

Privacy Policy

(Updated April 17, 2008)

Common Media, Inc. and its websites, including but not limited to CommonKitchen.com and CommonRunning.com (“Websites” or “the Websites”) and its affiliates and subsidiaries (collectively “Common Media” or “we” or “us”) are committed to maintaining the privacy of the information you share with us. This notice describes our privacy policies and procedures. By visiting our Websites, you accept the practices described in this Privacy Policy.

Please note that our Privacy Policy does not extend to those websites of third parties, such as blogs, Affiliated Businesses (as defined in the [Terms and Conditions of Use](#)) and other suppliers of Content (as defined in the [Terms and Conditions of Use](#)), suppliers of Services (as defined in the [Terms and Conditions of Use](#)), and other suppliers of goods and services, that are neither owned nor operated by us.

1. Information Gathered by Common Media

Common Media gathers information in order to provide the best experience that we can, to personalize your experience on our Websites, and to improve our performance. To those ends, we gather the following types of information (“Information”):

Direct Information is Information you give us such as your membership application, ordering information, addresses, contact information, credit card information, and so on. It also includes information you provide in a search, in a contest, blog entry, discussion panels, wish lists, reviews of products, services, or other Content and Services. We use this Information to fulfill your orders, respond to requests, communicate with you, customize our products, services, and Content and Services for your convenience and benefit, improve our offerings, and so on.

Automatic Information is Information that gets collected without your taking any direct, intentional action to send or give us the Information. For example, like many websites, we use “cookies” which allow us to automatically collect information when your Web browser accesses our Websites. We can recognize you from visit to visit, track where you travel, and thus glean an understanding of you and your interests. This, in turn, allows us to customize our products, Services, and Content for your convenience and benefit, improve our Content and Services, and so on. There are various ways in which “cookies” can be disabled or turned off. Your Internet service provider might well have those tools available to you already. While you certainly have the option to disable our “cookie,” doing so will diminish the level of customization we can provide to you as well as make certain experiences (such as ordering) a bit more cumbersome. More information on “cookies” is provided below. Some links may be formatted and set up in such a manner that tells us whether those links have been followed. Examples of Automatic Information include, but are not limited to; your email address; password; computer and connection information such as browser type and operating system; transaction history (which we sometimes utilize by aggregating your data with similar data from other visitors/users to use in our Suggestion Engines – but utilized so that your individual information is not identifiable); URL’s; the phone number you used to call our 800 number, and so on. We might also gather and measure session information including the actual amount of time spent on certain pages, download errors, and so on.

Email Communications are another source of Information. Frequently, your computer will allow us to confirm whether you have opened emails we send to you. We compare customer lists with those of other companies in order to avoid swamping you with duplicate communications. We remind you that you always have the ability to control email and other mail from us by changing your [Member Communication Preferences](#).

Then, there is Information we receive from Other Sources. Third parties, including public and private sources, may provide us with Information that we try to use to make your experience with us better. As an example, a supplier may inform us as to an issue with an order you placed with them. Other sources may include consumer reporting agencies (to assist in preventing fraud, verifying data accuracy, and compliance with regulations), marketing companies, banks and other financial institutions. Other examples of this sort of Information include delivery and address information, account information, and page-view information from some merchants with which we cooperate under business contracts for products, Content and Services.

Affiliated Sites: We offer some of our Content and Services in connection with other websites. Personal Information that you provide to those sites may be sent to us in order to deliver the service you requested. We process such Information in accordance with this Policy. The affiliated websites may have different privacy policies, however, and we encourage you to read their privacy policies.

We also share aggregated Information in which individuals are not identified. For instance, we might share the number of individuals who visited a certain web page or searched for information on a particular item. This Information does not identify the individuals involved.

2. More about Cookies

Cookies are the nicknames used to describe alphanumeric tags that can identify your browser. We transfer the cookie to your computer's hard drive. This allows us to recognize and identify you as a specific person. The cookie is, in effect, a name tag that allows us to recognize you and remember our relationship with you. With the ability to recognize you individually, we can then make sure we address and service your needs personally.

However, we also realize that not everyone wants to be recognized. If that is the case, look on your browser toolbar for the Help section. Most browsers will have the ability to disable cookies and keep new ones from being attached, if that is what you want.

3. How Common Media Shares Information With Others

Common Media seeks Information in order to provide the best possible service to you. Common Media shares Information amongst its subsidiary companies, affiliated companies, trusted companies and individuals performing services for us, and others that either we control or which have privacy practices of at least the same level of protectiveness as ours.

Others with Which We Share Information:

Other Businesses/Entities and Affiliated Businesses. We typically have no control over these parties, but we work closely with them. These parties sell their products and services to you through our Websites or advertise and bring you onto their websites. These parties might sell their products and services to you in conjunction with us through co-branding or joint offerings. We might share selective Information pertaining to these transactions with these parties.

Agents. We hire the services of others to act on our behalf, for instance, fulfilling orders, package delivery, deleting duplicative email communications, analyzing data, providing marketing analysis, processing credit card payments, providing customer service support, creating and managing search capabilities and links (including paid listings and links). These parties are restricted in not being able to use the personal Information we provide beyond the direct requirements of the function for which we hired them.

Promotional Offerings. Third parties may request that we send you offers for goods and services on their behalf. In these instances, we do not share your individual Information with them. We also offer you the option not to be included in these promotional offerings. Please see Member Communication Preferences to remove yourself from these Promotional Offerings.

Business Development. In the course of the development of our business, we expect to buy or sell websites, publications, stores, companies, and other business units. When this happens, member Information is usually part of the transaction. However, Information continues to be subject to the terms and conditions of the pre-existing Privacy Policy. In the event that Common Media (or substantially all of its assets), a subsidiary or a division (such as CommonKitchen.com) is acquired by a third party, Information would travel with the transaction.

Protective and Legal Reasons. Naturally, we do our best to comply with the law and release Information when such release is appropriate, such as when ordered to by subpoena. We will also release Information in an appropriate fashion in the enforcement or application of our Terms and Conditions of Use and other agreements as well as to protect the rights, property, or safety of Common Media, our visitors, or others. Scenarios which could easily arise include issues arising from fraud protection, credit risk, security or technical issues.

Other. While the Websites do include third-party advertising as well as links to other websites, we do not provide personally identifiable Information to them. These parties (and the Internet advertising firms these parties have retained, which might also be known as “ad networks” or “network advertisers”) might use technology to send (or “serve”) the advertisements appearing on the Websites to your browser directly. When they do this, they will receive your IP address automatically. They might also use cookies and other technologies to ascertain the effectiveness of their advertising and to customize it. We have no control over the actions of these parties and thus they are not covered by this Privacy Policy. However, the Network Advertising Initiative provides information about Internet advertising firms and your options on how to preserve your privacy with them.

Targeted advertising is advertising based on personal information about users. While no Information may be supplied to advertising parties, they can conclude that anyone who responds to the advertisement met the targeting criteria.

We may provide third parties with aggregated Information such as the total number of users who viewed a particular page or advertisement. This aggregated Information does not provide individually identifiable Information.

The Websites provides chat rooms, message boards, bulletin boards and other public forums where you and other users of the Websites can communicate. The protections discussed in this Privacy Policy do not apply to Information you post, provide, publish or otherwise communicate in connection with your use of these public forums. Any Information you share in a public forum is public information and may be seen or collected by anyone including parties who do not adhere to this Privacy Policy. You are solely responsible for the consequences arising from your communications of Information you choose to publicly post, provide, publish or otherwise communicate.

Consent. Lastly, any other disclosure would require your consent before we could share Information with anyone else.

4. Our Security Measures for Your Protection

Security is a primary concern for us as your trust depends on our earning and keeping it. To that end, we follow these general guidelines:

- We use Secure Sockets Layer (SSL) software to encrypt the information you provide during transmission. This technology ensures an encrypted connection between your browser and our server, but we cannot be responsible for Information you provide us through insecure means, e.g. compromised browser software or compromised systems.
- We provide order confirmation using only the last five digits of your credit card. Naturally, we transmit the full credit card number via intermediaries to the financial institution in question in order to process the payment.
- We perform safeguard audits of our protection procedures as well as engage outside security firms to do the same.

We take reasonable and appropriate security measures to protect against unauthorized access to or unauthorized alteration, disclosure, or destruction of data. We restrict access to personal Information to only those who have a need to know that Information in order to operate or develop our Content and Services or to provide Content and Services.

We generally process personal Information on servers in the United States of America. In some cases, we process personal Information on a server outside your own country. We may process personal Information to provide our Content and Services. In some cases, we may process personal Information on behalf of and according to the instructions of a third party, such as our advertising partners or a blog site operator.

You are responsible for maintaining the confidentiality of your account and password and for restricting access to your computer and internet account, and you agree to accept responsibility for all activities that occur under your account or password. You agree not to share your account or password with anyone. You agree that Common Media will bear no responsibility or liability in any form if you should share your account or password with anyone. You agree to indemnify

Common Media for any and all claims of whatever nature arising from your sharing of your account or password with anyone.

You agree to notify Common Media immediately of any unauthorized use of your account or password or any other breach of security. You agree to exit from your account at the end of each session. You agree that Common Media will bear no responsibility or liability in any form arising from your failure: (i) to notify Common Media appropriately, or (ii) to exit your account appropriately. You agree to indemnify Common Media for any and all claims of whatever nature arising from your failure: (i) to notify Common Media appropriately, or (ii) to exit your account appropriately.

5. Information of Yours That Is Accessible to You

Generally, Information that is accessible to you falls into two broad categories: Information pertinent to an order for goods or services, and Information that you supply. Both of these categories are accessible to you for updating the Information, making changes, etc.

6. Options and Choices Available to You

First, you always have the option not to provide Information. However, this might result in your inability to make, or increased difficulty in making, a purchase or utilizing the Content and Services of our Websites.

Second, you can add, update, or delete Information on portions of your membership Information. Please note that for our files, we keep records of prior Information provided.

Third, you can advise us as to what communications you wish to receive from us by adjusting your Member Communication Preferences.

Fourth, you can control the use of cookies by using the Help tab/button on your browser's tool bar. Again, doing so might hamper your use of or forbid any use of certain Content and Services available on our Websites.

Fifth, some products/services do provide anonymous browsing.

7. Children

Common Media sells some products and services meant for children but sells them only for purchase by adults. If you are under 18 years of age, you may use our Websites only with the supervision of a parent or guardian.

8. Safe Harbor

The Safe Harbor program was developed by the U.S. Department of Commerce and the European Union to promote common privacy policies and practices. We have certified that we adhere to those privacy principles. For more information and to see our certifications, please see the Safe Harbor website of the U.S. Department of Commerce. Please feel free to contact us with any questions you might have on this matter at GeneralCounsel@CommonMediaInc.com.

9. Terms and Conditions of Use, Notices, and Revisions

Your visit to and use of our Websites and any dispute arising from such (including, but not limited to, disputes about privacy matters) is subject to this Privacy Policy and our Terms and Conditions of Use which include, but are not limited to, limitation on damages and application of the law of the State of Massachusetts, U.S.A. We will cooperate with the appropriate regulatory

authorities, including local data protection authorities, to resolve any complaints regarding the transfer of personal data that cannot be resolved between Common Media and an individual.

We expect our Privacy Policy and the Terms and Conditions of Use to change as our business and the environment in which it operates changes. We archive prior editions of both should you wish to review them.

Unless you have given us instructions not to, we may, but are not obligated to, send you periodic notices of our Privacy Policy, Terms and Conditions of Use, and other notices and matters and revisions to them. We urge you to check the Privacy Policy, Terms and Conditions of Use, and other notices frequently. Unless otherwise stated, our current Privacy Policy applies to all the information we have about you and your account.

To contact us on matters pertaining to our Privacy Policy, please contact us at:

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