

## **Online Privacy Policy**

(updated April 29, 2009)

At Empire Vision Centers, Inc., we value and protect our customers' privacy. This Online Privacy Policy describes the types of information we collect from users of our websites ("Users") and explains what we do with that information. As used herein, "Users" includes you, and refers to any individual who visits our websites or provides any personal information via our websites, through registration or otherwise.

This Online Privacy Policy is applicable to the websites of Empire Vision Centers, Inc. and its affiliates, including empirevision.com, dvretail.com, cambridge-eyedoctors.com, total-visioncare.com, and visionworld-ri.com (the "Websites").

### **What Information We Obtain**

For each User, we may receive information concerning the usage of our Websites by that User including the User's IP address, information concerning the User's browser and/or operating systems, and other access-related information. In addition, we (or a third party acting on our behalf) may collect or use "cookies", "log files", or other tools, which are addressed below under the heading Use of Cookies and Similar Tools.

We also collect information provided by Users in connection with online inquiries and transactions involving our goods and services, as well as the information provided by Users when Users register on one of the Websites.

The information that we collect may include personally identifiable information (such as the User's name and address) as well as other information that Users may provide (such as the User's gender and age range). We also maintain the identification number or password selected or assigned to a User when a User register on one of our Websites. You should be sure to keep any such identification numbers and password information confidential, and to let us know right away (using any of the contact methods below) if you believe that someone else may have learned your identification number or password.

### **How We Use the Information We Obtain and How You Can Control Such Use**

We use the information that we collect online to maintain and improve our products and services, and to enhance our Websites as well as our email and other marketing activities.

The information that Users provide to us may be combined with other information (such as demographic information and transaction history) available from our records and other sources, in order to make our future marketing efforts more efficient.

We may send emails or regular mail to a User in connection with the User's transaction or business relationship with us. If the User signs up on our online registration page, we may send email to the User concerning special offers, promotions, and eye exam and contact lens replenishment reminders consistent with any email preferences selected by the User on the registration page. A User may also provide his or her address information for inclusion on our email or regular mail lists in person at one of our stores. If the User does not wish to receive special offers or promotional mailings, the User may be removed from our email or regular mail lists through the use of any of the Contact/Opt-Out Methods listed below.

We or one of our affiliated service providers may contact a User by phone, email, or regular mail in connection with the provision of goods or services to the User or in response to an inquiry from the User.

Some of the information we collect may be shared with other reputable marketers to bring the User offers of interest, and, if personally identifiable information is collected in connection with a joint promotion, it may be provided to that joint promoter for marketing and research purposes. If the User prefers that we do not share their name and address with other reputable marketers, Users may contact us at any of the Contact/Opt-Out Methods listed below and request that their name be marked as “do not share.”

We may provide personally identifiable or other information, with or without notice to the User, in response to a lawful request from a law enforcement or government agency or in response to a formal request in a civil action. In addition, we may provide personally identifiable information, with or without notice to the User, to credit bureaus or collection agencies if we are permitted or required to do so by law. In the event of a merger or acquisition of Empire Vision Centers, Inc., the sale of substantially all of its assets related to the operation of any of the Websites, or other change of corporate control, information collected by us may be transferred to or controlled by a present or future controlling corporation or by a surviving or successor entity.

In other respects, we do not disclose personally identifiable information to third parties, except when such disclosure is necessary for particular third party service providers to perform services for us or to provide goods or services to Users, or for other purposes as permitted or required by law. We require our third party service providers to confirm that their privacy practices are consistent with our privacy practices.

### **Use of Cookies and Similar Tools**

“Cookies” are small pieces of information about an Internet session that may be created when an individual accesses a website. Cookies are delivered and received by our Websites (or, in some instances, by our emails or by banner ads that we may purchase for use on another organization’s website) and stored by a User’s browser on the User’s computer hard drive. We may use cookies or similar tools to learn about Users’ preferences and Internet session information, to record User-specific information including the User’s likely state of residence, the web pages that the User accesses and for how long, whether the User returns to any of our Websites, and whether a particular email is opened. Such data, however, is not linked by us to any personally identifiable information concerning the User. Cookies and similar tools permit us to tailor offerings to User preferences, to improve our Websites and email marketing, and to provide better service to return visitors to our Websites.

We may encode our cookies so that only we can interpret the information stored in them. If a User rejects cookies, the User may still use our Websites, but the User’s ability to use some of the Websites’ areas, such as any contests or surveys, may be limited.

Please note that this Online Privacy Policy does not cover the use of cookies or the collection or use of any other information by any advertisers or third-party websites that may be linked to or from any of the Websites. For links to third-party websites, the use of cookies on those websites is governed by the third-party’s privacy policy, although in some circumstances such use may be subject to contractual arrangements and obligations between us and the third party.

**Protection/Security**

We employ security measures to protect sensitive information, including personally identifiable information, in our possession. However, Users should remember that no information storage or information transmissions on the Internet are completely protected. Consequently, while we strive to protect Users' personal information, we cannot guarantee such security, and you ultimately provide such information at your own risk.

**Protecting Children**

We do not market our products or services to children (although we do market some of our products and services for children to their parents), and we do not knowingly permit persons under the age of 13 to register or provide personally identifiable information on any of our Websites. The provision of personally identifiable information by children on any of our Websites is strictly prohibited. We encourage parents to supervise and participate in their children's Internet activities, and we urge children to exercise caution and consult their parents before providing any personally identifiable information on the Internet.

**Links to Other Websites**

Our Websites contains links to other websites that are not owned or controlled by Empire Vision Centers, Inc. or its affiliates. Also, Users may have linked to one of our Websites from another website that is not owned or controlled by Empire Vision Centers, Inc. or its affiliates. Please be aware that Empire Vision Centers, Inc. and its affiliates are not responsible for the privacy practices of other such websites, and this Online Privacy Policy applies only to information collected by our Websites.

**Updates to this Online Privacy Policy**

This Online Privacy Policy supersedes and replaces all of our previous online privacy policies and statements. It does not supersede or replace our HIPAA Privacy Notice found at [www.empirevision.com](http://www.empirevision.com). Our HIPAA Privacy Notice addresses more specifically our privacy practices and a User's rights concerning any health information that we may receive or maintain concerning the User.

From time to time, we may update this Online Privacy Policy. Notification of any such updates which contain any material changes will be posted on the homepage of our Websites. Users are encouraged to check our Websites periodically for any material changes to this Online Privacy Policy.

**Contact/Opt-Out Methods**

Should you have any questions or concerns regarding personal information or privacy-related issues, please contact us via any of the methods listed directly below.

Via Mail:

EVC Online Privacy Representative  
Empire Vision Centers, Inc.  
11103 West Avenue, Ste. 6  
San Antonio, Texas 78259

Via Email:

privacydept@ecca.com

Via Telephone:

210-524-6511

Via Fax:

210-524-6718

You may also request to be removed from any of our email lists using any of these methods, or by clicking on an unsubscribe link where provided on our emails and following the related instructions.