

Privacy Policy
Last updated April 10, 2014

1 Sleep Genius, LLC, a Utah limited liability company located at Red Hawk Trl, Park City UT 84098 ("Sleep Genius," "we," or "us") is committed to protecting your privacy. This Privacy Policy governs your use of any mobile device applications created by Sleep Genius (each, an "Application").

2 User Consent. By using our Application, you are consenting to our processing of your Personal Data as set forth in this Privacy Policy now and as amended by us. For purposes of this Privacy Policy, the term "process" means using data collected on a computer/hand held device or using or touching information in any way, including but not limited to, collecting, storing, deleting, using, combining and disclosing information.

3 A Note About Children. We do not use the Application to knowingly solicit Personal Data from or market to children under the age of 13. If a parent or guardian becomes aware that his or her child has provided us with information without their consent, he or she should contact us at info@sleepgenius.com. We will delete such information from our files within a reasonable time. If a parent or guardian desires to use the Application for the benefit of a child under the age of 13, Personal Data with respect to such children must not be submitted to us.

4 A Note to Users Outside of the United States. Your Personal Data may be processed in the country in which it was collected and in other countries, including the United States, where laws regarding processing of Personal Data may be less stringent than the laws in your country.

5 DATA COLLECTION

6 Types of Data We Collect. As used in this Privacy Policy, "Personal Data" means data that allows someone to identify or contact you, including, for example, your name, address, telephone number, e-mail address, as well as any other non-public information about you that is associated with or linked to any of the foregoing data. "Anonymous Data" means data that is not associated with or linked to your Personal Data; Anonymous Data does not, by itself, permit the identification of individual persons. We collect Personal Data and Anonymous Data, as described below.

7 User Provided Data. Each Application obtains information that you provide when you download and register the Application. When you register with us and/or use an Application, you generally provide (a) your name, email address, and other registration information; (b) your age and gender; (c) information you provide us when you contact us for help; and (d) information that is entered into our system when you use the Applications, such as your sleep patterns and preferences ("User Provided Data"). We may also use the information that you provide to us to contact you from time to time to provide you with important information, required notices and marketing promotions.

8 Automatically Collected Data. In addition, the Application may collect certain information automatically, such as the type of mobile device you use, your mobile device's unique device ID, the IP address of your mobile device, your mobile operating system, the type of mobile Internet browsers you use, and information about the way you use the Application. The Application does collect precise information about the location of your mobile device. We may also use Cookies and navigational data like Uniform Resource Locators ("URL(s)") to gather information regarding the date and time of your visit and the solutions and information for which you searched and which you viewed. "Cookies" are small pieces of information that a website sends to your smart phone while you are viewing a website. We may use both session Cookies (which expire once you close your browser) and persistent Cookies (which stay on your smart phone until you delete them) to provide you with a more personal and interactive experience. If you choose to disable Cookies, our Applications may not work properly. Like most companies, we automatically gather the information described above ("Automatically Collected Data") and store it in log files each time you use the Applications.

9 Information Collected from Third Party Companies. We may receive Personal and/or Anonymous Data about you from companies that provide our Applications by way of a co-branded or private-labeled website or companies that advertise their products and/or services through our Applications. These third party companies may supply us with Personal Data. We may add this information to the information we have already collected from you.

10 Information Collected from Social Networking Sites. Our Applications may collect Personal and/or Anonymous Data about you from a social networking site ("SNS"), in accordance with the terms of use and privacy policy of the third party provider of such SNS, if you log on with your login credentials from the SNS. We may add this information to the information we have already collected from you.

11 Use of Your Personal Data

12 General Use. In general, Personal Data you submit to us is used either to respond to requests that you make, or to aid us in serving you better. Ways we use your Personal Data include, but is not limited to: to facilitate the creation of and secure your account on our network;

- identify you as a user in our system;
- improve the quality of experience when you use our Applications;
- send you a welcome e-mail to verify ownership of the e-mail address provided when your account was created;
- send you administrative e-mail notifications, such as security or support and maintenance advisories; and
- to send newsletters, surveys, offers, and other promotional materials related to our Applications and for other marketing purposes of Sleep Genius.

13 Creation of Anonymous Data. We may create Anonymous Data records from Personal Data or User Provided Data by excluding information (such as your name) that make the data personally identifiable to you. We use this Anonymous Data to analyze request and usage patterns so that we may enhance the content of our Applications and for various other purposes. Sleep Genius reserves the right to use Anonymous Data for any purpose and disclose Anonymous Data to third parties, including but not limited to our research partners, in its sole discretion.

14 Disclosure of Your Personal Data. We disclose your Personal Data as described below and as described elsewhere in this Privacy Policy.

15 Third Party Service Providers. We may share your Personal Data with third party service providers who work on our behalf. These third party service providers are required not to use your Personal Data other than to provide the services requested by Sleep Genius.

16 Affiliates and Acquisitions. We may share some or all of your Personal Data with our parent company, subsidiaries, joint ventures, or other companies under a common control ("Affiliates"), in which case we will require our Affiliates to honor this Privacy Policy. If another company acquires our company, business, or our assets, that company will possess the Personal Data collected by us and will assume the rights and obligations regarding your Personal Data as described in this Privacy Policy. In the unlikely event of an insolvency, bankruptcy or receivership, your Personal Data may also be transferred as a business asset.

17 Other Disclosures. Regardless of any choices you make regarding your Personal Data (as described below), Sleep Genius may disclose Personal Data if it believes in good faith that such disclosure is necessary (a) in connection with any legal investigation; (b) to comply with relevant laws or to respond to subpoenas or warrants served on Sleep Genius; (c) to protect or defend the rights or property of Sleep Genius or users of the Applications; and/or (d) to investigate or assist in preventing any violation or potential violation of the law, this Privacy Policy, or any applicable Terms of Use.

18 Third Party Data Collection

19 Automatic Data Collection and Advertising. We may work with analytics companies to help us understand how the Applications are being used, such as the frequency and duration of usage. Free versions of the Applications may be supported via advertising, and collect data to help the Applications serve ads. We work with advertisers and third party advertising networks, who need to know how you interact with advertising provided in the Applications which helps us keep the cost of our Applications low or free. Advertisers and advertising networks use some of the information collected by the Applications, including the unique identification ID of your mobile device; however, advertisers will not have access to any other identifiable Personal Data. These third parties may also obtain information about other applications you have downloaded to your mobile device, the mobile websites you visit, your non-precise location information (e.g., your zip code), and other non-precise location information in order to help analyze and serve anonymous targeted advertising on the Applications and elsewhere. If you would like to opt-out from third party use of this type of information to help serve targeted advertising, you can stop all collection of information by an Application easily by uninstalling the Application. You may use the standard uninstall processes as may be available as part of your mobile device or via the mobile application marketplace or network.

20 Third Party Websites. When you click on a link to any other website or location, you will leave our Application and go to another site and another entity may collect Personal Data or Anonymous Data from you. We have no control over, do not review, and cannot be responsible for, these outside websites or their content. Please be

aware that the terms of this Privacy Policy do not apply to these outside websites or content, or to any collection of data after you click on links to such outside websites.

21 DATA RETENTION AND MANAGEMENT

22 Data Retention Policy; Your Choices Regarding Your Personal Data. We will retain User Provided Data for as long as you use the Applications and for a reasonable time thereafter. If you would like us to delete User Provided Data, please contact us at info@sleepgenius.com and we will respond within a reasonable time. Please note that some or all of the User Provided Data may be required in order for the Applications to function properly, and we may be required to retain certain information by law. In addition, notwithstanding the foregoing, we reserve the right to retain any User Provided Data that has been converted into Anonymous Data format indefinitely.

23 Choices. We offer you choices regarding the collection, use, and sharing of your Personal Data.

24 We may periodically send you free newsletters and e-mails that directly promote the use of our Applications. When you receive newsletters or promotional communications from us, you may indicate a preference to stop receiving further communications from us and you will have the opportunity to “opt-out” by following the unsubscribe instructions provided in the e-mail you receive or by contacting us directly (please see contact information below). Unsubscribe instructions will be included in every email.

25 Despite your indicated e-mail preferences, we may send you service related communication, including notices of any updates to our Privacy Policy.

26 Changes to Personal Data. You may request deletion of your Personal Data by us by sending an e-mail to the address set forth below, but please note that we may be required to keep this information and not delete it (or to keep this information for a certain time, in which case we will comply with your deletion request only after we have fulfilled such requirements). When we delete any information, it will be deleted from the active database, but may remain in our archives. We may retain your information for fraud or similar purposes.

Security of Your Personal Data. Sleep Genius is committed to protecting the security of your Personal Data. We use a variety of industry-standard security technologies and procedures to help protect your Personal Data from unauthorized access, use, or disclosure. For example, we limit access to your Personal Data to employees and contractors who need to know that information in order to operate, develop or improve our Application. Please be aware that, although we endeavor to provide reasonable security for information that we process and maintain, no security system can prevent all potential security breaches. Therefore, while Sleep Genius uses reasonable efforts to protect your Personal Data, Sleep Genius cannot guarantee its absolute security.

27 MISCELLANEOUS

28 Contact Information. Sleep Genius welcomes your comments or questions regarding this Privacy Policy. Please e-mail us at info@sleepgenius.com or contact us at the following address:

Sleep Genius, LLC.
1555 Red Hawk Trl
Park City, UT 84098

29 Changes to This Privacy Policy. This Privacy Policy is subject to occasional revision, and if we make any material changes in the way we use your Personal Data, we will notify you by sending you an e-mail to the last e-mail address you provided to us and/or by prominently posting notice of the changes on our website and/or deploying an alert within our Applications. Any changes to this Privacy Policy will be effective upon the earlier of thirty (30) calendar days following our dispatch of an e-mail notice to you or thirty (30) calendar days following our posting of notice of the changes on our website. These changes will be effective immediately for new users of our Service. Please note that at all times you are responsible for updating your Personal Data to provide us with your most current e-mail address. In the event that the last e-mail address that you have provided us is not valid, or for any reason is not capable of delivering to you the notice described above, our dispatch of the e-mail containing such notice will nonetheless constitute effective notice of the changes described in the notice. In any event, changes to this Privacy Policy may affect our use of Personal Data that you provided us prior to our notification to you of the changes. If you do not wish to permit changes in our use of your Personal Data, you must notify us prior to the effective date of the changes that you wish to deactivate your account with us. Continued use of our Applications, following notice of such changes shall indicate your acknowledgement of such changes and agreement to be bound by the terms and conditions of such changes. Please consult our website regularly for any changes to this Privacy Policy.