



## PRIVACY NOTICE

**Effective Date: October 1, 2016**

This Privacy Notice applies to all Personal Information (defined below) that is collected by Yes You Can! through its online properties, including its corporate websites, Coach Offices and Coach Personal Websites (the “**Sites**”) and offline, through the Coach Application and Agreement and any other method.

The purpose of this Notice is to inform website users (“**you**” or “**your**”) such as Yes You Can! Independent Coaches (“**Coaches**”) and purchasers of Yes You Can! products (“**Customers**”) what information may be collected from you when you visit the Sites, how such information will be used, with whom such information will be shared, your choices regarding your information, your ability to edit, update, correct or delete such information and the security procedures that Yes You Can! (“**we**,” “**us**,” or “**our**”) have implemented to protect your privacy.

By visiting the Sites and providing your Personal Information to us, you consent to the terms of this Privacy Notice, which forms a part of the [Terms of Use](#) for the Sites. Yes You Can! reserves the right to amend or change this Privacy Policy at any time at its sole discretion, in accordance with Section 3 of the [Terms of Use](#). However, for changes that would materially degrade your privacy rights, we will provide you with the opportunity to review and opt-in to such changes.

### **1. What kind of information does Yes You Can! collect?**

1.1 **Personal Information.** In order to use the Sites, you may be requested to provide Personal Information to us. “**Personal Information**” is information that identifies, or permits someone to contact, an individual. Examples of Personal Information are names, addresses, email addresses, telephone numbers, government issued identification numbers, and payment card or banking information. In order to become a Coach or Customer, you must also provide us with your biographical and contact information (such as name, mailing address, telephone numbers, and email address). Coach applicants will also be requested to provide Personal Information such as their Social Security or Federal Tax ID Number so that we may prepare and file necessary non-employee compensation forms for the IRS. Coaches and Customers are also required to provide payment information (such as credit card, debit card, or checking account information) in order to purchase products and services from us. If you do not want to share your Personal Information with us, please do not submit it. Unfortunately, this means that we may not be able to provide you with the products or services you have requested and you may not be able to become, or remain, a Coach or Customer.

1.2 **Log Files, Research and Data Analytics.** We may also gather certain information automatically, such as Internet protocol (IP) addresses, browser type, Internet Service Provider (ISP), referring/exit pages, operating systems, date/time stamps, and/or clickstream data. We gather this information to better understand our Coaches, Customer and Site user-base and to improve our services to you. In addition, we may conduct research on your demographics, interests, and behavior based on non-Personal Information usage data. This data may be compiled and analyzed on an aggregate basis and we may share this data with our service providers.

### **2. How does Yes You Can! use and share my information?**

2.1 **Personal Information.** If you choose to provide us with your Personal Information, we may use it for the following purposes:

- (a) to provide services to you and to process your orders and/or returns and obtain payment from you;
- (b) to complete an enrollment as a Coach or Customer;
- (c) to maintain our genealogy database and the proper functioning of our compensation plan;

- (d) to issue payment and report income to taxing authorities;
- (e) to confirm a Coach's compliance with a Coach Agreement and Yes You Can!'s Policies and Procedures;
- (f) to maintain communication with you;
- (g) to analyze trends;
- (h) to enhance the operation of the Sites;
- (i) to support and improve the services Coaches provide to Customers; or
- (j) to serve you with content, advertisements and promotional materials.

We will share your Personal Information with contracted service providers as may be necessary for us to achieve these purposes. These service providers are under a contractual obligation to use Personal Information only for the purposes for which they were hired.

We may also share your Personal Information to:

- (a) upline Coaches as described in Section 2.2;
- (b) assign a sales or enrollment lead to a Coach;
- (c) to other individuals as necessary to assist in the enforcement of a Coach Agreement or our Policies and Procedures; or
- (d) to the Yes You Can! Foundation, for their fundraising purposes.

**2.2 Genealogy Information.** As a network marketing company, Yes You Can! provides certain Personal Information to Coaches regarding the other Coaches and Customers enrolled in a Coach's downline marketing organization ("**Genealogy Information**"). Genealogy Information includes names, addresses, email addresses, telephone numbers, sales volume information, product purchases... Genealogy Information is provided to Coaches for the sole purpose of supporting them to develop their Yes You Can! businesses. Coaches are bound by the terms of their Coach Agreement and the Personal Information Handling, Confidentiality and Non-Solicitation covenants contained therein. However Yes You Can! cannot warrant that Coaches will adhere to these covenants, and Yes You Can! takes no responsibility for a Coach's violation of these covenants.

**2.3 Sales Information.** If you make a purchase from a Coach's Personal Website, we may provide the Coach with your name, contact information, a description of the item(s) purchased, and the sales volume associated with the purchase. No other personally identifiable information will be shared with the Coach.

**2.4 Business Transitions.** In the event Yes You Can! goes through a business transition, such as being acquired by another company, or selling all or part of our assets, Coach and Customer Personal Information will, in most instances, be part of the assets transferred. In such a case your Personally Information will be subject to the privacy notice of the acquiring entity.

**2.5 Coach Lead Program.** Yes You Can! occasionally will assign prospective sales and new Coach leads to Coaches. In these cases, we will provide the lead with the appropriate Coach's name and contact information and/or provide a Coach with the prospective lead's name and contact information.

**2.6 Legally Required Law Enforcement, Judicial and Administrative Agency Disclosures.** Yes You Can! will disclose Personal Information and related confidential information as necessary to comply with judicial and administrative orders, subpoenas, Civil or Criminal Investigative Demands, Administrative and Regulatory Demands, other legal obligations and if we believe in good faith that disclosure is necessary to protect our rights, to protect your safety or the safety of others, or to investigate fraud or violations of our Coach Policies and Procedures. In order for Yes You Can! to conduct business in certain jurisdictions, Yes You Can! may be called upon to disclose certain Personal Information and related confidential information to regulatory authorities in those jurisdictions. Such information may include, but is not limited to, income information. We will provide such information as we deem necessary.

### **3. How will Yes You Can! communicate with me?**

**3.1 Special Offers and Updates.** Yes You Can! sends all new Coaches and Customers a welcoming email to verify password, username, and acceptance of the Coach Agreement or Customer Agreement. Additionally, Coaches and Customers may occasionally receive information on Yes You Can!'s business, products, services, special deals, surveys and newsletters and the Yes You Can! Foundation. Coaches may manage their electronic communications within the Subscription Center of their Office. In addition, anyone may stop receiving these kinds of emails by clicking "unsubscribe" or following the instructions in the footer of the email.

3.2 **Service Related Announcements.** On rare occasions it is necessary to send out a strictly service related announcement. For instance, if our service is temporarily suspended for maintenance we might send Coaches and/or Customers an email. Generally, Coaches may not opt-out of these communications, though they can deactivate their account. However, these communications are not promotional in nature.

3.3 **Coach and Customer Service.** Yes You Can! communicates with Coaches and Customers via email, regular mail, telephone, fax, electronic messaging through a Coach's Office or in person on a regular basis to provide requested products and services and/or in regards to issues relating to their Yes You Can! businesses.

#### **4. Does Yes You Can! use cookies and tracking technologies?**

4.1 **Cookies.** We use cookies and other similar technologies to analyze trends, administer the Sites, track users' movements around the Sites and to gather demographic information about our user base as a whole. Cookies are small pieces of information that are stored on computer hard drives. We may use cookies to recognize you when you return to the Sites in order to provide you with a better user experience. Our cookies do not contain any Personal Information. We may allow third parties to use cookies on the Sites but we do not control the use or contents of third party cookies. Web browsers often allow you to erase existing cookies from your hard drive, block the use of cookies and/or be notified when cookies are encountered. If you elect to block cookies, please note that you may not be able to take full advantage of the features and functions of the Sites.

4.2 **Do Not Track Browser Requests.** We browsers often also allow you to send a "Do Not Track" request with your browsing traffic, which would enable anonymous browsing. Our service provider honors Do Not Track requests from web browsers.

#### **5. How can I access or correct my Personal Information?**

If you identify any inaccuracies in your Personal Information, you may update the information yourself within your Coach or Customer Profile, or contact our Coach Services team at (888) 381 – 0992 for assistance. In instances where a Customer purchases products offline, directly from a Coach, we may not have access to the Customer's Personal Information and you will need to contact your Coach directly.

#### **6. How long does Yes You Can! keep my Personal Information?**

We will keep Personal Information in active files or systems as long as needed to meet the purposes for which it was collected, as required to perform our contractual relationship with a Coach or Customer, or to fulfill the other purposes outlined in this Statement. After a Coach terminates his Yes You Can! business, we must keep some information for accounting purposes, for the calculation of earnings under our compensation plan, and for compliance purposes.

#### **7. How secure is my Personal Information?**

We take reasonable steps to protect your Personal Information in our custody and control. Unfortunately, no data transmission over the Internet can be guaranteed as secure and we cannot be responsible for harm that you or any other person may suffer as a result of a breach of confidentiality in respect to your use of the Sites or any information you transmit through the Sites.

#### **8. How are third party Links handled?**

The Sites may contain links to or from other sites. Please be aware that we are not responsible for the privacy practices of such other sites. We encourage users to be aware when they leave our Sites and to read the privacy notices of each and every website that collects Personal Information. This Privacy Notice applies solely to information collected by the Sites.

#### **9. 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 third parties for their direct marketing purposes without your consent. In addition, the Coach Policies and Procedures prohibit Coaches from sharing Personal Information to third parties for their direct marketing purposes without their consent.

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

The Sites are general audience websites and we do not knowingly collect Personal Information from anyone under 13 years of age. If you believe we may have collected information from your child on the Sites, please contact us and we will make reasonable efforts to delete the information from our records.

11. **What if I have questions or complaints?**

We take your privacy concerns seriously. If you believe we have not complied with this Privacy Notice, or have any other questions you may write to the address below, email us at [CoachServices@yesyoucan.com](mailto:CoachServices@yesyoucan.com) or call us at (888) 381-0992.

**Yes You Can!**

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**Yes You Can! Coach Services**

(888) 381-0092  
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