

# *DIGITAL MARKETING PRIVACY POLICY*

At the Franklin Athletic Club (FAC), we respect and protect the privacy of our clients and users who visit our websites. This Privacy Policy explains how we collect and use information for the FAC, including the advertising services, promotions, informational mailings, and other offers we provide. By using any services provided by FAC Digital Marketing, you indicate that you agree to the collection and use of your information by FAC as outlined in this Privacy Policy. Furthermore, please note that in the event that you provide information to us and then choose not to use our services, the information you provide to us will still be handled as set forth in this Privacy Policy

## **User Consent to Policy**

By accessing, browsing, or using the Site or by communicating with a FAC agent, employee and/or affiliate by e-mail or by telephone, you consent to the collection, use, and disclosure of your information, including identifying and non-identifying information and anonymous browsing information (together, "Information") pursuant to the terms of this Policy. If you do not consent to these terms and conditions, please do not access, browse, or use the Site or provide Information to FAC, agents, employees and/or affiliates via the Site, by e-mail or by telephone.

## **What information do we collect?**

FAC may collect information provided by any User, including, but not limited to, a first and last name; a home, business, or other physical address; a telephone number; an email address, as well as any other information that may be submitted via the Site, included in an e-mail or conveyed in a telephone call.

FAC may collect general, non-identifying, statistical information about the use of the Site, such as how many visitors visit a specific page on the Site, how long they stay on that page and which hyperlinks, if any, they "click" on. FAC collects this information through the use of "cookies", and FAC may aggregate this information. A cookie is a small text file that a website transfers to an individual's computer, mobile device, or tablet for record-keeping purposes.

## **What do we use your information for?**

Any of the information FAC collects from you may be used in one of the following ways:

- To personalize your experience. Your information helps us to better respond to your individual needs.
- To improve our website. FAC continually strives to improve website offerings based on the information and feedback received from you.
- To improve customer service. Your information helps us to more effectively respond to your customer service requests and support needs.
- To process transactions. Your information, whether public or private, will not be sold, exchanged, transferred, or given to any other company for any reason whatsoever, without your consent, other than for the express purpose of delivering the purchased product or service requested.
- To administer a contest, promotion, survey or other site feature.
- To send periodic emails. The email address you provide for order processing, may be used to send you information and updates pertaining to your order, in addition to receiving occasional company news, updates, related product or service information, etc.

Note: If at any time you would like to unsubscribe from receiving future emails, we include detailed unsubscribe instructions at the bottom of each email.

### **How do we protect your information?**

FAC implements a variety of security measures to maintain the safety of your personal information when you place an order or enter, submit, or access your personal information.

FAC offers the use of a secure server. All supplied sensitive/credit information is transmitted via Secure Socket Layer (SSL) technology and then encrypted into our Payment gateway provider's database only to be accessible by those authorized with special access rights to such systems, and are required to keep the information confidential.

After a transaction, your private information (credit cards, financials, etc.) will not be stored on our servers.

### **Do we disclose any information to outside parties?**

FAC does not sell, trade, or otherwise transfer to outside parties your personally identifiable information. This does not include trusted third parties who assist us in conducting our business or servicing you, so long as those parties agree to keep this information confidential. FAC may also release your information when we believe release is appropriate to comply with the law, enforce our site policies, or protect ours or others rights, property, or safety. However, non-personally identifiable visitor information may be provided to other parties for marketing, advertising, or other uses.

FAC may utilize other companies and individuals to perform functions on its behalf such as sending postal and electronic mail to Users, processing payments, and delivering products and services. These third parties have access to Information needed to perform their functions, but may not use it for other purposes.

FAC may provide the aggregate statistics about our Users' Site activity (i) to describe the use of the Site to existing or potential business partners, investors, or other third parties, (ii) in response to a government request or (iii) for analytics or similar activities.

In the event of a sale, merger, liquidation, dissolution or sale or transfer of substantially all of the assets of FAC any and all Information collected about you from the Site or your communications with TAG agents, employees and/or affiliates via email or telephone may be sold, assigned or transferred to the party acquiring all or substantially all of the equity and/or assets of FAC. By using the Site and providing information to FAC, you consent to the sale and transfer of your information as described herein.

### **Third party links**

Occasionally, at our discretion, we may include or offer third party products or services on our website. These third party sites have separate and independent privacy policies. We therefore have no responsibility or liability for the content and activities of these linked sites. Nonetheless, we seek to protect the integrity of our site and welcome any feedback about these sites.

### **California Online Privacy Protection Act Compliance**

Because we value your privacy we have taken the necessary precautions to be in compliance with the California Online Privacy Protection Act. We therefore will not distribute your personal information to outside parties without your consent.

### **Children's Online Privacy Protection Act Compliance**

FAC is in compliance with the requirements of COPPA (Children's Online Privacy Protection Act). This Site is not intended for use by children under 13 years of age. We do not knowingly collect any Information from children under 13 years of age. If you are under 13 years of age, you are not permitted to submit any Information to FAC.

### **Governing Law and Venue**

This Policy is governed by the laws of the State of Tennessee, excluding its conflict of laws principles. The exclusive venue for any dispute between you and FAC shall be Williamson County, Tennessee, and you hereby waive any jurisdictional, venue or inconvenient forum objections thereto. YOU EXPRESSLY WAIVE ANY RIGHT TO A JURY TRIAL. Prior to initiating any legal action, you shall give FAC 60 days' prior written notice of your intent to file an action by e-mail to [privacy@tbsworks.com](mailto:privacy@tbsworks.com). During such notice period, you will endeavor to resolve any dispute or claim amicably by mutual discussion.

**Changes to our Privacy Policy**

If we decide to change our privacy policy, we will post those changes on this page, and/or update the Privacy Policy modification date below.

This policy was last modified on July 1, 2017

**Contacting Us**

If there are any questions regarding this privacy policy you may contact us using the information below.

<http://www.franklinathleticclub.com>

Franklin Athletic Club  
112 Rand Pl  
Franklin, TN 37064