

PRIVACY POLICY

Introduction

Functional Elements (“we” or “us”) values its visitors’ privacy. This privacy policy is effective June 1, 2018; it summarizes what information we might collect from a registered user or other visitor (“you”), and what we will and will not do with it. Please note that this privacy policy does not govern the collection and use of information by companies that FUNCTIONAL ELEMENTS does not control, nor by individuals not employed or managed by FUNCTIONAL ELEMENTS. If you visit a Web site that we mention or link to, be sure to review its privacy policy before providing the site with information. This Policy applies solely to information collected through www.functionalelements.net and not to any other information you may provide to us through offline transactions or other means. Please also visit our Terms & Conditions section establishing the use, disclaimers, and limitations of liability governing the use of our website. By using our site, you consent to the terms and conditions set forth in this Privacy Policy and the Terms & Conditions page.

Information we collect and What we do with your Personally Identifiable Information

It is always up to you whether to disclose personally identifiable information to us, although if you elect not to do so, we reserve the right not to register you as a user or provide you with any products or services. “Personally identifiable information” means information that can be used to identify you as an individual, such as, for example:

- your name, company, email address, phone number, billing address, and shipping address
- your FUNCTIONAL ELEMENTS user ID and password (if applicable)
- credit card information (if applicable)
- any account-preference information you provide us
- your computer’s domain name and IP address, indicating where your computer is located on the Internet
- session data for your login session, so that our computer can ‘talk’ to yours while you are logged in
- When you visit and navigate our site, click on third party links provided on our website, or open our emails, we collect technical information about your use of our site, including IP address, device identifier, and viewing information

If you do provide personally identifiable information to us, either directly or through a reseller or other business partner, we will:

- not sell or rent it to a third party without your permission, although unless you opt out (see below), we may use your contact information to provide you with information we believe you need to know or may find useful, such as, for example, news about our services and products;
- take commercially reasonable precautions to protect the information from loss, misuse and unauthorized access, disclosure, alteration and destruction;
- not use or disclose the information except:

- as necessary to provide services or products you have ordered, such as, for example, by providing it to a carrier to deliver products you have ordered;
- in other ways described in this privacy policy or to which you have otherwise consented;
- in the aggregate with other information in such a way so that your identity cannot reasonably be determined, for example, statistical compilations;
- as required by law, for example, in response to a subpoena or search warrant;
- to outside auditors who have agreed to keep the information confidential;
- to a successor organization in the event of a merger, acquisition, bankruptcy, or other sale or disposition of all or a portion of FUNCTIONAL ELEMENTS' assets. The successor organization's use and disclosure of your personally identifiable information will continue to be subject to this privacy policy unless (i) a court orders otherwise, for example a bankruptcy court; or (ii) the successor organization gives you notice that your personally identifiable information will be subject to the successor organization's own privacy policy, along with an opportunity for you to opt out, which may cause you not to be able to continue to use the www.functionalelements.net. If you submit personally identifiable information after such a transfer, that information may be subject to the successor entity's privacy policy;
- as necessary to protect the rights, safety, or property of FUNCTIONAL ELEMENTS, its users, or others; this may include, for example, exchanging information with other organizations for fraud protection and/or risk reduction.

Although we have the above data security safeguards in place, no data transmission over the internet can be guaranteed to be 100% secure. As a result, while we strive to protect your information, we cannot ensure or warrant the security of any information you transmit to us or from our services, and you do so at your own risk.

Other information we collect

We may collect other information that cannot be readily used to identify you, such as, for example, the domain name and IP address of your computer. We may use this information, individually or in the aggregate, for technical administration of our Web site(s); research and development; customer and account administration; and to help us focus our marketing efforts more precisely.

How We Collect Your Information

Direct Collection

We collect much of the information listed above directly from you when you submit it on our website. If you do not want to share this type of information, you can choose not to participate in a particular service or activity.

Indirect Collection

As part of offering and providing customizable and personalized services, many websites, like ours, use cookies and other online tracking technologies to store and sometimes track information about you.

Technologies We Use

Cookies

FUNCTIONAL ELEMENTS uses “[cookies](#)” to store personal data on your computer. A cookie is a piece of data stored on a site visitor’s hard drive to help us improve your access to our site and identify repeat visitors to our site. For instance, when we use a cookie to identify you, you would not have to login a password more than once, thereby saving time while on our site. Cookies can also enable us to track and target the interests of our users to enhance the experience on our site. Our digital marketing partners (third parties) may use cookies to collect or receive information from our websites and use that information to provide measurement services and targeted ads. We may also link information stored on your computer in cookies with personal data about specific individuals stored on our servers. If you set up your Web browser, for example, Internet Explorer or Firefox, so that cookies are not allowed, you might not be able to use some or all of the features of our Web site(s). You may opt-out of cookie placement through your browser settings; however, doing so, may limit your user experience.

Analytics:

- **Google Analytics:**

Google Analytics is a web analysis service provided by Google Inc. Google utilizes user data such as browser and computer settings like screen resolution, operating system and cookies that track whether a user is a returning visitor to track and examine the use of this website, to prepare reports on the user’s activities and share them with other Google services. Google may use the data collected to contextualize and personalize the ads of its own advertising network. The data collected by Google Analytics does not contain any information that personally identifies you (“personally identifiable information”). Click [here](#) to review the Google privacy policy.

- **User ID for Google Analytics:**

Google Analytics makes use of a feature called “User ID.” This setup allows for a more accurate tracking of users by associating that user with the same ID over various sessions and devices. It is set up in a way that does not allow Google to personally identify an individual or permanently identify a particular device. The User ID extension might make it possible to connect data from Google Analytics with other data about the user collected through this website. The opt-out link below will only opt you out for the device you are on, but not from tracking performed independently by the Owner.

- You can opt-out of having your activity on the website made available to Google Analytics by installing the Google Analytics opt-out browser add-on (<https://tools.google.com/dlpage/gaoptout>) for your web browser. The Google Analytics opt-out browser add-on provides visitors with the ability to prevent their data from being collected and used by Google Analytics. The add-on prevents the Google Analytics JavaScript (ga.js, analytics.js, and dc.js) from

sharing information with Google Analytics about visits activity. For more information on the privacy practices of Google, please visit the Google Privacy & Terms web page: <http://www.google.com/intl/en/policies/privacy/>

- **Google AdWords:**

Functional Elements may utilize the AdWords service to serve tailored ads (search, display, etc.) to users off-site. This service can be used for the purpose of remarketing based on functionalelements.com visits and behavior. AdWords collect information using the same cookie technology described above. These cookies do not contain any personally identifiable information. If you're interested in opting-out of Google's use of cookies, please visit [Google's Ads Settings](#).

- **Facebook**

Facebook provides certain features and services, such as the Facebook Pixel, that allows sending data to Facebook, including actions ("Event Data") that users take on functionalelements.com. Facebook will use the Event Data received to provide Functional Elements with services such as insights about the effectiveness of Facebook ads, or create audiences for remarketing, and in accordance with Facebook's Data Policy. Event Data will not be disclosed to other advertisers, unless Facebook is required to do so by law. Facebook will maintain the confidentiality and security of Event Data, including by maintaining technical and physical safeguards that are designed to: (a) protect the security and integrity of data while it is within Facebook's systems; and (b) guard against the accidental or unauthorized access, use, alteration or disclosure of data within Facebook's systems. If you wish to opt-out of Facebook tracking, please visit the following resources:

- [Facebook Ads Settings](#)
- [About Ad Choices](#)

- **MindBody**

MindBody is an online business platform designed to connect individuals and businesses to the world of wellness. Together with MindBody, this service permits Functional Elements to keep a database of clients, schedule clients, charge clients and perform other administrative and marketing tasks. Personal information, such as names and emails, may be shared with MindBody to permit their services. MindBody implements security measures designed to protect user data from unauthorized access, disclosure, or accidental loss or destruction. You may review MindBody privacy policy at <https://www.mindbodyonline.com/company/security>. To opt-out of this service, you may contact Functional Elements directly at 314-514-5442.

- **Constant Contact**

Constant Contact is an online communication system that allows Functional Elements to communicate directly with clients, potential clients and other interested parties through tools such as email newsletters, surveys, events, Facebook promotions, online listings and more. Personal data such as names and emails may be shared with Constant Contact to permit their services. You may review the Constant Contact privacy policy at <https://www.constantcontact.com/legal/privacy-statement>.

To opt-out of Functional Elements' Constant Contact communications, you may click the 'unsubscribe' link located on such communications.

Social Media

The website permits you to use third party social networking platforms, such as Facebook®, Twitter®, Youtube®, and LinkedIn®. This includes use of social media plugins such as Facebook "Like" and Twitter "Tweet". When you use these social networking platforms and plugins, your username and password for each platform may be shared with us. In addition, they may be able to collect information about you, including your activity or may notify your connections on the social networking platform about your use of this website. Such services may allow your activity to be monitored across multiple websites for purposes of delivering more targeted advertising. Please note that their own privacy policies apply, and we encourage you to read them. We may add new social networking plugins and buttons to our websites from time to time.

External data storage sites

We may store your data on servers provided by third party hosting vendors with whom we have contracted.

Your privacy responsibilities

To help protect your privacy, be sure:

- not to share your user ID or password with anyone else;
- to log off the FUNCTIONAL ELEMENTS Web site when you are finished;
- to take customary precautions to guard against "malware" (viruses, Trojan horses, bots, etc.), for example by installing and updating suitable anti-virus software.

Information collected from children

You must be at least 13 years old to use FUNCTIONAL ELEMENTS' Web site(s) and service(s). FUNCTIONAL ELEMENTS does not knowingly collect information from children under 13. By using this site, you represent that you are not under the age of 13.

Changes to this privacy policy

We reserve the right to change this privacy policy as we deem necessary or appropriate because of legal compliance requirements or changes in our business practices. If you have provided us with an email address, we will endeavor to notify you, by email to that address, of any material change to how we will use personally identifiable information.

Contacting the Web Site

If you have questions or comments about FUNCTIONAL ELEMENTS' privacy policy contact us via any of the ways described in the About Us page at www.functionalelements.net.

Thank you for choosing FUNCTIONAL ELEMENTS!

