

AttentionSpan.tv Privacy Notice

Attention Span Media, LLC (“AttentionSpan”) recognizes that its customers, visitors, users, and others who use www.AttentionSpan.tv or other web sites owned or operated by AttentionSpan (the “AttentionSpan Sites”) (collectively or individually “Users”) value their privacy. This Privacy Notice details important information regarding the use and disclosure of User information collected on the AttentionSpan Sites. AttentionSpan provides this Privacy Notice to help you make an informed decision about whether to use or continue using the AttentionSpan Sites.

This Privacy Notice is incorporated into and is subject to the AttentionSpan Terms of Use. Your use of the AttentionSpan Sites and any personal information you provide on the AttentionSpan Sites remains subject to the terms of this Privacy Notice and our Terms of Use. Please note that any video, image, or other content posted at the direction of Users onto the AttentionSpan Sites becomes published content and is not considered personally identifiable information subject to this Privacy Notice.

THE INFORMATION ATTENTIONSPAN COLLECTS

User Provided Information: You provide certain personally identifiable information (such as your name and email address) to AttentionSpan when choosing to participate in various activities on the AttentionSpan Sites such as uploading videos, posting messages in our forums or in the video comments section, entering contests or sweepstakes, taking advantage of promotions, responding to surveys, or subscribing to newsletters or other mailing lists.

Cookies Information: When you visit the AttentionSpan Sites, we may send one or more cookies - a small text file containing a string of alphanumeric characters - to your computer that uniquely identifies your browser. AttentionSpan uses both session cookies and persistent cookies. A persistent cookie remains after you close your browser. Persistent cookies may be used by your browser on subsequent visits to the site. Persistent cookies can be removed by following your web browser help file directions. A session cookie is temporary and disappears after you close your browser. You can reset your web browser to refuse all cookies or to indicate when a cookie is being sent. However, some features of the AttentionSpan Sites may not function properly if the ability to accept cookies is disabled.

Log File Information: When you use the AttentionSpan Sites, our servers automatically record certain information that your web browser sends whenever you visit any website. These server logs may include information such as your web request, Internet Protocol (“IP”) address, browser type, browser language, referring / exit pages and URLs, platform type, number of clicks, domain names, landing pages, pages viewed and the order of those pages, the amount of time spent on particular pages, the date and time of your request, and one or more cookies that may uniquely identify your browser.

Clear GIFs Information: When you use the AttentionSpan Sites, we may employ “clear GIFs” (a.k.a. Web Beacons) which are used to track the online usage patterns of our Users anonymously (i.e., in a non-personally-identifiable manner). In addition, we may also use clear GIFs in HTML-based emails sent to our users to track which emails are opened by recipients.

THE WAY ATTENTIONSPAN USES INFORMATION

If you submit personally identifiable information to us through the AttentionSpan Sites, then we use your personal information to operate, maintain, and provide to you the features and functionality of the AttentionSpan Sites.

Any personal information or video content that you voluntarily disclose online (on discussion boards, in messages and chat areas, within your public profile page, etc.) becomes publicly available and can be collected and used by others. Your account name (not your email address) is displayed to other Users when you upload videos or send messages through the AttentionSpan Sites and other Users can contact you through messages and comments. Any videos that you submit to the AttentionSpan Sites may be redistributed through the internet and other media channels, and may be viewed by the general public.

We do not use your email address or other personally identifiable information to send commercial or marketing messages without your consent or except as part of a specific program or feature for which you will have the ability to opt-in or opt-out. We may, however, use your email address without further consent for non-marketing or administrative purposes (such as notifying you of major AttentionSpan Site changes or for customer service purposes).

We use both your personally identifiable information and certain non-personally-identifiable information (such as anonymous User usage data, cookies, IP addresses, browser type, clickstream data, etc.) to improve the quality and design of the AttentionSpan Sites and to create new features, promotions, functionality, and services by storing, tracking, and analyzing User preferences and trends.

We use cookies, clear gifs, and log file information to: (a) remember information so that you will not have to re-enter it during your visit or the next time you visit the AttentionSpan Sites; (b) provide custom, personalized content and information; (c) monitor the effectiveness of our marketing campaigns; (d) monitor aggregate metrics such as total number of visitors, pages viewed, etc.; and (e) track your entries, submissions, and status in promotions, sweepstakes, and contests.

WHEN ATTENTIONSPAN DISCLOSES INFORMATION

We provide personally identifiable information and non-personally-identifiable information to our subsidiaries, affiliated companies, or other businesses or persons for the purpose of processing such information on our behalf. We require that these parties agree to process such information in compliance with our privacy policy, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures.

We do not share your personally identifiable information (such as name or email address) with other, third-party companies for their commercial or marketing use without your consent or except as part of a specific program or feature for which you will have the ability to opt-in or opt-out.

We do share non-personally-identifiable information (such as anonymous User usage data, referring / exit pages and URLs, platform types, number of clicks, etc.) with interested third-parties to assist them in understanding the usage patterns for certain content, ser-

vices, advertisements, promotions, and/or functionality on the AttentionSpan Sites.

We may release personally identifiable information and/or non-personally-identifiable information if required to do so by law, or in the good-faith belief that such action is necessary to comply with state and federal laws (such as U.S. Copyright Law) or respond to a court order, subpoena, or search warrant.

AttentionSpan also reserves the right to disclose personally identifiable information and/or non-personally-identifiable information that AttentionSpan believes, in good faith, is appropriate or necessary to enforce our Terms of Use, take precautions against liability, to investigate and defend itself against any third-party claims or allegations, to assist government enforcement agencies, to protect the security or integrity of our web site, and to protect the rights, property, or personal safety of AttentionSpan, our Users or others.

YOUR CHOICES

You may, of course, decline to submit personally identifiable information through the AttentionSpan Sites, in which case AttentionSpan may not be able to provide certain services to you. Please note that media files uploaded by Users to the AttentionSpan Sites cannot be removed and remain subject to our Terms of Use. To protect your privacy and security, we take reasonable steps (such as requesting a unique password) to verify your identity before granting you profile access or making corrections. You are responsible for maintaining the secrecy of your unique password and account information at all times.

Please contact AttentionSpan with any questions or comments about this Privacy Notice, your personal information, your consent, or your opt-in or opt-out choices by emailing privacy@AttentionSpan.tv.

THIRD-PARTY ADVERTISERS, LINKS TO OTHER SITES

AttentionSpan allows other companies, called third-party ad servers or ad networks, to serve advertisements within the AttentionSpan Sites. These third-party ad servers or ad networks use technology to send, directly to your browser, the advertisements and links that appear on the AttentionSpan Sites. They automatically receive your IP address when this happens. They may also use other technologies (such as cookies, JavaScript, or Web Beacons) to measure the effectiveness of their advertisements and to personalize the advertising content you see.

AttentionSpan does not provide any personally identifiable information to these third-party ad servers or ad networks without your consent or except as part of a specific program or feature for which you will have the ability to opt-in or opt-out. However, please note that if an advertiser asks AttentionSpan to show an advertisement to a certain audience (for example, men ages 18-34) or audience segment (for example, men ages 18-24 who have viewed certain channels of content) and you respond to that advertisement, the advertiser or ad-server may conclude that you fit the description of the audience they are trying to reach. The advertiser may also use information regarding your use of the AttentionSpan Sites, such as the number of times you viewed an ad (but not any personally identifiable information), to determine which ads to deliver to you.

You should consult the respective privacy policies of these third-party ad servers or ad networks for more information on their practices and for instructions on how to opt-out of certain practices. AttentionSpan's privacy policy does not apply to, and we cannot control the activities of, such other advertisers or web sites.

OUR COMMITMENT TO DATA SECURITY

AttentionSpan uses commercially reasonable safeguards to preserve the integrity and security of your personal information. We cannot, however, ensure or warrant the security of any information you transmit to AttentionSpan and you do so at your own risk. Once we receive your transmission of information, AttentionSpan makes commercially reasonable efforts to ensure the security of our systems. However, please note that this is not a guarantee that such information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards.

CHILDRENS' PRIVACY

The content in our sites is targeted to general audiences, who are 13 years of age or older. We do not knowingly collect any personal information from children under the age of 13. To best protect your child's privacy, we suggest that you carefully supervise your child's access to the Internet and our website. For more information on how to protect your child's privacy, you can visit the Federal Trade Commission's Kidzprivacy page, accessible via www.ftc.gov

INTERNATIONAL USERS

The AttentionSpan Sites are hosted in the United States and are intended for and directed to Users in the United States. If you are a User accessing the AttentionSpan Sites from the European Union, Asia, or any other region with laws or regulations governing personal data collection, use, and disclosure, that differ from United States laws, please be advised that through your continued use of the AttentionSpan Sites, which are governed by U.S. law, this Privacy Notice, and our Terms of Use, you are transferring your personal information to the United States and you consent to that transfer.

IN THE EVENT OF MERGER, SALE, OR BANKRUPTCY

In the event that AttentionSpan is acquired by or merged with a third party entity, we reserve the right, in any of these circumstances, to transfer or assign the information we have collected from our Users as part of such merger, acquisition, sale, or other change of control. In the unlikely event of our bankruptcy, insolvency, reorganization, receivership, or assignment for the benefit of creditors, or the application of laws or equitable principles affecting creditors' rights generally, we may not be able to control how your personal information is treated, transferred, or used.

CHANGES AND UPDATES TO THIS PRIVACY NOTICE

This Privacy Notice may be revised periodically and this will be reflected by the "effective date" below. Please revisit this page to stay aware of any changes. In general, we only use your personal information in the manner described in the Privacy Notice in effect when we received the personal information you provided. Your continued use of the AttentionSpan Sites constitutes your agreement to this Privacy Notice and any future revisions.

For revisions to this Privacy Notice that may be materially less restrictive on our use or disclosure of the personal information you have already provided to us, we will attempt to obtain your consent before implementing such revisions with respect to such information.

Date Last Modified: This Privacy Notice was last modified July 14th, 2008

Contact Information: Please contact AttentionSpan with any questions or comments about this Privacy Notice at [privacy @ Attention-Span.tv](mailto:privacy@AttentionSpan.tv) (without the spaces)