

Privacy Policy from April 2011 until February 2012

Your privacy is very important to Mind Garden. Users of this Site should refer to our privacy policy for information about how Mind Garden collects and uses personal information. By accepting this Agreement you expressly consent to Mind Garden's disclosure and use of your personal information (including using email to communicate with you) as described in the privacy policy, which is incorporated herein by reference.

Mind Garden Privacy Policy

(a) Browser Information. Collection of Information regarding your browser: The Mind Garden web site may log a browser type and version when you visit the site. This information is used to help to administer the website.

(b) Mind Garden's Use Of Your Information. If you purchase a product or service from Mind Garden, you input certain personally identifiable information on the order form. You must provide contact information (such as name, email, and shipping address) and financial information (such as credit card number and expiration date). This information is used for billing purposes and to fill your orders. Mind Garden verifies customer-provided credit card information with a third person prior to order processing. We will also use this information to contact you should problems arise or for customer service support of Mindgarden.com. Mind Garden may also use your address and the like to provide mailings of material regarding product information and releases that Mind Garden determines may be of interest or usefulness to you.

(c) When Disclosure Allowed. You acknowledge and agree that Mind Garden may archive your information and other Content and may also disclose the same if required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: (i) comply with legal process; (ii) enforce this Agreement; (iii) respond to claims that any Content violates the rights of third-parties; or (iv) protect the rights, property, or personal safety of Mind Garden, its users and the public; (v) certain federal, state, local or other government regulations may require that we disclose personally identifiable information. In such cases, we will use reasonable efforts to disclose only the information required under applicable law.

(d) Specific Information Not Shared. Mind Garden receives the name and e-mail addresses of its Customers and, often, Subjects of Customer Created Inventories for the sole purpose of being able to provide Customers and their Subjects with reports, scoring and evaluations related to those Inventories. Mind Garden does not share this information with anyone other than the Customer and the Subject.

(e) Security.

(i) SSL. When a user pays for an Mind Garden product or service or places an order online, the user's personal information and credit card information are processed and encrypted by offsite, secure servers using industry-standard SSL encryption. SSL is short for Secure Sockets Layer, a protocol developed by Netscape for transmitting private documents via the Internet. Mind Garden follows generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it.

(ii) No Such Thing As Perfect Security. You understand and agree that the technical processing and operation of the Site, including your Content, may involve (1) transmissions over various networks; and (2) changes to conform and adapt to technical requirements of connection networks or devices.

No method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

(iii) Security Questions. If you have any questions about security on the Mind Garden Web site, you can contact Mind Garden at:

<http://www.mindgarden.com/forms/contactform.php>

(f) Non-use Of Information. Mind Garden does not sell, trade, rent or otherwise give to any other entity or organization the individual customer information our customers submit when placing an order except as specifically stated otherwise in this privacy policy.

Mind Garden does not sell, trade, rent or otherwise give to any entity or organization other than the Customer any individually identifiable information given by a Subject in response to a Pre-Written Inventory. In other words if a Subject gives responses to a Pre-Written Inventory then the Customer who provided that Pre-Written Inventory to the Subject and the Subject will receive from Mind Garden information that is individually identifiable so that the Customer may properly counsel or advise the Subject as appropriate based on the scoring or evaluation of the Pre-Written Inventory.

(g) Passwords. Mind Garden=s method of login is such that Mind Garden has no access to your password. You are able to change your password at any time with the profile feature in Transform. If you do not remember your password the only method for getting it is to use the "I forgot my password" feature on the login page, have a new password sent only to your email, use that password to login and then change your password using the profile feature.

(h) Mind Garden Information Posting. On a case-by-case basis, Mind Garden may give its written consent allowing certain customers, academics or third parties to post reports, papers and other professional or academic materials on the Mind Garden Site provided that all of the following conditions are met to the extent applicable:

(i) Copyrighted materials may only be posted with the copyright owner's authorization;

(ii) The posting explicitly states that Mind Garden is not responsible for or liable for the posting nor for the accuracy or correctness of the posting.

(iii) The posting complies with all of the provision of this User Agreement with regard to the Content.

(iv) The person posting the material agrees that Mind Garden may remove or demand the removal of the material at any time, with or without cause.

(i) Customer Information Posting. In the event that any Customer wishes to post material relating to Pre-Written Inventories, Customer Created Inventories, scoring, evaluations or Customer Created Reports for a scholarly, academic, scientific or other similar purpose on some site other than the Mind Garden Sites, they may do so only to the extent that they comply with all of the following:

(i) The material complies with all applicable laws and regulations including but not limited to privacy law compliance; and

(ii) The material contains only Non-Person-Specific information except to the extent that the person posting the material has obtained appropriate written consent for the posting of any person-specific information; and

(iii) Copyrighted materials may only be posted with the copyright owner's authorization; and

(iv) The posting explicitly states that Mind Garden is not responsible for or liable for the posting nor for the accuracy or correctness of the posting; and

- (v) The posting complies with all of the provision of this User Agreement with regard to the Content; and
- (vi) The person posting the material agrees that Mind Garden may remove or demand the removal of the material at any time, with or without cause; and
- (vii) any material that involves Customer Created Inventories or Customer Created Reports may only be posted with Mind Garden's advance written approval.

Privacy Policy Prior to April 2011

Privacy and Data Policy

Data Policy: Mind Garden, Inc. (MGI) reserves the right to aggregate and use, without compensation to anyone, data obtained from the scoring or other processing of products published by MGI or otherwise sold or licensed by MGI, and to utilize those data for research, product development, and statistical or other purposes. MGI reserves the right to disclose such non-person-specific data to third parties, with or without compensation to MGI, as MGI sees fit from time to time.

Collection of Information on the Internet: Our web site may log a browser type and version when he/she visits the site. We use this information to help to administer our website. Our web site uses an order form for customers to purchase products and services. We collect customers' contact information (such as their address and email address) and financial information (such as their account or credit card numbers). We verify our customer-provided credit card information with a third party prior to order processing. Contact information from the order form is used to send orders to our customers. We also provide mailings and other marketing collateral regarding product information and releases.

MGI collects the name and e-mail address of the end-user (the assessment taker) for the sole purpose of providing MGI's customers with assessment results. MGI does not share this information with any third parties (other than the test administrator). Certain federal, state, local or other government regulations may require that we disclose personally identifiable information. In such cases, we will use reasonable efforts to disclose only the information required under applicable law.

Our web site may contain links to other web sites. We have no control over the privacy practices of such other web sites nor should the link be considered an endorsement of such other web sites' privacy practices. We recommend that you read the privacy policies of such other websites.

Security: When a user pays for an instrument or places an order online, the user's personal information and credit card information are processed and encrypted by offsite, secure servers using industry-standard SSL encryption. SSL is short for Secure Sockets Layer, a protocol developed by Netscape for transmitting private documents via the Internet. We follow generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security. If you have any questions about security on our Web site, you can email us at info@mindgarden.com

Will MGI Disclose the Information It Collects to Outside Parties? We do not sell, trade or rent or otherwise give to any other entity or organization the individual information our customers submit when placing an order or taking an instrument on our site except as noted in this privacy policy. MGI does provide **its customers** with the individual information they need to properly counsel or advise their clients. In other words if you are taking an instrument on our site at the direction of a consultant, counselor or other individual, that consultant, counselor or other individual will receive, from MGI, individually identifiable information so that he or she may

properly counsel or advise you.

Does MGI Disclose Rater Identity in Multirater or Observer Ratings? MGI cannot protect confidentiality in the event where only one rater at a given level is entered and responds. MGI reports do not contain rater names. MGI observer data for research contains only the name of the entity being rated and not the names of individual raters.