

BE Privacy Policy

1. Overview

Battle Empire, Inc. and its subsidiaries (collectively, "BE" or "we" or "our") respect your privacy. This privacy policy (this "Policy") informs you of our privacy practices and the choices you can make about the way your information is collected online and how that information is used.

This Policy applies to all websites, servers and services owned or provided by BE (collectively, "BE Sites"). BE may add new sites, domain names or services from time to time. As explained below, this Policy applies only to websites owned and services maintained by BE and not to websites or services to which links may be provided on BE Sites.

BY USING THIS SITE, OR ANY PRODUCT OR SERVICE OFFERED ON THIS SITE, YOU AGREE TO BE BOUND BY THE TERMS OF THIS POLICY.

BE Sites may provide links to independent websites for your convenience and information. If you access these links, you will leave our site. BE does not control these independent sites or their privacy practices, which may differ from this Policy. BE does not endorse or make any representations about any independent websites. The personal data you choose to provide to, or that is collected directly by, these independent sites is not covered by this Policy. We encourage you to review the privacy policy of each and every website you visit on the Internet before submitting your personal information.

2. Children Under 13

BE Sites are not directed to minors under the age of 18. BE Sites prohibit registration by, and BE will not knowingly collect personally identifiable information from, anyone under the age of 18. This requirement will be posted at points of data collection within BE Sites, such as registration for services.

We encourage parents and guardians to take an active role in their minor's online activities and interests. We also urge parents and guardians to instruct their minors never to give out their real names, addresses or phone numbers without parental permission when using the Internet. If any parent or guardian has any concern about any BE Site or their respective services, or wish to cancel your minors' registration, please contact us at the address set forth below.

3. Collection of Personal Information

BE collects personal information from users of BE Sites in connection with the access and use of the various products and services available to you on BE Sites. These products and services may include: (i) registration for competitions and events; (ii) registration for receipt of communications like email updates and newsletters; (iii) registration for certain online community services and tools like message boards, chat rooms, forums, news groups or other community services; (iv) user surveys and polls; (v) participation in sweepstakes, contests or promotions by sponsored by BE or third parties; and (vi) purchasing products and services.

- A. Types of Information Collected. The types of personal information you provide to us may include your name, address, ZIP code, telephone number, email address, user IDs and passwords, age and date of birth, gender, billing and transaction information, product and service preferences and contact preferences. In certain instances, you may also submit similar information about other people (such as when shipping products purchased on BE Sites).
- B. Automatic Data Collection Tools. In addition to the information you provide us, BE may also collect information during your visit to any BE Site through the use of Automatic Data Collection Tools, which may include cookies, web beacons and other commonly used information-gathering tools. These tools collect certain standard information that your browser sends to our website such as your browser type and language and access times. These tools may also collect information about your Internet Protocol (IP) address, clickstream behavior (i.e., the pages you view, the links you click and other actions you take in connection with BE Sites) and products and services you use. BE may also use some of these Automatic Data Collection Tools in connection with certain emails sent from BE and therefore may collect information using these tools when you open the email or click on a link contained in the email. Automatic Data Collection Tools are discussed further below.
- C. Commingled Information. BE may also collect information from commercially available sources that it deems credible. Such information may include your name, address, email address and demographic data. The information BE collects from its commercial sources may be used along with the information BE collects when you visit BE Sites. For example, BE may compare the geographic information acquired from commercial sources with the IP address collected by Automatic Data Collection Tools to derive your general geographic area.
- D. Community Tools. From time to time, BE may make message boards, chat rooms, forums, news groups and other community tools available to you on BE Sites. Please keep in mind that whenever you voluntarily disclose personal information in these public areas, your information becomes public information and can be viewed and used by BE and others. We advise you to use caution in such public areas in disclosing personal information.

4. How We Use Your Personal Information

We use the personal information you provide to us (i) in the manner described in this Policy, (ii) to improve and customize this site and the products and services offered to you, and (iii) as directed by you as indicated by your use of the products and services offered on this site. For example, we may use your personal information in connection with the following:

- A. Creation of membership accounts;
- B. Offers to participate in competitions and event;
- C. Delivery of email updates and newsletters;
- D. Communications of offers for promotions, sweepstakes and contests;
- E. Invitations to participate in user surveys and polls;
- F. Execution of purchases of products and services; and
- G. Providing software updates and interactive materials.

We may also use your personal information to contact you offline concerning the products and services offered on this site.

5. Sharing of Personal Information

BE will not sell, rent or lease the personal information you provide. BE will only share your personal information (i) with entities owned or controlled by BE, (ii) with your consent, (iii) with persons or entities engaged by BE to carry out or fulfill BE operations or business activities, and (iv) as otherwise stated in this Policy.

- A. **Entities Owned By BE.** We reserve the right to share your personal information with entities owned or controlled by BE.
- B. **With Your Consent.** We may offer services, competitions, events, contests, sweepstakes, promotions and other programs that are sponsored or co-sponsored with persons or entities not affiliated with BE. When your consent is required for use of personal information that is not otherwise authorized by this Policy, we will seek to obtain your consent at the place where the information is collected either by an "opt-in" or "opt-out" method, or by other means (such as sending to you an e-mail). Based upon your voluntary participation in these programs, persons or entities other than BE may obtain personal information that you submit as a condition of your participation. We cannot guarantee how these persons or entities will use your personal information.
- C. **Service Providers.** BE engages various suppliers and service providers to assist BE in carrying out or fulfilling BE operations and business activities. These suppliers and service providers may receive personal information you provide to us in connection with the performance of their obligations to BE. If we do share personal information with suppliers and service providers, to the extent practical, we require that they protect such information in a manner that is consistent with this Policy. We cannot, however, guarantee how these entities will use your personal information.
- D. **Corporate Transactions.** The personal information you provide is considered an asset of BE and may be transferred to a third party in connection with the merger, acquisition, reorganization or sale of assets by BE.
- E. **Legal Authorities.** We reserve the right to access and disclose your personal information as necessary to (i) respond to any duly authorized information requests of governmental authorities, (ii) comply with any law, regulation, search warrant, subpoena or order of any court or governmental authorities, and (iii) help prevent or investigate suspected fraud, harassment or violation of any law, rule, regulation, BE policy or the terms and conditions of BE Sites.
- 6. Use and Disclosure of Anonymous Information**
As described elsewhere in this Policy, we may collect certain non-personally identifiable information (i.e., generic information that does not identify you personally) when you visit any BE Site and otherwise. We sometimes use the non-personally identifiable information that we collect to improve the design and content of our site and to enable us to personalize the products and services offered on this site. We may also aggregate the information collected in a manner which does not identify any individual. We reserve the right to use this information in any manner we deem appropriate.
- 7. Collection of Information by Others**
Our site may contain links to independent websites not owned or operated by BE. If you choose to access these links you will be leaving our site. These independent sites may be operated by our marketing, advertising and promotional partners, by suppliers and service providers to BE, by our affiliates or otherwise. We do not endorse, screen or approve, and are not responsible for the privacy practices or the content of these independent websites. Some of these sites may have membership processes and privacy policies that are different from those of BE. These sites may set their own cookies, collect data or solicit personal information. We have no control over the use of this information. We do not share the personal information you provide to us with these independent websites. We encourage you to review the privacy policy of each and every website you visit on the Internet.
- 8. Data Collection Tools**
BE uses various automatic data collection tools in connection with BE Sites. These tools may include the following, among others:
- A. **Cookies.** Cookies are small data files transferred by a website to your computer's hard drive. BE or its service providers may use cookies as a convenience feature to save you time, to understand how our site is used and to improve the content and offerings on our sites. Accepting the cookies used on our site or other sites where our ads appear may give us access to information about your browsing behavior, which we may use to personalize your experience on our site. We may also use cookies to offer you products, programs and services. Most browsers automatically accept cookies by default, but you can usually refuse cookies or selectively accept cookies by adjusting the preferences in your browser. If you turn off cookies, there may be some features of our site that will not be available to you and some Web pages may not display properly.
- You can find information on popular browsers and how to adjust your cookie preferences at the following websites:
- Microsoft Internet Explorer:
microsoft.com/info/cookies.msp
- Mozilla Firefox:
mozilla.org/projects/security/pki/psm/he...
- B. **Data Collection Tools of Third Parties.** You should know that companies that advertise on BE Sites and their agents and service providers may set their own cookies and web beacons when you click their advertising banners on BE Sites. Information collected as a result of cookies and web beacons set by third party advertisers and their agents and service providers is subject to and controlled by the privacy practices of such third parties and BE is not responsible for either the privacy practices of such third parties or the use of the information they collect.
- C. **BE Advertisements on Third Party Websites.** BE or its service providers places ads on websites owned by third parties. These ads may send cookies from and use web beacons on these websites. The cookies and web beacons may enable BE to collect information about the pages you view and the links on which you click from those pages and this information may be connected to the personal information you provide to us on BE Sites.
- 9. Information Storage and Security**
The protection of your personal information is important to BE. To prevent unauthorized access or disclosure of this information, BE utilizes appropriate physical, technical and administrative procedures to safeguard the information we collect. However, no system can ever be fully protected against every possible hazard and we cannot guarantee that communications between you and us or the information stored on BE Sites or our servers (or those of our agents and service providers) will be completely free from unauthorized access and disclosure and your use of any BE Site demonstrates your assumption of this risk.

10. **Selecting Your Communication Preferences**

BE provides you will the opportunity to choose and alter your preferences regarding the communications you receive from us. You will be provided with the opportunity to indicate whether you want to receive general communications about products, services, special offers or invitations to participate in various programs. You may opt out of receiving these general communications by using one of the following methods: (i) select the email "opt out" or "unsubscribe" link, or follow the opt-out instructions included in each communication, or (ii) write to BE at the address below. Be sure to provide your name, email and postal address, and specific relevant information about your privacy preferences. Subscription communications may include email newsletters and updates expressly requested by you. After you request such communications, you may opt out of receiving them by using one of the following methods: (i) select the email "opt out" or "unsubscribe" link, or follow the opt-out instructions included in each subscription communication, or (ii) return to the Web page(s) where you originally requested such services and follow the opt-out instructions.

11. **Changes to this Policy**

We reserve the right, at our discretion, to make changes to this Policy at any time and from time to time. BE will undertake reasonable efforts to notify you of material changes to this Policy. We encourage you to review this Policy regularly for changes. Your continued use of BE Sites following the posting of any changes to this Policy indicates your agreement to be bound by the terms of this Policy as revised.

If you have any other questions, comments or complaints about this Policy, please contact us email at [privacy \(at\) battleempire \(dot\) com](mailto:privacy@battleempire.com) or write to us at:

Legal Counsel
Battle Empire, Inc.
1 Orient Way, Suite F#123
Rutherford, NJ 07070-2524

12. **Governing Law and Disputes**

This Policy is subject to the provisions set forth in the [Terms of Use](#) with respect to governing law and resolution of disputes.

13. **International Users**

If you are visiting this site from a location outside the United States, your connection will be through servers located in the United States and all information you provide will be processed and maintained in our web servers and internal systems located within the United States. By using this site, you authorize the export of personal information to the United States and its storage and use as specified above. In addition, you acknowledge and agree to the provisions set forth above with respect to governing law and disputes.

Last updated: April 25th, 2010