This privacy policy (the “Privacy Policy”) applies to the Xuxer mobile application (the “App”) and our website, located at https://xuxer.com/ (the “Site”), owned and operated by Neck Empire LLC (“Neck Empire,” “we,” “us,” or “our”). Collectively, the App and Site are (“Xuxer”). We have created this Privacy Policy to tell you what information Xuxer collects, how we use that information, and who we will share that information with, if at all. This Privacy Policy does not address the privacy practices of any third parties that we do not own, control, or are affiliated with. Capitalized terms not defined in this Privacy Policy will have the meaning set forth in our Terms of Use. By visiting and/or using Xuxer, you are agreeing to the terms of this Privacy Policy and the accompanying Terms of Use. We encourage you to read the Privacy Policy, and to use the information it contains to help you make informed decisions.

Information We Collect or Receive. In the course of operating Xuxer, we will collect and/or receive the following types of information. You authorize us to collect and/or receive such information.

(a) Personal Information. We only receive or collect information that identifies you personally if you choose to provide such personally identifiable information to us via Xuxer, email, or other means. When you sign up to become a user or contact us, you will be required to provide us with personal information about yourself (collectively, the “Personal Information”). Such Personal Information may include: Full Name; Full Address; Date of Birth; Phone Number; Sex; SSN (photo of the card); Bank Account (photo); State Driver license (photo); TLC Driver License (photo); Email; Vehicle Registration (photo); Certificate Of Liability Insurance (photo); Insurance Certificate (photo); Vehicle TLC Diamond/License and inspection (photo); and Vehicle DMV Inspection (photo). We do not collect any Personal Information from you when you use Xuxer unless you provide us with the Personal Information voluntarily.

(b) Third-Party Log In. If you sign in through the Site using your email address, you are authorizing us to collect, store, and use, in accordance with this Privacy Policy, any and all information that you agreed that the email provider would provide to us through the Site's Application Programming Interface (“API”). Such information may include, without limitation, Personal Information, Neck Empire LLC username, Neck Empire LLC profile picture, headline, unique identifier and access token, and e-mail address.

(c) Payment Information. If you choose to make a purchase or subscribe to a feature or service of
ours that requires a fee, you will be required to provide us with your payment information, including, without limitation, bank account numbers, credit card or debit card numbers, account details, ACH information, and similar data (collectively, “Payment Information”). Such Payment Information will be collected and processed by our third-party payment vendors pursuant to the terms and conditions of their privacy policies and terms of use.

(d) Other Information. In addition to the Personal Information, Payment Information, and Geolocational Information, we may automatically collect or receive additional information regarding you and your use of Xuxer; your interactions with us and our advertising; and information regarding your computer and mobile devices used to access the App (collectively, the “Other Information”). Such Other Information may include:
How to Opt Out Of Third-Party Interest-Based Advertising. If you wish to opt out of third-party interest-based advertising, please visit http://www.networkadvertising.org and http://www.aboutads.info/choices for details on how to do so. Additionally, users of mobile Devices can follow the below instructions:

(a) Android Users. For Android devices with OS 2.2 and up and Google Play Services version 4.0 and up:

Open your Google Settings app > Ads > Enable “Opt out of interest-based
advertising.”

(b) iOS Users.

(i) iOS 7 or Higher: Go to your Settings > Select Privacy > Select Advertising > Enable the “Limit Ad Tracking” setting.

(ii) iOS 6: Go to your Settings > Select General > Select About > Select Advertising > Enable the “Limit Ads Tracking” setting.

(i) From You. Additional information about yourself that you voluntarily provide to us, such as your product and service preferences.

(ii) From Your Activity. We may collect or receive information regarding:

(A) IP address, which may consist of a static or dynamic IP address and will sometimes point to a specific identifiable computer or mobile device;

(B) browser type and language;

(C) referring and exit pages and URLs;

(D) date and time; and

(E) details regarding your activity on the App, such as search queries and other performance and usage data.

(iii) About Your Mobile Device. We may collect or receive information regarding:
(A) type of mobile device;

(B) advertising Identifier (“IDFA” or “AdID”);

(C) operating system and version (e.g., iOS, Android or Windows);

(D) carrier; and

(E) network type (WiFi, 3G, 4G, LTE).

(iv) From Cookies. We may use both session cookies, which expire once you close Xuxer, and persistent cookies, which stay on your mobile device until you delete them and other technologies to help us collect data and to enhance your experience with the App. Cookies are small text files an app can use to recognize a repeat visitor to the app. We may use cookies for various purposes, including to:

(A) type of mobile device;

(B) personalize your experience;

(C) analyze which portions of Xuxer are visited and used most frequently; and

(D) measure and optimize advertising and promotional effectiveness.

If you do not want us to deploy cookies in Xuxer, you can opt out by setting your mobile device to reject cookies. You can still use the Xuxer if you choose to disable cookies, although your ability to use some of the features may be affected.
How Information Is Used and Shared.

(a) You authorize us to use the Personal Information, Payment Information, Geolocational Information, and the Other Information (collectively, the “Information”) to:

(i) provide and improve Xuxer;

(ii) provide our services;

(iii) administer our promotional programs;

(iv) solicit your feedback; and

(v) inform you about our products and services.

(b) In order to provide our services and administer our promotional programs, we may share the Information with our third-party promotional and marketing partners, including, without limitation, businesses participating in our various programs.

(c) We may now or in the future, engage third-party companies and individuals to perform functions on our behalf. Examples may include providing technical assistance, customer service, marketing assistance, and administration of promotional programs. These other companies will have access to
the Information only as necessary to perform their functions and to the extent permitted by law.

(d) In an ongoing effort to better understand our users, Xuxer, and our products and services, we may analyze certain Information in anonymized and aggregate form to operate, maintain, manage, and improve Xuxer and/or such products and services. This aggregate information does not identify you personally. We may share and/or license this aggregate data to our affiliates, agents, business and promotional partners, and other third parties. We may also disclose aggregated user statistics to describe Xuxer and these products and services to current and prospective business partners and investors and to other third parties for other lawful purposes.

(e) As we develop our businesses, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, the Information may be part of the transferred assets.

(f) To the extent permitted by law, we may also disclose the Information:

   (i) when required by law, court order, or other government or law enforcement authority or regulatory agency; or

   (ii) whenever we believe that disclosing such Information is necessary or advisable, for example, to protect the rights, property, or safety of us or others, including you.

We will use your Payment Information to process your authorized payments through Xuxer. We will share your Payment Information with a third-party service provider as necessary to process your payment. The third-party service provider stores your Payment Information. Storage by the third-party service provider of your Payment Information is subject to the privacy policies and practices of the third-party service provider and is not subject to the terms of this Privacy Policy. By providing your Payment Information, you acknowledge and agree to use of such information by the third-party service provider for purposes of processing your payment to us. You also acknowledge and agree to allow us to process Payment Information in the cases where we decide to do so.

Accessing and Modifying Information and Communication Preferences. If you have provided us any Personal Information, you may access, remove, review, and/or make changes to the same by contacting us as set forth below. In addition, you may manage your receipt of marketing and non-transactional
communications by clicking on the “unsubscribe” link located on the bottom of any of our marketing e-mails. We will use commercially reasonable efforts to process such requests in a timely manner. You should be aware, however, that it is not always possible to completely remove or modify information in our subscription databases. You cannot opt out of receiving transactional e-mails related to Xuxer (e.g., requests for support).

We may also deliver notifications to your mobile device (e.g., push notifications). You can disable these notifications by deleting the relevant service or by changing the settings on your mobile device.

**How We Protect Your Information.** We take commercially reasonable steps to protect the Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases or the databases of the third parties with which we may share such Information, nor can we guarantee that the Information you supply will not be intercepted while being transmitted over the Internet. In particular, e-mail sent to us may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail.

**Important Notices to Non-U.S. Residents.** Xuxer and its servers are operated in the United States. If you are located outside of the United States, please be aware that your Information, including your Personal Information, may be transferred to, processed, maintained, and used on computers, servers, and systems located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. If you are located outside the United States and choose to use Xuxer, you hereby irrevocably and unconditionally consent to such transfer, processing, and use in the United States and elsewhere.

**App Stores; External Websites.** Your app store (e.g., iTunes or Google Play) may collect certain information in connection with your use of the App, such as Personal Information, Payment Information, Geolocational Information, and other usage-based data. We have no control over the collection of such information by a third-party app store, and any such collection or use will be subject to that third party’s applicable privacy policies.

Xuxer may contain links to third-party websites. We have no control over the privacy practices or the content of these websites. As such, we are not responsible for the content or the privacy policies of those third-party websites. You should check the applicable third-party privacy policy and terms of use when visiting any other websites.

**Children.** The App is not directed to children under the age of 13. We adhere to the Children’s Online Privacy Protection Act (COPPA) and will not knowingly collect Personal Information from any child.
under the age of 13. We ask that minors (under the age of 13) not use Xuxer. If a child under the age of 13 has provided us with Personal Information, a parent or guardian of that child may contact us and request that such information be deleted from our records.

California Privacy Law: Do Not Track. We do not monitor, recognize, or honor any opt-out or do not track mechanisms, including general web browser “Do Not Track” settings and/or signals.

Changes to This Privacy Policy. This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may change this Privacy Policy from time to time. Any such changes will be posted on Xuxer.

By accessing Xuxer after we make any such changes to this Privacy Policy, you are deemed to have accepted such changes. Please be aware that, to the extent permitted by applicable law, our use of the Information is governed by the Privacy Policy in effect at the time we collect the Information. Please refer back to this Privacy Policy on a regular basis.

How to Contact Us. If you have questions about this Privacy Policy, please e-mail us at info@xuxer.com with “Privacy Policy” in the subject line.