking technologies that collect information about your use of the Website, including mobile identifiers and “web beacons” which are small graphic files (sometimes called “clear GIFs” or “web pixels”) embedded in a web page or email typically used to monitor activity and send relevant information back to a home server (which can belong to the host site, a network advertiser or some other third party). For more information about our how cookies and other tracking technologies are used in connection with the Website, please read our [Cookie Policy](#).

## How Information Collected About You May Be Used

Information about your use of the Website may be used for the following purposes, to:

- Respond to your inquiries and to send you administrative communications about the Website,
- Obtain your feedback about the Website and our Content,
- Provide, improve and create new Content,
- Send you electronic messages and personalized emails pertaining to your interests as indicated by you or inferred from your use of the Website, including news, announcements, reminders and promotions from us,
- Statistically analyze trends and user behavior and activity such as how frequently areas of the Website are visited, how our Content is being used, and how many emails are received and opened,
- Provide you and people with similar demographic characteristics and interests with more relevant Content,
- Detect and defend against fraud and other threats to the Content and our users,
- Identify and resolve issues with our Content and the delivery of that Content,
- Conduct research and measurement activities, and
- Administer your account.

Sharing Your Information: WE WILL NOT SELL, RENT, OR GIVE YOUR PERSONAL INFORMATION TO ANY THIRD PARTIES FOR THEIR USE WITHOUT YOUR CONSENT.

Companies and Contractors that Work with SPP: SPP works with third party companies and contractors that help us provide our Content and to otherwise assist in the operation of the Website, including contractors that provide services relating to technology, data analysis, research, email management and deployment, sweepstakes and contest administration, advertising and marketing and/or content. In the course of providing products or services to us, our contractors may sometimes have limited access to your Personal Information. We contractually require that our contractors not use or disclose your Personal Information for any purpose other than providing their services for SPP.

Third Party Websites: Certain Content contains links to websites hosted and operated by a company other than SPP ("Third Party Websites"). SPP does not share your Personal Information with these Third Party Websites without your consent. You should be aware, however, that any information you disclose to these Third Party Websites is not subject to this Privacy Policy. SPP does not endorse and is not responsible for the privacy practices of these Third Party Websites. You should review the privacy policy posted on the Third Party Website to understand how that Third Party Website collects and uses your information. SPP attempts to make it obvious to you when you leave the Website and enter a Third Party Website, either by requiring you to click on a link or by notifying you on the Website before you visit the Third Party Website.

Social Media Interactions: We may also include social widgets on the Website that enable you to interact with various social media services, e.g., to share an article. These widgets may collect browsing data, which may be received by the respective social media service that provided the widget and which are controlled by the respective third party. You may be able to manage your privacy preferences directly with the applicable social media service.

## Compliance with Law, Regulation, and Law Enforcement Requests

To cooperate with government and law enforcement officials and private parties to enforce and comply with applicable laws, we may release Personal Information to third parties: (i) to comply with legal requirements such as a law, regulation, search warrant, subpoena, or court order; (ii) when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request; or (iii) in special cases, such as in response to a physical threat to you or others, to protect property or defend or assert legal rights. In addition, we may disclose Personal Information as described below.

## How Your Information is Secured and Retained

We take reasonable measures to protect the security of your Personal Information including using secure data centers, using data encryption, and using Secure Socket Layer (SSL) connection technology. Despite these efforts there is always a risk that an

unauthorized third party may find a way around our security measures or that transmissions of your information over the Internet may be intercepted.

We will retain your Personal Information as long as your account is active or as needed to provide you Content. We will also retain your Personal Information as necessary to comply with legal obligations, resolve disputes, and enforce our agreements. At any time you can remove your Personal Information or instruct us to remove it, but you should be aware that it is not technologically or legally feasible to remove from our servers each and every record of the Personal Information you have provided to us. See "Your Choices and Rights" below for information about how you can update or remove your Personal Information.

## Your Choices and Rights

### Updating/Removing Your Personal Information

If you do not want your Personal Information used by SPP as provided for in this Privacy Policy, you do not use the Website. You can correct, update or review much of the Personal Information you previously submitted by going back to the place on the Website where you provided that information and making appropriate changes. You can also update any Personal Information you have submitted by contacting us using the contact information listed below or through the Contact Us links provided on the Website.

If you have registered with us as a Member and desire to delete the information you provided to us when you registered, please contact us using the contact information listed below in the "Contacting SPP About Your Personal Information or Privacy" section or through the Contact Us links provided on the Website.

Upon your request, we will delete your registration information from our active databases. You should be aware that it is not technologically possible to remove from our servers each and every record of the information you have provided to us.

When you sign up to receive email communications for any of our Services, including our email newsletters, or at any time, you can choose to "opt out" of receiving additional communications from us by unsubscribing. You can unsubscribe from an email newsletter by following the directions included at the bottom of the email and using the "Unsubscribe" link found in the email.

### Cookies

Most browser software can be set to reject Cookies. Most browsers offer instructions on how to reset the browser to reject Cookies in the "Help" or "Settings" or "Preferences" section of your browser's toolbar. Refer to our [Cookie Policy](#) for additional information about opting out of Cookies.

### California Residents

FOR RESIDENTS OF CALIFORNIA ONLY. Pursuant to Section 1798.83 of the California Civil Code, if you reside in California and have provided your Personal Information to

us, you may request information about our disclosures of certain categories of Personal Information to third parties for direct marketing purposes in the preceding calendar year. You can email such a request by using the Contact Us links on the Website. Note: SPP DOES NOT DISCLOSE PERSONAL INFORMATION TO THIRD PARTIES FOR DIRECT MARKETING PURPOSES.

#### Note to Users Outside of the United States

SPP and our technical infrastructure are located in the United States. The Personal Information you provide to us is stored on servers located in the United States. If you are located in another jurisdiction, you should be aware that in order to provide the Content to you, we must transfer your Personal Information to the United States where it will be stored and processed in accordance with this Privacy Policy. We may transfer your information outside the United States to service providers with operations in other countries. By using the Website, you consent to such collection, storage and processing in the United States and elsewhere, though the United States and other jurisdictions may not afford the same level of data protection as is considered adequate in your own country. We will take reasonable steps to protect your Personal Information as outlined in this Privacy Policy. Note that your Personal Information may be available to the United States government or its agencies under legal process made in the United States.

Additional Information for Website Visitors from the European Economic Area (“EEA”) When you use the Website, we collect, store, use, and otherwise process your Personal Information as described in this Privacy Policy. We rely on a number of legal bases to process your information, including when: (i) necessary for our legitimate interests in providing and improving the Content including offering you Content and advertising that may be of interest to you; (ii) necessary for our legitimate interest in keeping the Website, the Content, and our data safe and secure; (iii) necessary for the legitimate interests of our service providers and partners; (iv) necessary to perform our contractual obligations in the our Terms of Use; (v) you have consented to the processing, which you can revoke at any time (however a revocation does not affect the lawfulness of processing of your Personal Data that occurred prior to the date of revocation); (vi) you have expressly made the information public, e.g., in a message board on the Website or other public forum; (vii) necessary to comply with a legal obligation such as a law, regulation, search warrant, subpoena or court order or to exercise or defend legal claims; and (viii) necessary to protect your vital interests, or those of others.

If you are a Website user in the EEA, you can: (i) access Personal Information we have about you (we will try to provide information within 30 days of your request); (ii) have your Personal Information corrected or deleted (in most cases you can correct Personal Information you have submitted to us by going back to the specific Service, logging-in and making the desired change); (iii) in certain circumstances, you can object to our processing of your Personal Information and we will discontinue such processing unless we have compelling legitimate grounds to continue; (iv) withdraw consent previously provided (however a withdrawal does not affect the lawfulness of processing of your

personal data that occurred prior to the date of withdrawal); or (v) if you believe that we have not complied with applicable data protection laws, you may lodge a complaint with your local supervisory authority. If you wish to inquire as to whether we maintain any of your Personal Information and if so, whether you wish to exercise any of those rights that are available to you with respect to such Personal Information, you may contact us as described in the Contacting SPP About Your Personal Information or Privacy section below. We will respond to your request within a reasonable timeframe. Where we process your Personal Information for direct marketing purposes, you can opt-out through the unsubscribe link in the email communications we send to you, by changing your subscription preferences in your account settings or as otherwise specified in this Privacy Policy.

We will retain your Personal Information for as long as necessary to provide the Content to you and fulfill the purposes described in this Privacy Policy. This is also the case for third parties with whom we may share your information to perform services on our behalf. When we no longer need to use your Personal Information and there is no need for us to keep it to comply with our legal or regulatory obligations, we will either remove it from our systems or anonymize it. If you have registered with us and you no longer want us to use your registration information to provide the Content to you, you may notify us and we will close your account.

## Contacting SPP About Your Personal Information or Privacy

Please send us an email by using the Contact Us link at the bottom of every page of the Website if you have any questions about this Privacy Policy or the Personal Information we maintain about you. You can also contact us at:

Schwarzbein Principle Programs, Inc.  
350 South Hope Avenue, Suite A-102  
Santa Barbara, CA 93105  
Attn: Webmaster

## Changes to this Privacy Policy

We reserve the right to change or modify this Privacy Policy and any of our Content at any time and any changes will be effective upon being posted unless we advise otherwise. If we make any material changes to this Privacy Policy we will notify you by means of a notice on the Website and/or by email to our registered users (sent to the email address specified when you register) prior to the change becoming effective. By continuing to use the Website after changes are made to this Privacy Policy, you agree to such changes. We encourage you to periodically review this Privacy Policy for the latest information on our privacy practices. If you do not accept the terms of this Privacy Policy, we ask that you do not register with us and that you do not use the Website. Please exit the Website immediately if you do not agree to the terms of this Privacy Policy.