

Privacy and Cookie Notice

Fluid Mechanics, Inc. (“Fluid Mechanics,” “we,” “us” or “our”) takes the security and privacy of your personal information seriously. As part of our commitment to use the information you share with us responsibly, we want you to be familiar with how we collect, use, and disclose information that relates to you, your computer, or your device and that enables your identification. This Privacy and Cookie Notice (“Notice”) describes how we process personal information about you that we collect through our website, located at <www.fluidmechanics.net>, as well as any other online applications and services, including emails and social media pages, that are operated and controlled by us from which you are accessing this Notice (collectively, the “Website”). This Notice does not apply to information that we collect offline, such as by telephone, facsimile, postal mail, personal delivery, or other offline means or media.

By accessing and using the Website, you agree to the terms and conditions of this Notice.

I. Personal Data We Collect

- I.1 “Personal Data” is information that identifies you as an individual, such as: name, postal address, telephone number, email address, credit card and other payment account number.
- I.2 We may collect and process the following Personal Data about you:
 - I.2.1 If you register to maintain an account with us, we will collect the information that you voluntarily provide when registering, which will include your username and password.
 - I.2.2 When you place an order on the Website, we obtain from you the information we need to complete your transaction. This may include your name, delivery address, billing address, telephone number, email address, and credit card number. We may also retain details of your specific orders and transactions with us.
 - I.2.3 We may also ask you for information when you report a problem with the Website.
 - I.2.4 If you contact us, we may keep a record of that correspondence.
 - I.2.5 Information that you provide in order to benefit from a particular feature or participate in a particular activity, such as when you sign up to receive emails from us or sign up for a newsletter.
 - I.2.6 If you choose to submit a service review, we collect any Personal Data you include in your review.
 - I.2.7 If you post a comment on our social media pages, we will collect the content of that message.
- I.3 Through your use of the Website, we may also gather certain information about your use of the Website that does not identify you individually but may identify your computer or device. Generally, this information is collected through what we refer to herein as “Traffic Data.” We may collect and store such Traffic Data automatically whenever you interact with the Website. For example, we may collect your IP address, the hostname of your computer, browser information and reference site domain name every time you visit the Website. We may also collect information regarding customer traffic patterns and site usage. We may also receive similar data from our business partners, including online advertising networks, and from social media platforms, such as Facebook, Twitter, YouTube, Pinterest, and Instagram, subject to your registration and privacy settings with such third-party social media platforms. This Traffic Data is used to analyze and improve the Website and to provide our users with a fulfilling Internet experience. Please see the section below in this Notice regarding Passive Information Collection for more information about our use of cookies and other technologies.

1.4 Where permitted by applicable law, we may combine your Personal Data with other information we have collected from you, whether on- or offline, including, for example, Traffic Data. We may also combine your Personal Data with information we receive about you from other sources, such as our affiliates, publicly available information sources, and third parties. We treat the combined information as Personal Data.

1.5 We may inform you of other Personal Data collected by or through the Website at the point of collection.

2. How We Use Personal Data

2.1 We use Personal Data for the purposes described in this Notice and as otherwise described to you at the point of collection. Specifically, we may use Personal Data from or about you in the following ways:

- 2.1.1 To ensure that content from the Website is presented in the most effective manner for you and for your computer.
- 2.1.2 To provide you with information, products or services that you request from us or that we feel may interest you.
- 2.1.3 To complete and fulfill your purchase, for example, to process your payments, communicate with you regarding your purchase, and provide you with related customer service.
- 2.1.4 To personalize our advertising, marketing communications, shopping experiences, and promotional offers and to deliver promotions and offers to you that we think may interest you.¹
- 2.1.5 To carry out our obligations arising from any contracts entered into between you and us.
- 2.1.6 To allow you to participate in interactive features of our Website, when you choose to do so.
- 2.1.7 To notify you about changes to our Website, products, and services.
- 2.1.8 To create and manage your personal account with Fluid Mechanics.
- 2.1.9 To allow you to participate in sweepstakes, contests, and similar promotions, and to administer these activities. Some of these activities have additional rules, which could contain additional information about how we use and disclose your Personal Data, so we suggest that you read these rules carefully.
- 2.1.10 To prevent misuse or improper use of the Website.
- 2.1.11 To communicate with you and respond to your inquiries.
- 2.1.12 If you sign up for our email list or to receive promotional text messages, to send you emails or text messages about services, offers, or events that we think might be of interest to you. By providing your phone number and clicking submit online, you agree to our Terms and Conditions, this Notice and authorize us to make or initiate text messages to that phone number using an automated system. Your agreement is not a condition of purchasing any products or services and you may elect to opt-out of receiving such messages as described in Section 4 (Your Rights and Choices). Message & data rates may apply.
- 2.1.13 To send you surveys regarding your satisfaction with our services, products and overall experience in connection with Fluid Mechanics.

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- 2.1.14 For our business purposes, such as data analysis, audits, developing new services and features, enhancing our website, improving our products and services, identifying Website usage trends, and determining the effectiveness of our promotional campaigns.
- 2.1.15 As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, and/or that of our affiliates, you, or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.
- 2.1.16 for any other purpose specified at the point of collection.
- 2.2 We may use non-personal, non-individual statistics or demographic information in aggregate form without restriction, and we may share such information with our marketing partners, advertisers or other third-parties for analytics purposes.
- 3. Disclosure of Your Personal Data**
- 3.1 We may disclose your Personal Data to any member of our affiliates and subsidiaries for the purposes described in this Notice.
- 3.2 We may disclose your Personal Data to third parties:
 - 3.2.1 Who are service providers that perform functions on our behalf. Examples include providing customer service, sending postal mail and e-mail, analyzing data, and providing marketing assistance.
 - 3.2.2 In the event of any reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceeding).
 - 3.2.3 If we are under a duty to disclose or share your Personal Data in order to comply with any legal obligation or to respond to legal process such as a subpoena, warrant, or court order; in order to enforce or apply our terms of use and other agreements or to protect the rights, property, or safety of Fluid Mechanics or any affiliate, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.
 - 3.2.4 We disclose Traffic Data as described in Sections 6 (Passive Information Collection, Use, and Choices) and 7 (Interest Based Advertising) of this Notice.
- 3.3 If you choose to post a comment on any of our social media pages, please note that any information you post will be visible to any other visitors to that social media page. We are not responsible for any Personal Data you include in such posts or for any use of such information by any other visitor to the social media page.
- 4. Your Rights and Choices**
- 4.1 You may opt out of having information that we can verify is your Personal Data and that is within our control prospectively retained by us or used by us for certain purposes by sending us an email at swim@fluidmechanics.net. In the subject field, type "Opt Out" and provide us your name and the e-mail, phone or postal address. We may require additional information from you to verify your identity and identify the information within our systems that is your Personal Data. We will seek to comply with your request(s) as soon as reasonably practicable. We may need to retain your Personal Data for certain purposes permitted by law, including if required by law or legal process. In addition, you may opt out of receiving promotional e-mails and text messages from us by following the unsubscribe instructions provided in any such messages. Please note that if you opt out of receiving promotional messages from us, this does not impact other transactional and administrative messages which you will continue to receive (such as emails relating to billing and payment information or changes to this Notice). If you have

registered for an account with us, you may delete the account at any time by sending us an email at < swim@fluidmechanics.net>.

5. Third Party Websites

5.1 We are not responsible for the privacy practices of other online services, including other websites, advertisers, and social media. It is your sole obligation to review and understand the privacy practices and policies of third parties. We do not control the use of cookies or the collection of information by these third parties, nor how they manage such information. The availability of, or inclusion of a link to or interface with, any third-party service on the Website does not imply endorsement of it by us or by our affiliates. Your use of those other sites and services is subject to the privacy policies of those sites and services, and not this Notice.

6. Passive Information Collection, Use, and Choices

6.1 As you navigate the Website, certain Traffic Data may be passively collected, meaning it is gathered without you actively providing it. This is done using the following technologies in the following ways:

6.1.1 **Through your browser:** Certain information is collected by most browsers, such as your Media Access Control (MAC) address, computer type and operating system type and version screen resolution, and Internet browser type and version.

6.1.2 **Through your device:** If you access the Website through a mobile device or other network-connected product, certain information may be collected about that device, including your device type, network service provider, and other identifiers. We may collect unique device identifiers (such as IDFA and AID tags and UUID and UDID identifiers) associated with the device you use to access the Website.

6.1.3 **Using cookies:** Cookies are pieces of information stored directly on the computer you are using. Cookies allow us to collect information such as browser type, time spent on the Website, pages visited, and language preferences. We and our service providers use this information for security purposes, to facilitate navigation, display information more effectively, and to personalize your experience while using the Website. More specifically, we use cookies to:

- recognize your computer or device to make your use of the Website easier, such as to remember your locations of interest and other preferences with the Website;
- gather statistical information about use of the Website in order to continually improve its design and functionality, understand how individuals use it, and to assist us with resolving questions regarding it;
- select which of our advertisements or offers are most likely to appeal to you and display them while you are on the Website and on other websites, applications, and online services that you use; and
- track consumer responses to online advertisements.

Most browsers are initially set up to accept cookies. You can refuse our use of some or all cookies by turning off the use of cookies in your web browser. If you use your browser settings to block all types of cookies you may not be able to access all or parts of our Website or functionality may be limited.

You can set your browser to notify you before you receive a cookie, giving you the chance to decide whether to accept it. You can also set your browser to turn off cookies.

Changing your internet browser settings can prevent the use of cookies. Each browser has a different procedure for disabling the use of cookies. The Help function within your browser

should tell you how. Alternatively, you may visit <http://www.aboutcookies.org> where you can review information on how to control cookies on a variety of browsers.

- 6.1.4 **Using Monitoring Tools:** The Website may utilize pixel tags, web beacons, clear GIFs, Flash Shared Objects, HTML5 Local Storage, HTML5 Mini Databases, and other similar technologies, both on certain aspects of the Website and in HTML-formatted e-mail messages to you. These monitoring tools are used for the purpose of, among other things, measuring the success of our marketing campaigns, compiling statistics about Website usage and response rates, and tracking the activities of users of the Website and e-mail recipients.
- 6.1.5 **IP Address:** Your IP Address is a number that is automatically assigned to the computer that you are using by your Internet Service Provider. An IP Address is identified and logged automatically in our server log files whenever a user visits the Website, along with the time of the visit and the page(s) that were visited. Collecting IP Addresses is standard practice on the Internet and is done automatically by many online service providers, including website operators. We use IP Addresses for purposes such as calculating Website usage levels, helping diagnose server problems, and administering the Website.
- 6.1.6 **Analytic Tools:** We also use tools and third-party services to collect information about usage of the Website, including Google Analytics. To learn more about privacy and Google Analytics please consult the Google Analytics overview provided by Google at: <http://www.google.com/intl/en/analytics/privacyoverview.html>. Generally speaking, Google Analytics collects information on how often users visit the Website, what aspects of the Website they visit when they do so, and what other websites users visited prior to accessing the Website. Google Analytics also collects information to allow us to analyze user purchasing activity. You may prevent your data from being collected and used by Google Analytics by opting out through the use of the [Google Analytics Opt-out Browser Add-on](#).
- 6.1.7 **Location-Based Features:** We may collect the physical location of your device and use it to provide you with personalized location-based services or content. Where available, location-based services may use GPS, Bluetooth, and your IP Address, along with crowd-sourced Wi-Fi hotspot and cell tower locations, and other technologies to determine your devices' approximate location. In some instances, you may be permitted to allow or deny such use of your device's location, but if you choose to deny such use, we may not be able to provide you with the applicable personalized services or content. In all other instances, you affirmatively consent that we may receive, use, share and transfer information about the physical location of your device in accordance with this Notice.

Although our use of passive collection technologies may change over time as technology evolves, the above descriptions are designed to provide you with additional detail about our current approach to information collected from passive technologies.

7. Interest Based Advertising

7.1 We may collect information about your online activities on our Website to provide you with advertising about products and services tailored to your individual interests. We also may obtain information for this purpose from third-party websites on which our ads are served. This section of our Notice provides details and explains how to exercise your choices.

7.2 You may see certain ads on other websites because we work with advertising partners (including advertising networks) to engage in remarketing and retargeting activities. Our advertising partners allow us to target our messaging to users through demographic, interest-based and contextual means. These partners track your online activities over time and across websites, including our Website, by collecting

information through automated means, including through the use of third-party cookies, web server logs, and web beacons. They use this information to show you advertisements that may be tailored to your individual interests. The information our advertising partners may collect includes data about your visits to websites that participate in the relevant advertising networks, such as the pages or advertisements you view and the actions you take on the websites. This data collection takes place both on our Website and on third-party websites that participate in the ad networks. This process also helps us track the effectiveness of our marketing efforts. For example, we utilize certain of our ad partners' targeted advertising services to show you our ads on other websites based on your prior visits to our Website and other online activity.

7.3 Provided that a company participates in industry-developed programs designed to provide consumers choices about whether to receive targeted advertising, you may opt out of ad network interest-based advertising generally through the Network Advertising Initiative website or by visiting <http://www.aboutads.info/choices/> (web-based advertising) or <http://www.aboutads.info/appchoices> (for mobile advertising). To learn more, please visit the websites operated by the Network Advertising Initiative and Digital Advertising Alliance at www.networkadvertising.org/choices. Opting-out does not mean that you will stop receiving ads from us. It means that you still stop receiving ads from us that have been targeted to you based on your visits and browsing activity across websites over time.

8. Do Not Track

8.1 This Website does not process Do-Not-Track (DNT) headers transmitted by Web browsers. Our third-party web analytics companies collect information about your online activities over time. These third parties do not change their tracking practices in response to DNT settings in your web browser and we do not obligate these parties to honor DNT settings.

9. Social Media

9.1 Some aspects of the Website may allow you to interface with other websites, social media, and other online services, such as Facebook. We will diligently work to identify these aspects of the Website to you, for example, by identifying them with the applicable third-party logos or trade names. By using these interfaces, you will allow us to access information about you from those other online services, including information and other content that you submit to those online services. If you interface with the Website through your social media account, we may contact you or enable you to share your experience and content via your social media account, which information may be publicly viewed by other users of those services. For a description on how such social media services and other third-party platforms, plug-ins, integrations, and applications handle your information, please refer to their respective privacy policies and terms of use, which may permit you to modify your privacy settings with that service or platform.

10. Security

10.1 The security of your Personal Data is important to us and we are committed to handling that information carefully. We use reasonable and appropriate organizational, technical, and administrative measures to protect Personal Data under our control. Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you have with us has been compromised), please immediately notify us of the problem.

11. Information Related to Minors

11.1 The Website may collect Personal Data from children under the age of 13. We recognize the need to provide further privacy protections for the Personal Data we collect about children, and you may find additional information on our privacy practices for such Personal Data in our Children's Privacy Policy.

12. Data Retention

12.1 We generally retain Personal Data for so long as it may be relevant for the purposes identified in this Notice or at the time the information is collected, unless a longer period of time is required by law.

13. Changes to Our Notice

13.1 We may change this Notice from time to time. When we do, we will let you know by posting the changed Notice on this page with a new “Last Updated” date. In some cases, we may also tell you about changes by additional means, such as by posting a notice on the Website or sending an e-mail to the e-mail address we have on file for you.

14. How to Access, Correct, or Update Your Information

14.1 You can access or modify your information and modify your preferences by contacting us as indicated in the **Contact** section below.

15. California

15.1 California Civil Code Section 1798.83 (also known as the “Shine The Light” law) permits users who are California residents to request and obtain from us once a year, free of charge, information about the Personal Data (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year. To request a copy, please contact us at the contact information set forth below. Please be aware that not all information sharing is covered by the “Shine the Light” law requirements and only information on covered sharing will be included in our response.²

16. Nevada

16.1 Under Nevada law, Fluid Mechanics does not sell your Personal Data. However, if you are a Nevada resident, you may submit a request that we not sell any Personal Data we have collected about you by contacting us at the contact information set forth below.

17. Contact

17.1 If you have any questions about this Notice, please contact us via email at swim@fluidmechanics.net.

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