

ARTCHANNEL PRIVACY POLICY

Introduction

ARTCHANNEL CANADA DIGITAL ADVERTISING LTD. ("ArtChannel", "us" or "we"), values the users of ArtChannel products and services ("Products") including the use of the ArtChannel website at [HYPERLINK "http://www.ArtChannel.ca"](http://www.ArtChannel.ca) www.artchannel.ca (the "Web Site"), and ArtChannel knows that your privacy is extremely important to you. ArtChannel is committed to protecting any personal information that we hold.

ArtChannel, a British Columbia company, is committed to protecting the privacy of users to this Website and for users of our on-line services in accordance with the requirements of Canadian federal and provincial laws, without reference to rules governing choice of laws.

This privacy statement details outlines how ArtChannel manages your personal information and safeguards your privacy.

At the same time, ArtChannel wants our privacy statement to meet the highest commercial standards that establish trusting relationships based on respect for personal identity and information by promoting the use of fair information practices. This privacy statement covers the site [HYPERLINK "http://www.artchannel.ca"](http://www.artchannel.ca) \t "[_self" http://www.artchannel.ca](http://www.artchannel.ca) (the "Web site") including all sub-domains.

We want this Web site and our on-line services to demonstrate our commitment to its users' privacy, and therefore we want to you to know what our information and privacy practices are with respect to the following matters:

[HYPERLINK "http://artchannel.ca/privacy.html"](http://artchannel.ca/privacy.html) \l "info" What personally identifiable information ArtChannel collects.

[HYPERLINK "http://artchannel.ca/privacy.html"](http://artchannel.ca/privacy.html) \l "thirdparty" What personally identifiable information third parties collect through the Web Site.

What organization collects the personal information.

[HYPERLINK "http://artchannel.ca/privacy.html"](http://artchannel.ca/privacy.html) \l "use" How ArtChannel uses the personal information.

With whom ArtChannel may share user information.

What choices are available to users regarding collection, use and distribution of personal information.

What types of security procedures are in place to protect the loss, misuse or alteration of personal information under ArtChannel control.

How users can correct any inaccuracies in registered personal information.

Compliance with Terms and Subsequent Modifications

Your initial and continued use of any ArtChannel Products, which includes the Website, indicates that you accept the terms and conditions of this Agreement and any subsequent modifications. ArtChannel may change its Privacy Policy at any time, without notice to you. You are responsible and encouraged to review the Privacy Policy regularly. IF YOU DO NOT AGREE WITH ARTCHANNEL'S PRIVACY POLICY PLEASE DO NOT USE THE WEBSITE OR ANY PRODUCTS.

Information Collection

ArtChannel is the sole owner of the information collected on [HYPERLINK "http://www.artchannel.ca"](http://www.artchannel.ca) \t "[_self" http://www.artchannel.ca](http://www.artchannel.ca). You may browse the site without telling us who you are or revealing any information about yourself. ArtChannel collects personally identifiable information from our users at several different points on our Web site. If you use our on-line services, you are required to register your personal information in order to create an account with ArtChannel. The information submitted to create an account may include your legal name, address, telephone number(s), e-mail address, areas of interest, registration/ownership information of artwork. This information allows us to

ensure that you are able to access and use our services offered on the Web Site. Upon completion of the registration, you will be given a User ID and a User Password. Please note that once a User ID and User Password is created, you are no longer anonymous to us.

We collect and use information if users register for [HYPERLINK "http://www.artchannel.ca"](http://www.artchannel.ca) or a web site that is a sub-domain of [HYPERLINK "http://www.artchannel.ca"](http://www.artchannel.ca) providing Artist Community Services that helps facilitate a user's activity on that web site as well as all activities that occur on our Web Site. If you register information of a sub-domain of [HYPERLINK "http://www.artchannel.ca"](http://www.artchannel.ca), the web site may provide personal information about you and your transactions back to [HYPERLINK "http://www.artchannel.ca"](http://www.artchannel.ca). ArtChannel does not sell or rent any information collected from users to other third parties.

ArtChannel operates as a permanent database. Therefore, in your use of the services of the Web Site, you expressly agree and do authorize that the information or Membership information collected by ArtChannel is permanent in nature and will not be removed from the database under any circumstances, except where required by law and in the case of fraud and/or criminal activity.

Information Use

We collect and use information to facilitate the services requested by the user. We also use your personal information for our own internal purposes, such as providing customer support, providing, maintaining, evaluating and improving the Products and the Website or processing and keeping you informed of your order; as well as sharing information with members of our corporate family to help detect and prevent potentially illegal acts and provide joint services. We use our customers' non-personal information to track their use of the Website and the Products and for other internal purposes. You may, from time to time, receive information from us about new features, new services and special offers we think you'll find valuable. If you take advantage of special offers made by our marketing partners, you grant permission for your personal information to be transferred to them.

We automatically track certain non-personal information based on the user's use of our Web site. We use this information to do internal research on our user's demographics, interests, and behaviour to better understand the users and our client base. We track information regarding the URL that the user came from (whether from our site or not), what browser is being used and the user's IP address. We may also make our customers' non-personal information available, in aggregate form, to marketing partners, advertisers and others in order to assist us in improving our services and reaching customers with information that is relevant to them.

We use information to improve our marketing and promotional efforts, to improve our content and product offerings, and to customize our site's content, layout and services to better meet the needs of users. We collect information to generate statistics and aggregate reports for internal use only. These statistics and aggregate reports will not contain any personally identifiable information. Personal identity is kept anonymous.

We create user accounts to tailor the information displayed to each individual user and as applicable to the users. We collect user specific information from our users such as name, affiliation information and web site address(es) that may be made available to other members through the member query and view features of our database.

Disclosure of Information

There are certain times when ArtChannel will disclose your personal information to either fulfill your order or request, improve ArtChannel or the Products, the Website or the services provided by ArtChannel. This section will explain the times that ArtChannel may disclose your personal information.

ArtChannel may occasionally hire or partner up with other companies to provide limited services on our behalf, such as managing and handling the processing and delivery of mailings (both email and postal mail), providing customer support, processing transactions, or performing statistical analysis of our services. ArtChannel will only provide those companies the personal information they need to deliver the service.

Those companies do not retain share, store, or use personally identifiable information for any secondary purposes. They are required to maintain

the confidentiality of your information collected for the purpose of responding to the user's request.

We use an outside credit card processing company, [HYPERLINK "http://www.beanstream.com"](http://www.beanstream.com) to bill users for goods and services. [HYPERLINK "http://www.beanstream.com"](http://www.beanstream.com) processes payments for use, does not retain, store, share, store or use personally identifiable information including credit card information for any secondary purpose.

We may also disclose the personal and non-personal information of our customers to any successor-in-interest of ours, such as a company that acquires us. In the event we go through a business transition, such as a merger, acquisition by another company, or sale of all or a portion of our assets, your information will likely be among the assets transferred. Should such a combination occur, we will require that the new combined entity follow this privacy policy with respect to your personal information. If your personal information will be used contrary to this policy, you will receive prior notice.

We may also need to disclose personal information when required by law and when we have a good-faith belief that such action is necessary to comply with a judicial proceeding, a court order or legal process, enforce our policies, respond to claims that specific content violates the rights of others, or to protect anyone's rights, property, or safety.

UNDER NO CIRCUMSTANCES DOES ARTCHANNEL RENT OR SELL PERSONAL INFORMATION OF OUR MEMBERS TO THIRD PARTIES.

Account Protection and Activity Associated with User ID

Your password is the key to your account. Use unique numbers, letters, and special characters and do not disclose your ArtChannel password to anyone, remember that you are responsible for all actions taken in the name of your account. If you lose control of your password, you may lose substantial control over your personal information and may be subject to legally binding actions taken on your behalf. Therefore, if your password has been compromised for any reason, you should immediately change your password and notify ArtChannel if necessary.

Your User ID is displayed throughout ArtChannel and is therefore available to the public. The extent of information available to the public is dependent on your membership. All of your activities on the Website will be traceable to your User ID. Information that can be viewable by the general public include information you post on your public profile or gallery, bids, items that you have purchased in the past, items for sale, feedback, ratings and associated comments. Notices are sent to other ArtChannel community members regarding suspicious activity and policy violations on the Website and refer to User IDs and specific items. Therefore, if you associate your name with your User ID, the people to whom you have revealed your name to will be able to personally identify your ArtChannel activities. Please keep in mind at all times that you are personally responsible for all activities occurring under your User ID.

Cookies

A cookie is a piece of data stored on the user's computer tied to information about the user. Usage of a cookie is in no way linked to any personally identifiable information while a user is on our site. We use both session ID cookies and persistent cookies. For the session ID cookie, once users close the browser, the cookie simply terminates. A persistent cookie is a small text file stored on the user's hard drive for an extended period of time. Persistent cookies can be removed by following Internet browser help file directions.

We use cookies on certain pages of our site to help analyze our Web site flow, measure promotional effectiveness and promote trust and safety. We offer certain features that are only available through the use of a cookie. We also use cookies to allow you to enter your password less frequently during a session. Cookies may also be used in the future to help us provide information that is targeted to your interests. Most cookies are "session cookies", meaning that they are automatically deleted from your hard drive at the end of a session. A user is always free to decline our cookies if their browser permits, although in declining a cookie, you may not be able to use certain features of our Web site and you may be required to re-enter your password more frequently during a session.

This privacy statement covers the use of cookies by [HYPERLINK "http://www.artchannel.ca"](http://www.artchannel.ca) only.

Automatically collected information

Like most standard Web site servers we use log files. This includes internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, platform type, date/time stamp, and number of clicks to analyze trends, administer the site, track user's movement in the aggregate, and gather broad demographic information for aggregate use. IP addresses, etc. are not linked to personally identifiable information. IP addresses are tied to personally identifiable information to enable our Web-based service. We use a tracking utility called 'Webalizer' to track and interpret log files and to analyze user movement.

Special Offers and Updates

We send all new members a welcoming email. Established members will occasionally receive information on products, services, special deals, and in a periodic newsletter. Out of respect for the privacy of our users we present the option to not receive these types of communications (a user can opt out of the newsletter in our "profile" section.)

Newsletter

If a user wishes to subscribe to our newsletter to receive updates and events happening with ArtChannel, we ask for contact information such as name and email address.

Service Announcements

On rare occasions it is necessary to send out a strictly service related announcement. For instance, if our service is temporarily suspended for maintenance we might send users an email. Generally, users may not opt-out of these communications, though they can deactivate their account. These communications are not promotional in nature.

Customer Service

We communicate with users on a regular basis to provide requested services and in regards to issues relating to their account we reply via email or phone, in accordance with the user's wishes.

Surveys & Contests

From time-to-time our site requests information from users via internal or in-house surveys or contests. Participation in these surveys or contests is completely voluntary and the user therefore has a choice whether or not to disclose this information. The requested information typically includes contact information (such as name and shipping address) and demographic information (such as postal or zip code). Contact information will be used to notify the winners and award prizes and shared with the contest and survey sponsors. Survey information will be used for purposes of monitoring or improving the use and satisfaction of this site. Users' personally identifiable information is not shared with third parties as all surveys and contests are internal and or in-house.

Your Choice to Opt out of Certain Communications

If you are no longer interested in receiving e-mail and/or other communications regarding announcements and other marketing information from ArtChannel, please e-mail your request to info@artchannel.ca. Please include your complete name and mailing address (as well as your e-mail address) if you prefer not to receive direct mail postcards or catalogs. Note that you may still receive customer service related communications from us.

Links

This Web site contains links to other sites. Please be aware that we, ArtChannel, are not responsible for the 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 each and every web site that collects personally identifiable information. This Privacy Policy applies solely to [HYPERLINK "http://www.artchannel.ca" \t "_self" http://www.artchannel.ca](http://www.artchannel.ca) and does not apply to any of the third party links located on our website.

Recommend Us

If a user elects to use our referral service for informing a friend about our site, we ask them for the friend's name and email address. We will automatically send the friend a one-time email inviting them to visit the site. We store this information for the sole purpose of sending this one-time email and to track the success of our referral program. The friend may contact us at support@artchannel.ca to request the removal of this information from our database.

Security

This Web site takes every precaution to protect our users' information. When users submit sensitive information via the Web site, their information is protected both online and off-line.

We protect personal information and the user's right to privacy by:

Only collecting personal information for the purposes set out in this privacy statement.

Ensuring appropriate security measures are in place.

Ensuring appropriate confidentiality measures are in place for personal information when dealing with any third parties.

Ensuring that personal information is kept up-to-date and current for the purposes in which it is being used.

Honouring any user request for access to their personal information.

When our registration form asks users to enter sensitive information (such as a credit card number), that information is encrypted and is protected with the best encryption software in the industry - SSL. While on a secure page, such as a registration form, the lock icon on the bottom of Web browsers such as Netscape Navigator and Microsoft Internet Explorer becomes locked, as opposed to un-locked, or open, when users are just 'surfing'.

While we use SSL encryption to protect sensitive information online, we also do everything in our power to protect user-information off-line. All of our users' information, not just the sensitive information mentioned above. Only employees who need the information to perform a specific job (for example, our billing clerk, account manager or a customer service representative) are granted access to personally identifiable information. Furthermore, ALL employees are kept up-to-date on our security and privacy practices. Any time new policies are added, our employees are notified and or reminded about the importance we place on privacy, and what they can do to ensure our users' information is protected. Finally, the servers that store personally identifiable information are in a secure environment, our servers are located in an access-controlled facility. The servers are physically secured within a locked cabinet within the facility to ensure no unauthorized physical access.

Supplementation of Information

In order for this Web site to properly fulfill its obligation to users it is necessary for us to supplement the information we receive with information from 3rd party sources.

ID Verification

In order to ensure the integrity of our business clients, we conduct a reverse phone number lookup to verify a business user's identity.

Accessing/Updating/Deleting/Deactivating Personal Information

You can access, review and change most of your personal information by logging into the Website. Generally, we will not manually modify your personal information because it is very difficult to verify your identity remotely. You must promptly update your personal information if it

changes or is inaccurate. Once you make a public posting, you may not be able to change or remove it. Upon your request, we will close your account and remove your personal information from view as soon as reasonably possible, based on your account activity and in accordance with applicable law. We do retain personal information from closed accounts in order to comply with law, prevent fraud, collect any fees owed, resolve disputes, troubleshoot problems, assist with any investigations, enforce our ArtChannel Agreements, and take other actions otherwise permitted by law.

You may request ArtChannel for access to your personal information. All requests must be made in writing and addressed to ArtChannel. You will be required to provide some information for security reasons and to verify that it is your account. A small administrative fee may apply, depending on the request. ArtChannel has the right to deny access to personal information, if ArtChannel ever denies your request for access to your personal information, we will explain why.

If a user no longer desires our service, we provide a way to correct, update or delete/deactivate user's personally identifiable information. This can usually be done by accessing the profile page or by emailing our Customer Support at support@artchannel.ca.

Children's Privacy

ArtChannel Products and the Website are intended for users ages 18 and older. Children (persons under the age of 18) are not eligible to use the Website and any Products unsupervised. We also ask that children do not register for an ArtChannel account/membership and submit any personal information to us. Accordingly, we will not knowingly collect or use any personal information from children (persons under the age of 18). If you are under 18 years of age but over 13 years of age, your parent, or your legal guardian may register, monitor and maintain an ArtChannel account on your behalf until you reach 18 years of age. Any postings made on your account must be made by your parent or legal guardian. If you are under 18 years of age, your parent or your legal guardian may request that we delete all of your personal information in our database and opt-out from receiving communications from us. In addition, we will delete any information in our database that we know originates from a child under the age of 13.

Legal Disclaimer

Though we make every effort to preserve user privacy, we may need to disclose personal information when required by law wherein we have a good-faith belief that such action is necessary to comply with a current judicial proceeding, a court order or legal process served on our Web Site.

Contact Information

If users have any questions, concerns or suggestions regarding our privacy practices, please contact us at:

Tel: (604) 430-3020

Fax: (604) 430-3043

Email: support@artchannel.ca

Web site URL: HYPERLINK "http://www.artchannel.ca" 't "_self" <http://www.artchannel.ca>

Otherwise, we assume that we have you, the user of our Website and or on-line services, consent to collect, use and disclose your personal information for the purposes and uses identified in this privacy statement.

This policy was last updated on June 13, 2007.