

Privacy Policy¹

This Privacy Policy (“Policy”) is applicable to the Outerstuff, Ltd. (“Outerstuff”, “we” or “us”) website, located at www.outerstuff.com (the “Site”). Please read this Policy carefully before using the Site. By accessing or using the Site, you hereby agree to be bound by this Policy, as well as our Terms of Use www.outerstuff.com/termsfuse, which may be updated by us at any time. Any such changes will be effective upon posting, and your continued use of the Site after any such modifications shall constitute your acceptance of this Policy as modified.

If you do not agree to this Policy for any reason, please do not use the Site.

Any inquiries regarding this Policy should be directed to Outerstuff at webmaster@outerstuff.com, 60 Walnut Ave, Suite 100, Clark, NJ 07066, (732) 382 3100.

This Site contains links to, or may be linked from, other websites, including sites of third parties. This Policy does not cover, and Outerstuff does not review or monitor, and is not responsible for, any websites other than the Site. We advise you to review the terms of use and privacy policies of any website that you visit. Similarly, this Policy does not concern your interaction with Outerstuff in any matter other than your use of the Site.

Collection and Use of Information

You are not required to provide any personal information while using the Site unless you choose to send an email inquiry to Outerstuff. We do not use the information provided in such emails except to respond to such inquiries or otherwise pursuant to this Policy.

In addition to information you provide to us, we may collect information about you through technology. Outerstuff may collect some information automatically from your visit to the Site through the use of “cookies” and other electronic tracking methods. For example, we may collect your internet protocol address, the name of your internet service provider, the browser and type of machine you are using, the websites that you visit immediately before and after the Site, and the pages of the Site you visit.

Personally Identifiable Information

We may collect the information from use of these technical methods in a form that is personally identifiable, and such methods may involve the transmission of information either directly to us or to another party authorized by us to collect information on our behalf. We may also use these technical methods in HTML e-mails that we send our Site users to determine whether such users have opened and/or clicked on links in those e-mails. If we use such information at all, it will be on an aggregate basis, and we will not disclose to third parties any information that could be used to identify you personally.

Outerstuff does not sell, rent, or otherwise disclose personally identifiable information about visitors to the Site to any non-affiliated third party, except as described herein.

We may use or disclose certain personal information we collect about you when you visit and browse the Site as part of our normal business operations, or to send you administrative communications either about your interactions with us or about features of the Site, including any future changes to this Policy or our Terms of Use www.outerstuff.com/termsfuse. We may use or disclose this information for marketing,

¹ Subject to review by in-house IT or third party web vendor.

research and other business purposes, and we may associate your personally identifiable information with other information we collect about you, such as details about your usage patterns and interests, but we will not sell this information or disclose it to third parties.

We may also use service providers to facilitate our services or platform functions on our behalf. These companies and individuals may have access to your personally identifiable information as needed to perform their functions, but may not use it for another purpose.

We may use or disclose personal information (i) when we believe that such disclosures are required by law, regulation, legal process, subpoena, document request or governmental request; (ii) to help enforce this Policy or our Terms of Use [www.outerstuff.com/termsfuse], or to protect your safety or that of others or (iii) if Outerstuff or our businesses are acquired or merged with another entity, in which case, such entity will acquire user information together with our other assets.

Non-Personally Identifiable Information

Non-personally identifiable information is information that does not personally identify you, including anonymous information and aggregate data. We may use this information to understand better how our visitors use the Site, research our visitors' demographics, interests and behavior, improve the Site, provide visitors with customized services and information, and for other similar purposes. We may combine this information with personally identifiable information. We may share this information with others for information or promotional purposes, and may use this information in any manner permitted by law, but any disclosure that identifies you personally will be governed by the foregoing paragraphs addressing personally identifiable information.

Cookies

Cookies are small text files that are stored in your computer's memory and hard drive when you visit certain web pages. Cookies are used primarily for administrative purposes, and help us understand how people are using the Site, which assists in improving the Site. We do not use cookies to store any personal information that could be read or understood by others.

Using the settings of your Internet browser, you can configure your browser to accept all cookies, reject all cookies, notify you when a cookie is set, or delete cookies that have already been set. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences. You are always free to decline our cookies if your browser permits. You may at any time delete any cookies set by using the relevant option of your Internet browser or by deleting the cookies on your hard drive. The site www.allaboutcookies.org includes instructions for managing cookies on many commonly used Internet browsers, or you may consult the vendor documentation for your specific software.

By using the Site with your browser setting adjusted to accept cookies, you consent to our use of cookies on the Site.

Disclaimer

No data transmission over the Internet can be 100% secure; therefore, Outerstuff cannot ensure or warrant the security of any information submitted on or to the Site. We endeavor to protect your personal information using technical, administrative and physical methods, [including firewalls,] but we will not be responsible or liable for any damages or claims if an unauthorized individual accesses your personal information.

Do Not Track

Outerstuff does not track its customers over time and across third party websites to provide targeted advertising and therefore does not respond to Do Not Track (“DNT”) signals. However, some third party sites do keep track of your browsing activities when they serve you content, which enables them to tailor what they present to you. If you are visiting such sites, your browser allows you to set the DNT signal so that third parties (particularly advertisers) know you do not want to be tracked. You should consult the “Help” pages of your browser to learn how to set your preferences so that websites do not track you.

Children’s Privacy

Although this Site is not targeted toward children, we are concerned about the safety and privacy of children who use the Internet. Consistent with the Children’s Online Privacy Protection Act of 1998, if a child under 13 has provided personally identifiable to us through the Site without verifiable parental consent, a parent or guardian may inform us at the address for legal notices above, and we will use commercially reasonable efforts to delete it from our files.

International Use

This Site is operated and controlled by Outerstuff in the United States, and the Content (as that term is defined in our Terms of Use www.outerstuff.com/termsfuse) provided in or accessible through the Site is, unless otherwise specified, directed at residents of the United States. Access to the Site from countries or territories where such access is illegal is prohibited. Those who access the Site from outside the United States do so on their own initiative and are responsible for compliance with local laws, rules and regulations.

Disclaimer

THE SITE AND ITS CONTENT ARE PROVIDED ON AN “AS IS” AND “AS AVAILABLE” BASIS. OUTERSTUFF MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, REGARDING THE SITE OR THE CONTENT. YOUR USE OF THE SITE AND THE CONTENT IS SOLELY AT YOUR OWN RISK.

Limitations of Liability

IN NO EVENT SHALL OUTERSTUFF BE LIABLE TO YOU FOR ANY CLAIMS, LIABILITIES, LOSSES, COSTS OR DAMAGES UNDER ANY THEORY, INCLUDING BUT NOT LIMITED TO ANY DIRECT, INDIRECT, PUNITIVE, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, ARISING OUT OF OR IN CONNECTION WITH YOUR ACCESS OR USE (OR INABILITY TO USE) OF THE SITE OR ITS CONTENT. THIS IS TRUE EVEN IF OUTERSTUFF HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES OR LOSSES.

Governing Law/Forum

This Policy is governed by the laws of the State of New York. Any dispute regarding this Policy or your use of the Site shall be resolved solely in the state or federal courts located in New York, New York. You agree to waive trial by jury in any such action.