



**SCAPENATION.COM**  
the adventure begins

## GENERAL PRIVACY POLICY

UPDATED: FEBRUARY 2, 2009

This Privacy Policy applies to the ScapeNation.com website (“the Site”), which is operated by Tween Brands, Inc. and/or its affiliated entities (collectively, “Tween Brands”). We are committed to providing a fun, entertaining, and safe website for people of all ages, as well as to safeguarding any personal information collected on the Site.

To help ensure a rewarding online experience for our visitors, we provide you with this Privacy Policy that describes the Site information practices, including how we collect, use, and disclose personally identifiable information (“personal information”) and other information. **IF YOU ARE UNDER 18, PLEASE BE SURE TO READ THIS POLICY WITH YOUR PARENTS AND ASK QUESTIONS ABOUT THINGS YOU DO NOT UNDERSTAND.**

This Privacy Policy is applicable to the personal information of all users of the Site. In addition, Tween Brands has a Children’s Privacy Policy applicable to children under the age of 13 who use our Site. If there is a conflict between the two policies, the Children’s Privacy Policy supersedes this Privacy Policy with respect to Site users under the age of 13. Our information practices adhere to the Children’s Online Privacy Protection Act (“COPPA”). For our Children’s Privacy Policy, please go to the “Children’s Privacy Policy” Section located at the footer of ScapeNation.com.

By accessing, browsing or using this Site or by submitting your personal information to Tween Brands, you signify your agreement to this Privacy Policy. If you do not agree to this Privacy Policy, you may not submit your personal information to us.

### 1. WHAT IS PERSONAL INFORMATION?

When this Privacy Policy uses the term “personal information,” we mean information that identifies a particular individual, such as the individual’s full name (first name and surname together), postal address and email address. When certain other information such as your hobbies, interests or other non-identifiable information is directly associated with personal information, this other information also becomes personal information for purposes of this Privacy Policy.

### 2. THE INFORMATION WE COLLECT

**Submission by You.** We collect personal information that you provide voluntarily when you register for an account, make a purchase through our online store, enter a promotion such as a sweepstakes or skill contest, respond to our polls or surveys, sign up for additional services on our Site, contact us by mail, telephone or email, or otherwise communicate with us electronically. The type of information we collect and maintain depends on the activity in connection with which we are collecting information and may include your name, mailing address, email address, telephone number, gender, date of birth, purchase history, credit card number, chat room communications, complaints you may have about our products or services, your purchasing history, and your product preferences.

We also collect and aggregate non-personal information, which is information that cannot be associated with or traced back to a specific user. For example, we collect information about the number of users who view each page so that we may enhance our Site to better suit our customers’ desires. We may disclose anonymous, aggregated information about our Site to third parties.

If you do not consent to the collection of the above-described personal or non-personal information, you may not use the Site.



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**Cookies.** ScapeNation uses software technologies such as unique identifiers or “cookies.” Cookies are small text files that we place in visitors’ computer browsers to store their preferences. Cookies themselves do not contain any personal information. Where we link these unique identifiers with your other personal information, we will treat the cookies as personal information as long as they are linked. We use cookies to learn about usage of our Site, such as geographic location, how many visitors we have and how often they visit various sections of our Site.

**Other Technology.** We may passively collect certain non-personally identifying computer information, such as your IP address and the operating system and web browser you use, through technology for the purposes of routine system administration, enhancement of our Site or management of content delivery such as avatar status and wallet status. We may link this information to personal information that we have collected. If we do so, we will treat such linked information as personal information.

### 3. HOW WE USE AND DISCLOSE THE INFORMATION WE COLLECT

**Internal Uses and Disclosures.** As indicated in Section 2, we use the personal information we collect to communicate with you regarding your account, fulfill your orders, contact participants in sweepstakes and contests, assess results of polls and surveys, provide services to you, respond to your communications, and administer and enhance our Site.

In addition, we may actively collect and use email addresses and usernames to track usage and to ensure users are following the Site’s User Agreement and to ban a user temporarily or permanently from the Site if that user engages in inappropriate conduct on the Site. We may also use email addresses and usernames to enable parents to review personal information that the children have submitted to the Site and to provide notification regarding the Site, such as future amendments to this Privacy Policy.

Finally, we may use your personal information to offer you other products, programs or services that we offer and that we believe may be of interest to you.

Note that we do not use your credit card information for any purpose other than processing payments to us. This information that you enter to make a purchase is not stored by us, but, instead, by our payments processing vendor for the purpose of processing credit card payments made to us.

**Third Party Uses and Disclosures.** We do not allow third-party companies to solicit or advertise to our users.

*Processing and Specialized Services.* At times, we may use outside organizations to perform specialized services, including without limitation, order fulfillment and prize fulfillment of our sweepstakes and skill contests. These service providers are given only the information needed to perform those services and are bound contractually to protect the privacy and security of your information and to limit the use of your information to the service being provided.

*Legal Reasons.* We advise you that we may disclose personal information to the government or other legal or regulatory authorities (i) if so ordered by a court of law or (ii) for other legal reasons, such as (a) to comply with legal process such as a search warrant, subpoena or court order; (b) to protect the company’s rights and property; (c) to investigate reports of fraud or of users sending material using a false email address or users sending harassing, threatening, or abusive messages; (d) to protect against misuse or unauthorized use of our Site; or (e) in emergencies, such as when we believe someone’s physical safety is at risk. In some cases, disclosure may be required by law to be without notice to you.



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*Corporate Transaction.* In the case of any significant transaction or event involving Tween Brands or any of its related entities or divisions such as, by way of example, a sale, merger, amalgamation, financing, re-organization, liquidation, or insolvency, other parties to the transaction and their professional advisors may need to have access to Tween Brands' customer lists and various databases as part of the due diligence process. In this event, Tween Brands would only provide such access under terms of a strict confidentiality agreement. Also, upon completion of the transaction or event, your personal information would be transferred to our successor-in-interest to be used for the purposes for which it was collected.

### 4. STORAGE OF INFORMATION

We retain your information for a reasonable period of time to meet the purposes for which it was collected or to comply with legal requirements, including statutory retention periods. Your personal information may be stored and processed in servers, including those of authorized third parties, outside the jurisdiction in which you live including in the Philippines and Canada. These servers shall always be subject to the safeguards described in this Privacy Policy.

### 5. SECURITY

We have put in place appropriate physical, electronic, and managerial measures to safeguard and help prevent unauthorized access, maintain data security, and correctly use the information we collect online. These measures include industry-standard efforts such as passwords, firewalls and Secure Socket Layers.

Furthermore, our payments processing vendor and other contractors have agreed to maintain the confidentiality, security, and integrity of the personal and financial information they obtain from the Site, and to use this information only on behalf of us. Our financial institution is bound by all applicable privacy laws relating to the provision of financial services.

### 6. PARENTAL REVIEW OF INFORMATION, AND OBJECTION TO INFORMATION COLLECTION AND RETENTION

Please contact our legal department as provided in Section 7 if you would like to access the personal information that we collected online from you, correct factual errors in such information, request to have this information deleted, or request that we no longer collect or maintain such information.

When contacting us to make such requests, be sure to include your email address and a telephone number where we can reach you.

Please note that we may require certain personal information in order fulfill your orders or otherwise serve you. If you withdraw your consent to the collection, use or disclosure of your personal information for these purposes, Tween Brands will be unable to serve you.



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### 7. CONTACT US

If you have questions or wish to send us comments about this Privacy Policy, please send an email with your questions or comments to [privacy@scapenation.com](mailto:privacy@scapenation.com) or write us:

ScapeNation: Attention Legal Department  
8323 Walton Parkway  
New Albany, Ohio 43054

Please be assured that any personal information that you provide in communications to the above email and postal mail addresses will not be used to send you promotional materials, unless you so request.

### 8. EFFECTIVE DATE

The privacy policy set out above is effective as of the date set forth at the top, and applies to all information obtained via the Site. We reserve the right to change this Privacy Policy. ScapeNation users will be informed of any such change by our posting of a new privacy policy on the Site, and the effective date of any change of privacy policy will be clearly marked. As required by law, we will not use personal information in ways that are materially different from the ones described in this Privacy Policy without also providing notification of such practices and obtaining consent to any such different uses.

