**GIUSTO PRIVACY POLICY**

Giusto LLC (hereinafter, "**Giusto**") is committed to respecting the privacy rights of users of the Website and Giusto mobile phone applications (the "**Applications**"). Giusto created this Privacy Policy to explain its information collection and use practices and the protection of Your information when You visit and use the Website and Applications. Any terms capitalized but not otherwise defined herein shall have the respective meanings set forth in the Giusto [Terms of Use](http://www.myfitnesspal.com/account/terms_and_privacy?with_layout=true#tou).

This Privacy Policy is only applicable to the Website and Applications and does not apply to any websites or applications that are owned or operated by third parties ("**Third-Party Websites/Applications**"), which may have data collection, storage and use practices and policies that differ materially from this Privacy Policy. For additional information, see the section concerning Third-Party Websites/Applications, below.

BY USING THE WEBSITE AND/OR APPLICATIONS, YOU REPRESENT AND WARRANT THAT YOU HAVE READ AND UNDERSTOOD, AND AGREE TO THE TERMS OF, THIS PRIVACY POLICY. IF YOU DO NOT UNDERSTAND OR DO NOT AGREE TO BE BOUND BY THIS PRIVACY POLICY, YOU MAY NOT USE THE WEBSITE AND/OR APPLICATION.

1. **INFORMATION COLLECTION PRACTICES**
   1. **Traffic Data**. Giusto automatically gathers information of the sort that browsers automatically make available, including: (i) IP addresses; (ii) domain servers; (iii) types of computers accessing the Website; and (iv) types of Web browsers accessing the Website (collectively "**Traffic Data**"). Traffic Data is anonymous information that does not personally identify You.
   2. **Cookies**. A "**Cookie**" is a string of information that a website stores on a user’s computer, and that the user's browser provides to the website each time the user submits a query to the website. The purpose of a Cookie is to identify the user as a unique user of the Website. Giusto uses Cookies to customize Your experience on the Website to Your interests, to ensure that You do not see the same advertisements or informational messages repeatedly, and to store Your password so You do not have to re-enter it each time You visit the Website. In addition, Giusto may use Cookies, and other methods, to store and retrieve data from Your web browser. For additional information on Giusto’s uses of Cookies, see the section concerning Information Use and Disclosure Practices/Traffic Data and Information Gathered Using Cookies, below.

IF YOU DO NOT WISH TO HAVE COOKIES PLACED ON YOUR COMPUTER, YOU SHOULD SET YOUR BROWSERS TO REFUSE COOKIES BEFORE ACCESSING THE WEBSITE, WITH THE UNDERSTANDING THAT CERTAIN OF THE SERVICES AND CERTAIN FEATURES OF THE WEBSITE MAY NOT FUNCTION PROPERLY WITHOUT THE AID OF COOKIES.

* 1. **Web Beacons**. "**Web Beacons**" (also known as clear gifs, pixel tags or web bugs) are tiny graphics with a unique identifier, similar in function to Cookies, and are used to track the online movements of web users or to access Cookies. Unlike Cookies which are stored on the user’s computer hard drive, Web Beacons are embedded invisibly on web pages (or in e-mail). Web Beacons may be used to deliver or communicate with Cookies, to count users who have visited certain pages and to understand usage patterns. For additional information on Giusto’s uses of Web Beacons, see the section concerning Information Use and Disclosure Practices/Traffic Data and Information Gathered Using Cookies & Web Beacons, below.
  2. **Mobile Device Data**. When users download, install and use the Applications on their mobile phone or other wireless telecommunications device, Giusto automatically gathers information, including without limitation, carrier providers, a unique device identifier, geo-location information (if allowed by the user), the types of mobile devices accessing the Application, and the types of operating systems accessing the Applications (collectively, "**Mobile Device Data**"). A unique device identifier is a string of alphanumeric characters (similar to a serial number) used to uniquely identify and distinguish each mobile phone or other wireless communications device. Location services can be enabled or disabled at anytime, through the mobile device settings. Giusto uses Mobile Device Data to understand usage patterns and to improve the Applications. For additional information on Giusto’s uses of Mobile Device Data, see the section concerning Information Use and Disclosure Practices/Traffic Data and Information Gathered Using Cookies, Web Beacons, and Mobile Device Data, below.
  3. **Ad Serving and Usage Analytics**. Giusto uses third-parties for advertising and usage analytics for the Website and Applications. These third-parties may place Cookies on Your machine, use Web Beacons, gather Personal Information (as defined below), Traffic Data and Mobile Device Data, and log data to collect traffic and activity data in order to deliver relevant metrics, content, and advertising. We do not share your non-public Personal Information with these parties, but we may share anonymized or aggregated information with them to improve the relevancy of the ads you see at Giusto. The collection of this information by third-parties is subject to such third-parties’ privacy policies. For additional information, see the section concerning Third-Party Websites/Applications, below. With regards to advertising on the Website, to learn more about behavioral advertising practices or to opt-out of this type of advertising, visit http://www.networkadvertising.org/choices, http://www.aboutads.info/choices, and http://opt.jumptap.com/optout/opt?jt.
  4. **Personal Information**. You will be asked to provide Giusto certain information related to You ("**Personal Information**"). Personal Information includes, without limitation: (1) "**Contact Data**" (personally identifiable information about You, such as Your name and email address, as well as Your friends and contacts, if you enable access to Your contacts and address book information); and (2) "**Demographic Data**" (personal information about You (but doesn’t specifically identify You), such as Your gender, birthday, zip code, and country). The Personal Information you provide is used for such purposes as allowing you to set up a user account and profile, providing the Website and/or Applications and related services, monitoring and improving the content and usage of the Website and/or Applications, interacting with the Website and/or Applications and with your friends and other members, to find and connect with Your friends and other members (when instructed by You), customizing the advertising and content you see, communicating with you about new features and other news, and any other purpose for which the information was collected. We may also draw upon this Personal Information in order to adapt the Website and/or Applications to your needs, to research the effectiveness of our Website and/or Applications, and to develop new tools for our members.

You are under no obligation to provide Personal Information, however, not providing this information may prevent You from using certain features of the Services.

* 1. **Third Party Services**. If you create an account using Your login/ID from a Third Party Service, like Facebook, Giusto will use Your login/ID to access and collect the information that Your privacy settings on that Third Party Service permits Giusto to access so that Giusto can create Your account and connect You with Your friends.
  2. **Information You Make Public**. Certain portions of the Website and Applications are open to any viewer, such as our community forums and Your personal profile. Any information You post in these locations may be available and accessible to other members of the Website. In addition, the Website contains features that permit You to upload, post, transmit, display, perform or distribute content, information or other data, including Your Personal Information. Any information that You choose to disclose by means of such features becomes public information. You should exercise caution when deciding to disclose Your Personal Information by means of such features, and You agree to assume all responsibility for doing so.

1. **INFORMATION USE AND DISCLOSURE PRACTICES**
   1. **Traffic Data and Information Gathered Using Cookies, Web Beacons & Mobile Device Data.**

Giusto analyzes Traffic Data and information gathered using Cookies, Web Beacons and Mobile Device Data to help Giusto better understand who is using the Website and/or Applications and how they are using the Website and/or Applications. By identifying patterns and trends in usage, Giusto is able to better design the Website and Applications to improve Your experience, and to serve You more relevant and interesting content and advertisements. From time to time, Giusto may release Traffic Data and information gathered using Cookies, Web Beacons and Mobile Device Data in the aggregate, such as by publishing a report on trends in the usage of the Website. In addition, Giusto may share Traffic Data and Mobile Device Data and information gathered using Cookies and Web Beacons with: (1) third-party analytics companies so that such third-parties may help Giusto better understand who is using the Website and/or Applications and how they are using the Website and/or Applications; (2) advertisers and marketing partners so that such third-parties may provide You with advertisements tailored to Your interests; and (3) service providers so that we can personalize, provide and improve our Services to Your use and interests.

* 1. **Personal Information**
     1. **Contact Data**. Giusto uses Your Contact Data to send You information about Giusto and Giusto’s products and services, and to contact You when necessary in connection with the Services. Giusto uses Your Contact Data (when instructed by You) to connect You with Your friends and other members with whom You want to connect with, according to the preferences set in Your account.
     2. **Demographic Data**. Giusto uses Your Demographic Data to customize and tailor Your experience on the Website and/or Applications. As with Traffic Data and Mobile Device Data and information gathered using Cookies and Web Beacons, from time to time Giusto may release or share Demographic Data with third parties in anonymous form and/or in the aggregate, for industry analysis, research, demographic profiling and other similar purposes. In addition, Giusto shares anonymized Demographic Data with its advertisers and marketing partners so that such third-parties may provide You with advertisements tailored to Your interests. To opt-out of sharing your anonymized and Demographic Data with our advertising and marketing partners, visit http://www.networkadvertising.org/choices, http://www.aboutads.info/choices, and http://opt.jumptap.com/optout/opt?jt.
  2. **Other Disclosure Practices**

Except as otherwise provided in this Privacy Policy, and when You otherwise give permission or under the following circumstances, Giusto will not share Your Personal Information with third parties.

* + 1. **Disclosure in Connection with Services**. Giusto discloses Personal Information to those who help it provide services, including those who perform technical, administrative and data processing tasks such as hosting, billing, fulfillment, and data storage and security.
    2. **By Law or to Protect Rights**. Giusto discloses Personal Information when required to do so by law, or in response to a subpoena or court order, or when Giusto believes in its sole discretion that disclosure is reasonably necessary to protect the property or rights of Giusto, third-parties or the public at large.
    3. **Business Transfers; Bankruptcy**. Giusto reserves the right to transfer all Personal Information in its possession to a successor organization in the event of a merger, acquisition, or bankruptcy or other sale of all or a portion of Giusto’ assets. Other than to the extent ordered by a bankruptcy or other court, the use and disclosure of all transferred Personal Information will be subject to this Privacy Policy, or to a new privacy policy if You are given notice of that new privacy policy and an opportunity to affirmatively opt-out of it. Personal Information submitted or collected after a transfer, however, may be subject to a new privacy policy adopted by Giusto’s successor organization.

1. **EMAIL COMMUNICATIONS FROM GIUSTO**

In providing the Services, You may receive periodic email communications from Giusto regarding the Services, such as new product offers and other information regarding the Services, which are part of the Services and which You cannot opt out of receiving. You may also receive periodic promotions and other offers or materials Giusto believes might be of interest to You. You can opt-out of receiving these promotional messages at any time by (a) following the unsubscribe instructions contained in each message; or (b) changing the messaging preferences in Your account.

1. **EMAIL COMMUNICATIONS FROM MEMBERS**

By finding and connecting with Your friends and other members, You may receive electronic communications, including email and personal messages from other Giusto members. You can manage the messages You receive from other members by changing the messaging preferences in Your account.

1. **SECURITY OF PERSONAL INFORMATION**

Giusto has implemented and maintains reasonable security procedures and practices designed to protect against the unauthorized access, use, modification, destruction or disclosure of Your Personal Information, however, despite these efforts, no security measures are perfect or impenetrable and no method of data transmission can be guaranteed against any interception or other type of misuse. In the event that Your Personal Information is compromised as a result of a breach of security, Giusto will promptly notify You if Your Personal Information has been compromised as required by applicable law.

1. **USER ABILITY TO ACCESS, UPDATE, AND CORRECT PERSONAL INFORMATION**

If You have an account, You can access and modify Your Personal Information through Your account, at any time. If you completely delete all such information You will not be able to access or use the Website and/or Applications correctly. If You would like Giusto to delete Your Personal Information from its system, please contact us at appgiusto@gmail.com with a request that we delete Your Personal Information from its database. Giusto will use commercially reasonable efforts to honor Your request; however, Giusto may retain an archived copy of Your records as required by law or for other legitimate business purposes.

Giusto wants Your Personal Information to be complete and accurate. By using the Website and/or Applications, You represent and warrant that all information You provide on any registration form or otherwise in connection with Your use of the Website and/or Applications and Services will be complete and accurate, and that You will update that information as necessary to maintain its completeness and accuracy. To confirm the completeness and accuracy of, or make changes to, Your Personal Information, please visit Your personal profile.

1. **THIRD-PARTY WEBSITES/APPLICATIONS**

The Website and Applications contain links to Third-Party Websites/Applications. Giusto does not own or control these Third-Party Websites/Applications. Giusto is not responsible for the privacy and security practices and policies of those Third-Party Websites/Applications and this Privacy Policy does not apply to any Third-Party Websites/Applications, except with respect to Personal Information provided directly to them by Giusto. Before visiting or providing Personal Information to a Third-Party Website, You should inform Yourself of the privacy policies and practices (if any) of that Third-Party Website, and should take those steps necessary to, in Your discretion, protect Your privacy.

1. **UPDATES AND CHANGES TO PRIVACY POLICY**

Giusto reserves the right to, update, change or modify this Privacy Policy at any time. Any material changes to this policy will be posted on the Website and/or Applications (or You may be notified by email or other notification), and will indicate when such changes will become effective. You will be deemed to have agreed to any such modification or amendment by Your decision to continue using the Website and/or Application following the date in which the modified or amended Privacy Policy is posted on the Website. Use of information we collect now is subject to the Privacy Policy in effect at the time such information is used.

1. **CHILDREN'S PRIVACY**

Giusto does not solicit or knowingly collect personally identifiable information from children under the age of 13. If Giusto obtains actual knowledge that it has collected personally identifiable information from a child under the age of 13, Giusto will promptly delete such information from its database.

1. **INTERNATIONAL USERS**

If you are located outside the United States and choose to provide Your information to Giusto, Your information will be transferred to the United States and processed there (or any other country where Giusto operates). By providing Your information and using the Website and/or Applications, You agree and consent to the collection, transfer, use, storage and disclosure of Your information as described in this Privacy Policy.

**EFFECTIVE DATE: October 28, 2014**