

## **CUSTOMER PRIVACY POLICY**

This Customer Privacy Policy governs the collection and use of personal information relating to potential and existing customers of Takaya Wellness, PLLC dba The Brinkley Center.

Takaya Wellness, PLLC dba The Brinkley Center is committed to abiding by this Customer Privacy Policy, as well as the requirements of applicable laws, in the operation of its business. Please read this policy carefully as it explains the kinds of personal information we collect about you and how it is handled.

By your continued use of our services (including our websites), you consent to the collection and use of your personal information for the purposes set out in this Customer Privacy Policy.

## **COLLECTION AND USE OF PERSONAL INFORMATION**

When using the Site and filling out forms on the Site, you may be asked to enter your name, email address, phone number, and a contact message. We use this information to deliver the information requested, to provide you with educational content, newsletters, promotions, special offers, and to contact you if you are requesting a Calming Conversation.

We also process your personal information where we are required to do so by law, and for the exercise or submission of legal claims. From time to time, we may contact you for research purposes, or to tell you about our special offers and other services in accordance with your contact preferences. Where appropriate, we will obtain your consent to do so.

We do not sell or trade any of your contact information.

## **CONSENT**

When we ask for your personal information (i.e. for newsletter subscription), we will ask you directly for your expressed consent and provide you with an opportunity to withdraw your consent. You may withdraw your consent at any time by clicking on an “unsubscribe” link, which is offered at the bottom of every newsletter email we send.

You may also withdraw your consent anytime, by contacting us at [drbrinkley@brinkleycenter.com](mailto:drbrinkley@brinkleycenter.com) or mailing us at: The Brinkley Center 5766 Balcones Drive, #103 Austin TX 78731

## **DISCLOSURE**

We may disclose your personal information if we are required by law to do so.

### **WEBSITE USAGE & COOKIES**

We may conduct analyses of user traffic to measure the use of our sites and to improve the content of our web sites and our services. These analyses will be performed through the use of IP addresses and cookies.

### **3rd PARTY/DATA STORAGE**

In general, the third-party providers used by us (i.e., GoDaddy, Acuity, Mailchimp) will only collect, use and disclose your information to the extent necessary to allow them to perform the services they provide to us.

However, third-party service providers, have their own privacy policies in respect to the information we are required to provide to them for your requested newsletter or contact.

For these providers, we recommend that you read their privacy policies so you can understand the manner in which your personal information will be handled by them.

In particular, remember that certain providers may be located in or have facilities that are located a different jurisdiction than either you or us. So if you elect to proceed with a transaction that involves the services of a third-party service provider, then your information may become subject to the laws of the jurisdiction(s) in which that service provider or its facilities are located.

As an example, if you are located in Canada and your transaction is processed by a payment gateway located in the United States, then your personal information used in completing that transaction may be subject to disclosure under United States legislation, including the Patriot Act. Once you leave our website or are redirected to a third-party website or application, you are no longer governed by this Privacy Policy.

Our online forms are hosted and managed by GoDaddy, Acuity, Mailchimp. They provide us with the online platform (contact forms and calendar links on the website) that allow us to contact you via email or phone, for you to schedule an exploration session, and to send you a newsletter respectively.

### **CHILDREN'S ONLINE PRIVACY PROTECTION ACT ("COPPA")**

We do not specifically market to children under the age of 13. Please STOP and do not use, view, or otherwise browse the Site, or Services, if you are under 13 years old. If you are younger than 13, you are not permitted to enter any Personal Information on this Site.

## **FAIR INFORMATION PRACTICES**

In order to comply with Fair Information Practices we will take the following responsive action, should a data breach occur: You will be notified by us via email within 14 business days of any known breach.

## **CAN-SPAM ACT OF 2003**

The CAN-SPAM Act is a United States law establishing rules for commercial email messages, giving the right to stop certain commercial emails from being sent to you, and outlining certain penalties for commercial entities or persons who violate the law.

We collect your email address and name to:

- Send information, respond to inquiries, and/or other requests or questions.
- Email you a newsletter with free information and advertising certain Products, Services, and/or Courses we offer.

In accordance with the CAN-SPAM Act, we agree to the following:

- We will not use false or misleading subjects or email addresses.
- We will always include our business mailing address and/or physical address in our emails.
- We will not monitor third-party email marketing services for compliance. We use Mailchimp and Godaddy to send our emails to you.
- We will immediately honor opt-out/unsubscribe requests.
- We allow users to unsubscribe by using the appropriate link at the bottom of each email.

If you experience any problems unsubscribing from our emails, please email us at [drbrinkley@brinkleycenter.com](mailto:drbrinkley@brinkleycenter.com) and we will promptly handle your removal.

## **CONTACTING US**

If you have any questions about this privacy policy, or no longer wish to receive anything from The Brinkley Center or have your data made available to 3rd parties, you can email us at [drbrinkley@brinkleycenter.com](mailto:drbrinkley@brinkleycenter.com).

## **GENERAL DATA PROTECTION REGULATION (“GDPR”)**

If you are located within the European Union (“EU”), you are entitled to certain rights under the GDPR. You have the right to:

- Know how long we’ll keep your information. We’ll keep your personal information until (1) you either ask us to delete your information or (2) we decide that we no longer need the data and the cost of retaining it outweighs the value to keeping it.
- Access, rectify or erase your personal information.

- Withdraw your consent to the Company's processing of your data, which shall have no effect on the lawfulness of the processing of your personal information prior to your withdrawal.
- Lodge a complaint with a supervisory authority that has jurisdiction over GDPR issues.
- Provide only your personal information, which is reasonably required to enter into a contract with us. We will not ask for your consent to provide unnecessary personal information on the condition of entering into a contractual relationship with the Company.

### **CHANGES TO PRIVACY POLICY**

We reserve the right to add to or amend this privacy policy at our sole discretion, without prior notice to you. Please review our privacy policy on a regular basis to make sure you have read the latest version and you understand what we do with your personal information. Your continued use of our services or our web sites following the posting of changes to these terms means that you consent to those changes.

Updated on: 7/26/2018