

# Privacy Policy

Protecting your private information is our priority. This Statement of Privacy applies to [www.podishgifts.com](http://www.podishgifts.com), and NuFocus Consulting Group LLC and governs data collection and usage. For the purposes of this Privacy Policy, unless otherwise noted, all references to NuFocus Consulting Group LLC include [www.nufocusuniversity.com](http://www.nufocusuniversity.com) website is a ecommerce site. By using the NuFocus website, you consent to the data practices described in this statement.

## Collection of your Personal Information

Pursuant to the General Data Protection Regulation (“GDPR”), if you are a resident of the European Economic Area (“EEA”), we process your personal information under the following lawful bases:

In order to better provide you with products and services offered, NuFocus Consulting Group may collect personally identifiable information, such as your:

- First and Last Name
- Mailing Address
- E-mail Address
- Phone Number

If you purchase Modish Gifts's products and services, we collect billing and credit card information. This information is used to complete the purchase transaction.

NuFocus Consulting Group may also collect anonymous demographic information, which is not unique to you, such as your:

- Age
- Location

We do not collect any personal information about you unless you voluntarily provide it to us. However, you may be required to provide certain personal information to us when you elect to use certain products or services. These may include: (a) registering for an account; (b) entering a sweepstakes or contest sponsored by us or one of our partners; (c) signing up for special offers from selected third parties; (d) sending us an email message; (e) submitting your credit card or other payment information when ordering and purchasing products and services. To wit, we will use your information for, but not limited to, communicating with you in relation to services and/or products you have requested from us. We also may gather additional personal or non-personal information in the future.

## Automatic decision-making

If you are a resident of the EEA, you have the right to object to processing based solely on automated decision-making (which includes profiling), when that decision-making has a legal effect on you or otherwise significantly affects you.

We *do* engage in fully automated decision-making that has a legal or otherwise significant effect using customer data.

Our processor Shopify uses limited automated decision-making to prevent fraud that does not have a legal or otherwise significant effect on you.

Services that include elements of automated decision-making include:

- Temporary blacklist of IP addresses associated with repeated failed transactions. This blacklist persists for a small number of hours.
- Temporary blacklist of credit cards associated with blacklisted IP addresses. This blacklist persists for a small number of days.

### **Use of your Personal Information**

NuFocus Consulting Group collects and uses your personal information to operate and deliver the services you have requested.

NuFocus Consulting Group may also use your personally identifiable information to inform you of other products or services available from NuFocus Consulting Group and its affiliates.

### **Sharing Information with Third Parties**

NuFocus Consulting Group does not sell, rent or lease its customer lists to third parties.

NuFocus Consulting Group may share data with trusted partners to help perform statistical analysis, send you email or postal mail, provide customer support, or arrange for deliveries. All such third parties are prohibited from using your personal information except to provide these services to NuFocus Consulting Group, and they are required to maintain the confidentiality of your information.

NuFocus Consulting Group may disclose your personal information, without notice, if required to do so by law or in the good faith belief that such action is necessary to: (a) conform to the edicts of the law or comply with legal process served on NuFocus Consulting Group or the site; (b) protect and defend the rights or property of NuFocus Consulting Group; and/or (c) act under exigent circumstances to protect the personal safety of users of NuFocus Consulting Group, or the public.

### **Tracking User Behavior**

NuFocus Consulting Group may keep track of the websites and pages our users visit within NuFocus Consulting Group, in order to determine what NuFocus Consulting Group services are the most popular. This data is used to deliver customized content and advertising within NuFocus Consulting Group to customers whose behavior indicates that they are interested in a particular subject area.

### **Automatically Collected Information**

Information about your computer hardware and software may be automatically collected by NuFocus Consulting Group. This information can include: your IP address, browser type, domain names, access times and referring website addresses. This information is used for the

operation of the service, to maintain quality of the service, and to provide general statistics regarding use of the NuFocus Consulting Group website.

### **Use of Cookies**

The Modish Gifts website may use "cookies" to help you personalize your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you.

One of the primary purposes of cookies is to provide a convenience feature to save you time. The purpose of a cookie is to tell the Web server that you have returned to a specific page. For example, if you personalize Modish Gifts pages, or register with Modish Gifts site or services, a cookie helps Modish Gifts to recall your specific information on subsequent visits. This simplifies the process of recording your personal information, such as billing addresses, shipping addresses, and so on. When you return to the same Modish Gifts website, the information you previously provided can be retrieved, so you can easily use the Modish Gifts features that you customized.

You have the ability to accept or decline cookies. Most Web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the interactive features of the NuFocus Consulting Group services or websites you visit.

### **Links**

This website contains links to other sites. Please be aware that we are not responsible for the content or privacy practices of such other sites. We encourage our users to be aware when they leave our site and to read the privacy statements of any other site that collects personally identifiable information.

### **Security of your Personal Information**

NuFocus Consulting Group secures your personal information from unauthorized access, use, or disclosure. NuFocus Consulting Group uses the following methods for this purpose:

- SSL Protocol
- We typically use card processing companies such as paypal.com and stripe.com, please see the privacy notice for companies such as these as posted on their individual sites.

When personal information (such as a credit card number) is transmitted to other websites, it is protected through the use of encryption, such as the Secure Sockets Layer (SSL) protocol.

We strive to take appropriate security measures to protect against unauthorized access to or alteration of your personal information. Unfortunately, no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect

your personal information, you acknowledge that: (a) there are security and privacy limitations inherent to the Internet which are beyond our control; and (b) security, integrity, and privacy of any and all information and data exchanged between you and us through this Site cannot be guaranteed.

### **Right to Deletion**

Subject to certain exceptions set out below, on receipt of a verifiable request from you, we will:

- Delete your personal information from our records; and
- Direct any service providers to delete your personal information from their records.

Please note that we may not be able to comply with requests to delete your personal information if it is necessary to:

- Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract

- between you and us;
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity;
  - Debug to identify and repair errors that impair existing intended functionality;
  - Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law;
  - Comply with the California Electronic Communications Privacy Act;
  - Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of such research, provided we have obtained your informed consent;
  - Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us;
  - Comply with an existing legal obligation; or
  - Otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information.

### **Children Under Thirteen**

NuFocus Consulting Group does not knowingly collect personally identifiable information from children under the age of thirteen. If you are under the age of thirteen, you must ask your parent or guardian for permission to use this website.

### **E-mail Communications**

From time to time, NuFocus Consulting Group may contact you via email for the purpose of providing announcements, promotional offers, alerts, confirmations, surveys, and/or other general communication. In order to improve our Services, we may receive a notification when you open an email from NuFocus Consulting Group or click on a link therein.

If you would like to stop receiving marketing or promotional communications via email from NuFocus Consulting Group, you may opt out of such communications by click the link that says Unsubscribe or for sms by using the word STOP..

### **External Data Storage Sites**

We may store your data on servers provided by third party hosting vendors with whom we have contracted.

### **Changes to this Statement**

NuFocus Consulting Group reserves the right to change this Privacy Policy from time to time. We will notify you about significant changes in the way we treat personal information by sending a notice to the primary email address specified in your account, by placing a prominent notice on our website, and/or by updating any privacy information. Your continued use of the website and/or Services available after such modifications will constitute your: (a) acknowledgment of the modified Privacy Policy; and (b) agreement to abide and be bound by that Policy.

**If you are located in Canada, this section applies to you.**

We may process your information if you have given us specific permission (i.e. • express consent) to use your personal information for a specific purpose. or institutions where your permission can be inferred (i.e. • implied consent). You can withdraw your consent at any time. [Click here to learn more.](#)

In some exceptional cases, we may be legally permitted under applicable law to process your information without your consent. including, for example:

- If collection is clearly in the interests of an individual and consent cannot be obtained in a timely way
- For investigations and fraud detection and prevention
- For business transactions provided certain conditions are met
- If it is contained in a witness statement and the collection is necessary to assess, process, or settle an insurance claim
- For identifying injured, ill, or deceased persons and communicating with next of kin
- If we have reasonable grounds to believe an individual has been, is, or may be victim of financial abuse
- If it is reasonable to expect collection and use with consent would compromise the availability or the accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of Canada or a province
- If disclosure is required to comply with a subpoena, warrant, court order, or rules of the court relating to the production of records
- If it was produced by an individual in the course of their employment, business, or profession and the collection is consistent with the purposes for which the information was produced
- If the collection is solely for journalistic, artistic, or literary purposes
- If the information is publicly available and is specified by the regulations

**In Short:** In some regions, such as Canada you have rights that allow you greater access to and control over your personal information. You may review, change, or terminate your account at any time.

In some regions (like Canada), you have certain rights under applicable data protection laws. These may include the right (i) to request access and obtain a copy of your personal information, (ii) to request rectification or erasure; (iii) to restrict the processing of your personal information; and (iv) if applicable, to data portability. In certain circumstances, you may also have the right to

object to the processing of your personal information. You can make such a request by contacting us by using the contact details provided in the section "HOW CAN YOU CONTACT US ABOUT THIS NOTICE?" below.  
We will consider and act upon any request in accordance with applicable data protection laws.

### **Contact Information**

NuFocus Consulting Group welcomes your questions or comments regarding this Statement of Privacy. If you believe that NuFocus Consulting Group has not adhered to this Statement, please contact NuFocus Consulting Group at:

NuFocus Consulting Group LLC  
3422 Business Center St  
STE #106-1329  
Pearland, Texas 77584

Email Address: [privacy@nufocuscg.com](mailto:privacy@nufocuscg.com)

Telephone number: 832-312-3060

Effective as of November 29, 2022