

# **Jean Culture (jeanculture.com)** **Designer Denim Jeans Fashion (designerdenimjeansfashion.com)**

## PRIVACY POLICY (rev Oct 2010)

The information Jean Culture (jeanculture.com) **[JC]** and Designer Denim Jeans Fashion (designerdenimjeansfashion.com) **[DDJF]** and Hyperspectrum Corp. and its affiliated persons and entities ("**[JC]** and **[DDJF]**") collects about you at **[JC]** and **[DDJF]**'s Website and all co-branded Websites (collectively, "Website"), is used to provide you with a more personalized and rich experience while visiting the Website. This Website is intended for viewing solely in the United States. Your use of the Website is expressly conditioned on your acceptance of and agreement to this Privacy Policy.

This Privacy Policy sets forth the terms and conditions that apply to your use of the Website. By using this Website, you agree to abide by this Privacy Policy. In addition, when using specific services or entering contests or sweepstakes, you agree to abide by any guidelines or rules posted in connection with such services, contests or sweepstakes, all of which are hereby incorporated by reference into this Privacy Policy.

If you do not agree with any posted guidelines or rules, or with any part of this Privacy Policy, you must not use this Website. If you do not comply with this Privacy Policy at all times when using this Website, **[JC]** and **[DDJF]** reserves the right to deny or restrict your access. The terms and conditions of this Privacy Policy shall apply regardless of the means by which the Website was accessed, including but not limited to through the URL, electronic mail or links from other sites. Please read on for details.

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## **1. COVERAGE**

This Privacy Policy covers how **[JC] and [DDJF]** treats information that **[JC] and [DDJF]** collects and receives about you via the Website, including information related to your past use of the Website. **[JC] and [DDJF]** has prepared a detailed policy in order for you to know as much as possible about **[JC] and [DDJF]**'s practices so that you can make informed decisions. By using the Website and thereby agreeing to this Privacy Policy, you expressly consent to **[JC] and [DDJF]**'s use and disclosure of automatic and personal information provided to **[JC] and [DDJF]** when you interact with the Website, as described in this Privacy Policy.

This Privacy Policy does not apply to:

- (i) the practices of companies or other third parties that **[JC] and [DDJF]** does not own or control, or people that **[JC] and [DDJF]** does not employ or manage; or
- (ii) any offline matters, activities or information that **[JC] and [DDJF]** or any affiliate collects about you or anybody else.

## **2. USE OF COLLECTED INFORMATION**

The information learned from the Website's users, members and customers helps **[JC] and [DDJF]** personalize and continually improve your experience at the Website.

Here are the types of information **[JC] and [DDJF]** gathers and how this information is used:

Automatic Information: **[JC] and [DDJF]** receives and stores certain types of Automatic Information whenever you interact with the Website.

Here are the types of Automatic Information **[JC] and [DDJF]** gathers and how it is used:

IP Address: Your Internet Protocol ("IP") address is a unique identifier used to connect your computer to the Internet. Your IP address also is stored in **[JC] and [DDJF]**'s user registration databases when you register with **[JC] and [DDJF]**.

IP addresses may be used for various purposes, including to:

Help **[JC] and [DDJF]** identify you and your shopping cart and to gather broad demographic information.

Diagnose service or technology problems reported by **[JC] and [DDJF]** users or engineers that are associated with the IP addresses controlled by a specific Web company or ISP.

Estimate the total number of users visiting **[JC] and [DDJF]** from specific countries or regions of the world.

Assist Shop to track visits to and business at **[JC] and [DDJF]**'s store.

Help determine which users have access privileges to certain content that **[JC] and [DDJF]** hosts.

### **3. COOKIES**

**[JC] and [DDJF]** uses a feature of your Internet Web browser called a "cookie," a small piece of information stored on your hard drive that uniquely identifies your intra- and inter-requests on the Website. Cookies may be used for various purposes, including to keep track of preferences you specify while you are using **[JC] and [DDJF]**'s services and the Website. **[JC] and [DDJF]** allows other companies that are presenting advertisements on some of **[JC] and [DDJF]**'s Website pages to set and access cookies on your computer. **[JC] and [DDJF]** does not control cookies from third-party advertisers. Other companies' use of their cookies is subject to their own privacy policies and not the privacy policy of **[JC] and [DDJF]**. The use of advertising cookies sent by third-party servers is standard in the Internet industry.

### **4. WEB BEACONS**

Web pages may contain electronic images (called a "single-pixel GIF" or "Web beacon") that allow a Website to count users who have visited that page or to access certain cookies. **[JC] and [DDJF]** uses Web beacons in the following ways:

Within the **[JC] and [DDJF]** network of Websites in order to count users and to recognize users by accessing **[JC] and [DDJF]** cookies.

To personalize your experience when you visit the Website.

### **5. MOBILE DEVICE UNIQUE IDENTIFIER**

**[JC] and [DDJF]** provides services that allow users to access and customize Internet content through mobile phones, PDAs and other alternative devices. These devices may collect different information than what is collected by computers.

When connecting to **[JC] and [DDJF]** using a mobile device that provides Internet access, if the mobile device service provider uniquely identifies the device, **[JC] and [DDJF]** will receive this information.

**[JC] and [DDJF]** may use this unique mobile device identification information to offer extended services and/or functionality.

Certain **[JC] and [DDJF]** services may require collection of the phone number for your device. **[JC] and [DDJF]** may associate that phone number to the mobile device identification information.

### **6. PHYSICAL LOCATION**

Some mobile phone service providers in the United States are required to operate a system that will pinpoint the physical location of devices that use their service.

Depending on the provider and if you are located in the United States, **[JC] and [DDJF]** may automatically receive this information.

**[JC] and [DDJF]** may use and store this information to provide enhanced location-based services as well as to serve location-targeted advertising.

## **7. PERSONAL INFORMATION**

**[JC] and [DDJF]** also receives and stores information that personally identifies you. The types of personally identifiable information that may be collected at the Website include but not limited to: name, address, email address, phone number, fax number, billing address, shipping address, product selections, order number, referring URL, IP address, password, username, opinions, how you got to know about the Website, gender, occupation, personal interests, your age and information about your interests in and use of various products, programs and services. You voluntarily provide this personally identifiable information when you enter it on the Website to sign up as a member of **[JC] and [DDJF]**, whether in connection with a newsletter subscription, when you enter a sweepstakes, promotion or contest and/or other special benefits.

At the Website, you can submit personally identifiable information about other people. For example, you might submit a person's name and email address to send an electronic greeting card or to email an **[JC] and [DDJF]** news story and, if you are located in the United States, order a gift on the Website and want it sent directly to the recipient, you might submit the recipient's name and address. The types of personally identifiable information that may be collected and stored about other people at the Website include but not limited to: recipient's name, address, email address and telephone number. **[JC] and [DDJF]** does not share with, rent, transfer or sell personally identifiable information that you submit about other people to any third parties or nonaffiliated entities.

If you are located in the United States and make a purchase on the Website, **[JC] and [DDJF]** will collect and store your personally identifiable information. When processing an order on the Website, **[JC] and [DDJF]** needs to know your name, mailing address, billing address, email address, telephone number, product selection, order number, credit card number and expiration date. This information is necessary to process your order and to keep you updated on your shipping status. Although **[JC] and [DDJF]** transmits your credit card number to the appropriate credit card company during order processing, **[JC] and [DDJF]** does not rent, transfer, sell or share your credit card issuer, credit card number or expiration date with any nonaffiliated entities.

With respect to unsolicited telephone calls made to **[JC] and [DDJF]**, if you make a call to an **[JC] and [DDJF]** telephone number provided by **[JC] and [DDJF]** via the Website (or any other means) ("Unsolicited Telephone Call"), **[JC] and [DDJF]** may collect and store your personally identifiable information. **[JC] and [DDJF]** does not knowingly share with, rent, transfer or sell personally identifiable information that you submit about other people to any third parties or nonaffiliated entities.

In the event you make an Unsolicited Telephone Call, you acknowledge and agree that:

- (i) all local and/or long distance toll charges that may apply are your sole responsibility;
- (ii) you knowingly and voluntarily assume all risks associated with such Unsolicited Telephone Call;
- (iii) you will not harass, abuse, or threaten any **[JC] and [DDJF]** employee, contractor, agent or representative;

- (iv) you will not deliver any unauthorized or unsolicited, advertising or promotional materials or solicitations;
- (v) you will not make an Unauthorized Telephone Call using any type of automated dialing system;
- (vi) you will not attempt to interfere, disrupt, or adversely affect or impact **[JC] and [DDJF]**;
- (vii) you will not make any misrepresentations, commit or perpetrate any fraud with regard to your name, the purpose of your call, your telephone number and/or email address, or any other information or disclosures made by you at any time during the course of your Unsolicited Telephone Call;
- (viii) you are 18 years of age or older;
- (ix) if you are a resident of the State of Alabama or Nebraska, you are 19 years of age or older; and
- (x) if you are a resident of the State of Mississippi or Pennsylvania, you are 21 years of age or older.

Your Unsolicited Telephone Call is expressly conditioned on your acceptance and agreement that your Unsolicited Telephone Call may be monitored and/or recorded at any time for quality control purposes. In the event you provide **[JC] and [DDJF]** with your telephone number by making an Unsolicited Telephone Call and/or by interacting with the Website, then you expressly consent and give permission to **[JC] and [DDJF]** to contact you via telephone ("Return Telephone Call"). You expressly acknowledge and agree that such Return Telephone Call is made by **[JC] and [DDJF]** with your express consent and agreement and shall not be in violation of any local, state, federal or international "Do Not Call" statutes, regulations, codes or laws, or any similar law in any country of the world.

## **8. DISCLOSURE OF INFORMATION TO OUTSIDE PARTIES**

**[JC] and [DDJF]** may disclose information about you (EXCEPT your credit card number and its expiration date, personally identifiable information that you submit about other people and as described below) to those whose practices are not covered by this Privacy Policy in the following circumstances including, but not limited to:

**[JC] and [DDJF]** provides the information to trusted partners who work on behalf of or with **[JC] and [DDJF]** and under confidentiality agreements. These companies may use your personal information to help **[JC] and [DDJF]** communicate with you about offers from **[JC] and [DDJF]** and our marketing partners. However, these companies do not have any independent right to share this information.

**[JC] and [DDJF]** responds to subpoenas, court orders, or legal process, or to establish or exercise **[JC] and [DDJF]**'s legal rights or defend against legal claims.

**[JC] and [DDJF]** shares information in order to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of **[JC] and [DDJF]**'s terms of use or as otherwise allowed by law.

**[JC] and [DDJF]** displays targeted advertisements based on personal information. Advertisers (including ad serving companies) may assume that people who interact with, view or click on targeted ads meet the targeting criteria (for example, women ages 18-24 from a particular geographic area). By interacting with or viewing an ad you are consenting to the possibility that the advertiser will make the assumption that you meet the targeting criteria used to display the ad.

**[JC] and [DDJF]** DOES NOT share with, rent, transfer or sell to any nonaffiliated entities information, such as your cover letter, salary history, requirements or résumé, that you submit to **[JC] and [DDJF]** in connection with your job application, which will be considered only if you are eligible to be employed in the United States.

Due to the existing regulatory environment, **[JC] and [DDJF]** cannot ensure that all of your private communications and other personal information will never be disclosed in ways not otherwise described in this Privacy Policy. By way of example (without limiting the foregoing), third parties may unlawfully intercept or access transmissions or private communications.

## **9. LINKS TO OUTSIDE THIRD PARTIES**

**[JC] and [DDJF]** may establish relationships with business partners by creating a link between their sites and the Website. **[JC] and [DDJF]** is not, however, responsible for the content, maintenance or privacy policies of those sites. Once you click over to a third party site, **[JC] and [DDJF]** encourages you to check its privacy policy.

The Website may contain links to other sites whose information practices may be different than the information practices of **[JC] and [DDJF]**. Users who click over to a third party site from a link on the Website must be aware that **[JC] and [DDJF]** makes no warranties with regard to that site's policies or business practices. **[JC] and [DDJF]** is not responsible for any transactions that occur between the user and the third party site. Please consult the other sites' privacy policies, as **[JC] and [DDJF]** has no control over information that is submitted to or collected by these third parties. Should a user purchase any products or services from that third party site, the user must contact the third party site directly regarding any disputes that might occur, including but not limited to delayed shipping, missing products, damaged goods or pricing and billing discrepancies. **[JC] and [DDJF]** is not responsible for the actions of any third-party site.

## **10. BUSINESS TRANSFERS**

As **[JC] and [DDJF]** continues to develop its business, it might sell or buy stores or assets. In such transactions, customer information generally is one of the transferred business assets. Also, in the event that **[JC] and [DDJF]** or substantially all of its assets are acquired, customer information will be one of the transferred assets.

## **11. CHILDREN'S GUIDELINES**

**[JC] and [DDJF]** does not knowingly collect personally identifiable information from children under the age of 13, nor does it contact children under the age of 13 about special offers or for marketing purposes without a parent's permission. **[JC] and [DDJF]** encourages parents and legal guardians to monitor their children's Internet use. Also, **[JC] and [DDJF]** strongly encourages parents to help **[JC] and [DDJF]** enforce its Privacy Policy by instructing their children never to provide personal information on the Website without permission.

It is possible that due to fraud or deception by others, **[JC] and [DDJF]** may unknowingly receive information pertaining to children under the age of 13. If **[JC] and [DDJF]** is notified of this, once **[JC] and [DDJF]** has verified the information, **[JC] and [DDJF]** will promptly obtain parental consent or otherwise delete the information from its servers.

## **12. PUBLIC FORUMS**

The Website has chat rooms, forums, blogs, journals, message boards and newsgroups available to its users. Please remember that any information disclosed in these areas becomes public information. Exercise caution when deciding to disclose your personal information. If you post personal information online that is accessible to the public, you may receive unsolicited messages from other parties in return. As these forums are public and open for users to interact with each other, **[JC] and [DDJF]** expects all its users to respect the rights of others.

## **13. CONSENT TO INTERNATIONAL INFORMATION TRANSFERS**

The Website is operated in the United States and is intended for viewing solely in the United States. While **[JC] and [DDJF]** is committed to providing your information with a high level of privacy protection, you should know that the general level of protection for personal information in the United States may not be the same as that provided in other countries. If you are located outside of the United States, please be aware that any information you provide to **[JC] and [DDJF]** will be transferred to the United States. By using the Website, participating in any **[JC] and [DDJF]** services and/or providing **[JC] and [DDJF]** with personally identifiable information, you fully understand and unambiguously consent to this transfer and the collection and processing of information in the United States.

## **14. SECURITY**

**[JC] and [DDJF]** has security measures in place to protect the loss, misuse and alteration of the information under **[JC] and [DDJF]**'s control. **[JC] and [DDJF]** is able to keep your personal information safe and secure by utilizing Secure Sockets Layer (SSL) encryption technology. For maximum security, **[JC] and [DDJF]** uses a secure server that encrypts all your ordering information, including your name, address and credit card number.

## **15. CHANGES TO THIS PRIVACY POLICY**

**[JC] and [DDJF]** will occasionally update this Privacy Policy at **[JC] and [DDJF]**'s sole discretion. Please check the Website frequently to see recent changes. Such changes and/or modifications shall become effective immediately upon posting thereof. Without limiting the foregoing, **[JC] and [DDJF]** may occasionally notify you by email about changes to the Website or provide notices of changes by displaying notices or links to notices to you generally on the Website. Your continued use of the Website constitutes your agreement to this Privacy Policy and all of the terms and conditions set forth herein.

helpdesk [a] jeanculture.com

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revision:  
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