

# INFINITUS INNOVATIONS (CANADA) INC.

## CONFIDENTIALITY AND PRIVACY POLICY

Canadian Version:

This Privacy Policy sets out: (1) the purposes for which Infinitus Innovations (Canada) Inc. (hereafter, “Infinitus Canada” “us” or “we”) collects, uses and discloses your personal information; (2) the type of personal information that we collect; (3) how we use and disclose that information; (4) how we obtain your consent to the collection, use and disclosure of that information; (5) how we secure and retain that information; and (6) how you may access your personal information.

### **(1) Collection of information**

Infinitus Canada will collect, use, and disclose personal information obtained from the following groups of persons, in the following manner, and for the following purposes.

#### **Customer Information**

The following section sets out Infinitus Canada’s policies regarding any personal information collected about those who have purchased products or submitted orders to purchase products from either or both of Infinitus Canada or Infinitus Canada Distributors (“Customers”).

##### *Purposes of Collection of Customer Personal Information*

Infinitus Canada will collect, use and disclose your personal information only for purposes that it was provided and is reasonable in the circumstances of our relationship, as described in further detail below.

In providing various goods and services to its Customers, Infinitus Canada collects and uses certain personal information obtained from its Customers, including name, address, telephone number, e-mail address, username, credit card information, billing and shipping information, and other like information, for the purpose of fulfilling the orders of its Customers, and related purposes (the “Personal Customer Information” as further defined below).

##### *Collection of Customer Personal Customer Information*

To purchase Infinitus Canada products, Customers fill out the information required in the Sales Order Form, which you as a Customer will have seen, filled out, and signed. Customers may also provide similar information by telephone, fax, e-mail, or over the internet (for example through a website or smart phone software application).

##### *Customer Consent*

When a Customer fills out and signs/executes a Sales Order Form, Infinitus Canada will assume that the Customer consents to the collection, use and disclosure of the above Personal Customer Information, for the purposes which we have set out above, unless notified otherwise.

A Customer may withdraw his or her consent at any time, by contacting our Privacy Officer in the manner set out below.

#### *Use of Customer Personal Customer Information*

Infinitus Canada will use the Personal Customer Information disclosed in the Sales Order Form to process and complete the Customer's order, including for shipping and billing purposes, and to verify either the purchase or the delivery.

In addition, a Customer's personal information may be used for the following purposes:

1. **Verification / Confirmation of Orders, Etc.** - We use the information for identification and verification and ordering and billing purposes. In addition, you may receive the following communications from Infinitus Canada: Communications related to transaction and account maintenance activities. These communications include without limitation: surveys, enrollment confirmations, order confirmations; order update notices; order problem notices; and notices regarding material changes to site policies and account management procedures.
2. **Customer Satisfaction** – The information may be used for Customer satisfaction purposes including, but not limited to, monitoring and ensuring Customer satisfaction, trouble shooting problems, responding to inquiries and resolving disputes.
3. **Detection and Prevention of Fraud** – The information may be used in order to detect and protect us against error, fraud, or other criminal activity. We may share this information with governmental agencies or other companies assisting us in fraud prevention or investigation. We may do so when: 1) permitted or required by law; 2) trying to protect against or prevent actual or potential fraud or unauthorized activity; or, 3) investigating fraud that has already taken place.
4. **Promotion of Products** – The information may be used to provide product information and related services, activities, contests, promotions and projects and providing personalized marketing information.
5. **Statistics** – The information may be used for statistical purposes to collect and analyze statistical information, and to produce anonymous reports for internal and external research organizations;

Failure to provide personal information to us may result in us being unable to fulfil an order or request for service, or may delay fulfillment of an order or request for service. Customers unwilling to provide requested information will further be unable to receive exclusive offers and promotional material and/or enter competitions.

#### **Distributor Information**

The following section sets out Infinitus Canada's policies regarding any personal information collected from or about its Distributors.

### *Purposes of Collection of Distributor Personal Information*

Infinitus Canada will collect, use and disclose your personal information only for the purposes that it was provided and is reasonable in the circumstances of our relationship, as described in further detail below.

In the course of operating your business as a Distributor, Infinitus Canada collects and uses certain personal information obtained from you, including name, contact information, sales information, information on your downline, and other like information, in order to administer your position as a Distributor and assist in the fulfillment of Customer orders.

### *Collection of Distributor Personal Information*

To become a Distributor, a person will complete and sign a Distributor Application and Agreement (“Distributor Agreement”), which may also be completed through Infinitus Canada’s website. The information that Infinitus Canada collects in the Distributor Agreement typically includes the person’s name, personal details (e.g., date of birth, gender), contact information (e.g., address, telephone, email, fax) and financial information (e.g., bank account information).

During the course of a Distributor’s business, Infinitus Canada will keep track of a Distributor’s sales, and those of his or her downline, for the purposes of determining ranking as a Distributor and payment of commissions and other bonuses and payments.

### *Distributor Consent*

When an individual completes and signs the Distributor Agreement, Infinitus Canada will assume that the individual consents to the collection, use and disclosure of their personal information, for the purposes which we have set out above, unless notified otherwise.

A Distributor may withdraw his/her consent at any time, by contacting the Infinitus Canada Privacy Officer in the manner set out below. Please be reminded that if, as a Distributor, you withdraw your consent, Infinitus Canada’s ability to maintain a commercial relationship with you may be significantly inhibited.

### *Use of Distributor Personal Information*

If the Distributor Agreement is accepted by Infinitus Canada, Infinitus Canada will use the personal information disclosed solely within the context of our commercial relationship with you, and for the following purposes:

1. **Processing Application** – The personal information identified above will be used to receive, consider and process the Distributor Agreement.
2. **Processing and Shipping Distributor Orders** – From time to time orders are submitted by Distributors, and goods are shipped to Distributors. The personal information identified above will be used to facilitate this process.
3. **Business Information Purposes** – As Distributors develop their businesses, the personal information outlined above may be further distributed to their uplines for a variety of purposes, including general information, training, other motivational/recognition purposes, and downline activity.

4. **Customer Sales and Business Opportunity Referrals** – Infinitus Canada, if receiving unsolicited requests for product, may use the personal information outlined above for purposes of making a referral to your business of a possible Customer.
5. **Administrative Purposes** – From time to time, Infinitus Canada may use personal information relating to Distributors for administrative purposes and to troubleshoot problems or resolve disputes.
6. **Detection and Prevention of Fraud** – Infinitus Canada may use personal information regarding Distributors in order to detect and protect Infinitus Canada against error, fraud, or other criminal activity. Infinitus Canada may share this information with governmental agencies or other companies assisting in fraud prevention or investigation. Infinitus Canada may do so when: 1) permitted or required by law; 2) trying to protect against or prevent actual or potential fraud or unauthorized activity; or, 3) investigating fraud that has already taken place.

Where a Distributor Agreement is not accepted by Infinitus Canada, Infinitus Canada will destroy the Distributor Agreement and will not keep any of the information provided.

## **Web Information**

### *Collection of Web Information*

Infinitus Canada automatically receives certain types of information whenever you visit our website (the “Site” or “Infinitus Site”) or use the Platform. For example, like many websites, Infinitus Canada uses “cookies” to obtain certain types of information when your web browser accesses the Site. Infinitus Canada may log the IP address of the location from where you are visiting the Site. Platform and the Site use cookies for the purposes of providing better services. Each time a user uses Platform or the Site, the user will be identified by our cookies which allows us to provide more personalized services. We will provide products and services which better suit Customer needs in accordance with this information. Most browsers automatically accept cookies; however, it is possible to choose not to accept cookies. If cookies are not accepted, access to Platform and/or Site may be limited.

## **(2) Protection of Personal Information**

Infinitus Canada protects your personal information in compliance with the *Personal Information Protection and Electronic Documents Act*.

Except as provided for in this Policy, Infinitus Canada will never sell, barter, share, or rent Customers’ Personal Information and Distributor’s personal information that it may hold from time to time to any third party without a Customer’s or Distributor’s express written consent.

Infinitus Canada shares the personal information of Customers and distributors that we collect as follows:

- a) **Subcontractors.** We send the personal information anonymously to third-party subcontractors and agents that work on our behalf to provide certain services (e.g., order processing). These third parties do not have the right to use the personal information beyond what is necessary to assist us to fulfill your order or perform other business operations. They are contractually obligated to maintain the confidentiality and security of the personal information and are restricted from using such information in any way not expressly authorized by Infinitus Canada.

- b) **Service Providers.** We send the personal information to third party providers of goods and services that you may purchase from time to time on our Site (e.g., ISPs). Like subcontractors, these third parties do not have the right to use the personal information beyond what is necessary to assist us. They are contractually obligated to maintain the confidentiality and security of the personal information and are restricted from using such information in any way not expressly authorized by Infinitus Canada. They are not permitted to forward information to a third party.
- c) **Related Entities.** We provide personal information to our subsidiaries, affiliated companies and other related companies.
- d) **Credit Card Companies.** Credit card transactions are handled by a third-party financial institution and their vendors, which receive the credit card number and other personal identifying information only to verify the credit card numbers and process transactions.
- e) **Law Enforcement Investigations.** Infinitus Canada may release personal information where its legal representatives consider disclosure necessary to comply with a current judicial proceeding, a court order or legal process served on Infinitus Canada, its associates or subsidiaries, or where disclosure is required by law.
- f) **Internal Investigations:** To investigate and prevent any fraudulent activity that may be unlawful or potentially harmful to the integrity of Infinitus Canada, but only to the extent reasonably necessary in the circumstances;
- g) **Cross-Border Transfer.** Your personal data may be transferred to a subsidiary, or another group company affiliated with Infinitus Canada if this is necessary for the implementation of the object of the respective contract and/or for the execution of your orders or for the provision of a service.
- h) **Business Transitions:** Where Infinitus Canada goes through a business transition, such as a merger, being acquired by another company, or selling a portion of its assets, Customers' Personal Information will, in most instances, be part of the assets transferred.

### (3) Retention of Personal Information

Infinitus Canada will retain your Personal Customer Information, including credit card information, for as long as it is required under tax legislation to keep business records (which may be up to 7 years), and upon the expiry of which all credit card information will be destroyed.

All personal information disclosed in the course of a Distributor's business relationship with Infinitus Canada will be retained by Infinitus Canada until the later of, (1) termination of the Distributor Agreement by either Infinitus Canada or the Distributor or, (2) for as long as it is required under tax legislation to keep business records (which may be up to 7 years), and upon the expiry of which all personal information will be destroyed.

### (4) Accuracy

Infinitus Canada strives to ensure that all personal information collected and retained is accurate, current and complete as necessary for the purposes for which we collect, use or disclose the information.

As it is important that the information be accurate and up-to-date, Customers and Distributors shall inform Infinitus Canada of any changes to their personal information, as soon as possible.

### **(5) Access to Personal Information**

Customers and Distributors have the right to inspect and correct personal information in Infinitus Canada's possession. Requests to inspect and/or correct personal information should be made to Infinitus Canada via email, [privacy.officer.ca@infinitus-int.com](mailto:privacy.officer.ca@infinitus-int.com).

### **(6) Changes to Privacy Policy**

Infinitus Canada reserves the right to amend this policy from time to time and without notice. Infinitus Canada will post any amendments to this Privacy Policy on its homepage, and other places Infinitus Canada deems appropriate. Where amendments mean Infinitus Canada will use Customers' Personal Customer Information in a manner different from that stated at the time of collection, Infinitus Canada will notify Customers by posting a notice on its Site and/or Platform for 30 days prior to the date the amended policy will come into force. Your continued use of our products or websites, or your continuing to act as an Infinitus Canada Distributor following the posting of changes to this Privacy Policy, will signify your acceptance of those changes.

### **(7) Contact**

If you have any questions with respect to our policies concerning the handling of your personal information, any complaints about how Infinitus Canada has collected, handled or used your personal information or if you wish to request access to or correct your personal information, please contact Infinitus Canada's Privacy Officer, Ms. Sharon Lau as follows:

- Ms. Sharon Lau
- 37/F, Infinitus Plaza, 199 Des Voeux Road Central, Hong Kong
- Telephone number: 852 2660 3200
- Email: [privacy.officer.ca@infinitus-int.com](mailto:privacy.officer.ca@infinitus-int.com)

Please note that you may also withdraw your consent at any time, by contacting our Privacy Officer as set out above.

### **(8) Interpretation**

In this document:

- |               |                                                                                                                                                         |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| “Customer”    | anyone who has or purchased products or submitted orders to purchase products from either or both of Infinitus Canada or Infinitus Canada Distributors. |
| “Distributor” | anyone who has entered into the Distributor Agreement with Infinitus Canada.                                                                            |

“Infinitus Canada” means Infinitus Canada, its parent company, subsidiaries and its Authorized Associates.

“Personal Customer Information” includes but is not limited to a Customer’s User Profile, name and contact details, user name, email address, Customer ID, driver’s license number, credit card and account details;

“Platform” means Infinitus Canada’s mobile software tool;

“User Profile” means stored information, whether electronic or otherwise, Infinitus Canada retains about individual Customers and which details their viewing preferences.