

## **1.0 PROTECTING YOUR PRIVACY**

NEW FOCUS wants to take this opportunity to assure you that we do not rent, sell or make otherwise available user information provided via our web site(s) to third parties except as specified in this Privacy Policy. NEW FOCUS recognizes that individuals with whom we conduct business value their privacy. However, in order to conduct business in today's electronic economy, the collection of personal information is often necessary and desirable. It is NEW FOCUS' goal to balance the benefits of e-commerce with the right of individuals to prevent the misuse of their personal information.

By visiting our web site(s) you agree to accept the Terms of Use and this Privacy Policy. This policy discloses our information gathering and usage practices for the following websites: [www.newfocus.com](http://www.newfocus.com) and [www.newfocus.com/onlinestore](http://www.newfocus.com/onlinestore)

### **1.1 DOMAIN INFORMATION**

NEW FOCUS collects domain information as part of its analysis of the use of this Site. This data enables us to become more familiar with visitors to our Site, such as how often they visit and what parts of the Site they visit most often. NEW FOCUS uses this information to improve its web-based offerings. This information is collected automatically and requires no action on your part.

### **1.2 PERSONAL INFORMATION**

In some circumstances, such as ordering products through our Online Store, registering to receive our newsletter or catalog, NEW FOCUS may request personal information from you, such as your name, e-mail address, company name or telephone number. Your response to these inquiries is strictly voluntary. NEW FOCUS may use this information for business purposes, such as to alert you to products and services that can assist you in your business, promote site registration, and assist in order processing.

New Focus may disclose personal information (e.g., name address) if required to do so by law or in the good faith belief that such action is necessary or appropriate to conform to the law or comply with legal process served on New Focus, to protect and defend the rights or property of New Focus, whether or not required to do so by law, or to protect the personal safety of the public.

Should New Focus merge with or be acquired by another company, then personal information maintained by New Focus, may be transferred to and used by the resulting combined company, or should New Focus declare bankruptcy, then personal information may be transferred to a company acquiring its assets.

New Focus has security measures in place that are designed to protect your information. All personal information is stored on physically secured servers. Access to this information is strictly limited to individuals with a legitimate reason to have access and who have signed agreements that prohibit the unauthorized use or disclosure of such information. In addition, all of New Focus's stored information is firewall protected against unauthorized "hacks" into our systems. While we cannot guarantee that loss, misuse or alteration of your data will not occur, we work hard to prevent such occurrences. New Focus does not target children (defined as those persons under 13 years of age) as an audience or a market and New Focus does not collect information about the age of its web site users. If we learn that we have inadvertently collected personal information from a child we will make all reasonable efforts to delete that data from our records

### **1.3 REGISTRATION**

In general, you can visit [www.newfocus.com](http://www.newfocus.com) without divulging any personal information. However, there are areas of this Site that require this information to complete their customization functions, and may not be available to those choosing not to reveal the information requested. In addition, there are portions of our Site that are restricted to those visitors having a unique username and password ("Restricted Areas"). When and if you register, you agree to (a) provide accurate, current and complete information about yourself as prompted by our registration form (including your email address) and (b) maintain and update your information (including your email address) to keep it accurate, current and complete. You acknowledge that, if any information provided by you is untrue, inaccurate, not current or incomplete, we reserve the right to terminate this Agreement and your use of the Site.

As part of the registration process, you will be asked to select a username and password. We may refuse to

grant you a username that impersonates someone else, is or may be illegal, is or may be protected by trademark or other proprietary rights law, is vulgar or otherwise offensive, or may cause confusion, as determined by us in our sole discretion. You will be responsible for the confidentiality and use of your username and password and agree not to transfer or resell your use of or access to the Site to any third party. If you have reason to believe that your account with us is no longer secure, you must promptly change your password contacting [webmaster@newfocus.com](mailto:webmaster@newfocus.com) via email. **YOU ARE ENTIRELY RESPONSIBLE FOR MAINTAINING THE CONFIDENTIALITY OF YOUR USERNAME AND PASSWORD AND FOR ANY AND ALL ACTIVITIES (INCLUDING PURCHASES, AS APPLICABLE) THAT ARE CONDUCTED THROUGH YOUR ACCOUNT.**

#### **1.4 ONLINE STORE**

To process your order we require name, billing address, phone number, email address, shipping address and credit card information. We use this information to process your order and, if any questions arise, to contact you about your order. In general, we will try to contact you first by email and only if that fails, or if time is critical, will we try to contact you by phone.

#### **1.5 CORRECTING OR UPDATING YOUR PERSONAL INFORMATION**

To change or modify or remove information previously provided, you can submit a request containing your 'old' contact information, your 'new' contact information and the nature of the communication(s) you've received.:

- a. You can send email to: [webmaster@newfocus.com](mailto:webmaster@newfocus.com)
- b. You can send mail to the following postal address:  
New Focus, Inc.  
Attn: Web Marketing  
2584 Junction Ave, San Jose, CA 95134
- c. You can modify your own information by clicking this URL: \_\_\_\_\_

#### **1.6 USE OF COOKIES**

In order to better your web navigation experience and to streamline your ordering process at our online store, some of our web pages may contain "cookies" (data sent to your browser and stored on your computer) that allows our server to recognize you when you visit our site. This code contains no personal information, and your credit card number is not retained on our database. We also do not sell our lists, or "cookie swap" with other companies.

By keeping these cookies on your computer, containing username and password, your account information will be saved so you do not need to login to begin shopping. Your shopping carts can easily be saved for future reference. If you delete these cookies from your computer, you can simply provide your login information each time a form is presented, though you will lose the contents of any previously-saved shopping carts. If you decide to set your browser to reject all cookies, you can still browse the Web site, but on-line ordering and item prices may not be available.

#### **1.7 CHANGES TO OUR PRIVACY POLICY**

Updates to this policy will be posted at [www.newfocus.com](http://www.newfocus.com) as necessary. We encourage you to review this policy periodically to review any changes that have been posted.