

# NordicTrack

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TREADMILLS EXERCISE ROWERS ELLIPTICALS STRENGTH ACCESSORIES SALE **IFIT WORKOUTS**

## Privacy Notice

Last Updated and Effective: [September 2021 ]

Welcome to iFIT's privacy notice.

iFIT respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format, so you can click through to the specific areas set out below. Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

### 1. IMPORTANT INFORMATION AND WHO WE ARE

#### Purpose of this privacy notice

This privacy notice aims to give you information on how iFIT collects and processes your personal data through your use of our websites and apps, including all websites and apps that link to this privacy notice. This privacy notice also applies to the information we collect when you use our products and services or when you interact with our sales team or customer service specialists. Our website, apps and products and services are not meant for children. We do not knowingly collect data from children.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

#### Controller

iFIT Inc. ("iFIT") is made up of different legal entities affiliates, partners, licensors, subsidiaries, or related companies. This privacy notice is issued on behalf of iFIT, so when we mention iFIT, "we," "us," or "our" in this privacy notice, we are referring to the relevant entity in the iFIT group responsible for processing your data. iFIT is the controller and is responsible for this website.

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, please contact the DPO. Individuals may exercise their legal rights by contacting the DPO, whose contact information is below. California residents may exercise their rights as explained in the California Privacy Notice below.

#### Changes to the privacy notice and your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

We reserve the right to update and change this Privacy Notice at any time without notice to you. We encourage you to frequently check this page for any changes to stay informed. Historic versions may be obtained by contacting us.

#### Third party links

Our website and apps may include links to third party websites, plugins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

#### Questions or Complaints

You have the right to make a complaint at any time to the supervisory authority for data protection in your jurisdiction. For example, the supervisory authority for data protection issues in the UK is the Information

Commissioner's Office (ICO) [ico.org.uk](https://ico.org.uk). We would, however, appreciate the chance to deal with your concerns before your supervisory authority, so please contact us in the first instance.

## 2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We collect personal information directly from you and indirectly about you as described below. We may collect, use, store, and transfer different kinds of personal data about you which we have grouped into categories as follows:

- Identity data includes first name, maiden name, last name, username, or similar identifier, marital status, title, date of birth, and gender.
- Contact data includes billing address, mailing address, email address, and telephone numbers.
- Financial data includes bank account and payment card details.
- Transaction data includes details about payments to and from you and other details of products and services you have purchased from us.
- Technical data includes internet protocol (IP) address, your login data, browser type, and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- Profile data includes your username and password, purchases or orders made by you, your interests, preferences, feedback, and survey responses.
- Product Profile includes your health and exercise data, including sleep and nutritional data or other physical patterns or rhythms from your workouts or fitness goals. It may also include information you share about your workouts or fitness goals, such as videos of a workout. We may use information that you share to create a profile of your aspirations, goals, and accomplishments to provide you with suggestions to help you reach the next level in your fitness challenge.
- Usage data includes information about how you use our website, apps, products, and services.
- Marketing and communications data includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- Social Media Application Data includes your public profile information, your social media connections, photos and "likes."
- Geolocation information may be recorded when you use certain features of our apps, which may be uploaded to your profile when synced with your account.

We also collect, use, and share aggregated data, such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal data, but is not considered personal data in law, as this data does not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific website feature, data entered when using iFIT sites, pages most frequently accessed, browser type, links a user clicks, and other similar information. However, if we combine or connect aggregated data with your personal data, so it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

### If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, if you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

## 3. HOW IS YOUR PERSONAL DATA COLLECTED?

We may collect the categories of personal information described above either directly or indirectly from various categories of sources, including the following sources:

Direct interactions. You may give us your identity, contact and financial data by filling in forms or by corresponding with us by post, phone, e-mail, or otherwise. This includes personal data you provide when you:

- Apply for our products or services
- Create an account on our website
- Interact with a 3rd party app by following a link on our website or app
- Subscribe to our service or publications
- Request marketing to be sent to you
- Enter a competition, promotion, or survey

- Give us feedback

Automated technologies or interactions. As you interact with our website or apps, we may automatically collect technical data about your equipment, browsing actions, and patterns. We collect this personal data by using cookies, server logs, and other similar technologies. We may also receive technical data about you if you visit other websites employing our cookies.

Cookies. When you visit an iFIT Site, we may assign your computer one or more cookies to facilitate access and to personalize your experience on that iFIT Site. A cookie is a small text file that we place on a User's computer browser. Through the use of a cookie, we may also automatically collect information about your online activity on an iFIT Site, such as the web pages you visit and the links you click. Most browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies. If you choose to decline cookies, please note that you may not be able to sign in or use some of the interactive features offered on iFIT sites.

Other technologies. We may use standard Internet technology, such as web beacons and other similar technologies, to track your use of iFIT sites. Web beacons are tiny graphics that are embedded in the webpage and are used for similar purposes as cookies to track activity. We may also include web beacons in e-mail messages or newsletters to determine whether messages have been opened and acted upon. The information we obtain in this manner enables us to customize the services we offer to visitors of iFIT Sites, to deliver targeted advertisements, and to measure the overall effectiveness of our online advertising, content, programming, or other activities.

Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out below:

Technical data from the following parties:

- Analytics providers such as Google based in or outside the US
- Advertising networks based inside or outside the US
- Search information providers based inside or outside the US
- Contact, financial, and transaction data from providers of technical, payment, and delivery services based inside or outside the US
- Identity and contact data from data brokers or aggregators based inside or outside the US
- Identity and contact data from publicly available sources based inside or outside the US

Our Partners. We have partnered with other companies that offer health and fitness related services and devices. If you sync your iFIT account with these partners, we will share your information with them. At any time you may choose to stop sharing information between your iFIT account and these partners by disconnecting the link between these accounts using the settings feature in the partner's app.

#### 4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data for the following business purposes:

- When we need to perform a contract we are about to enter into or have entered into with you.
- For the provision of our products and services or the operation of our business or a third party's business. All of our employees and contractors are required to follow our data privacy and security policies when handling personal information.
- For providing you with customized and personalized recommendations for other iFIT health or fitness opportunities that we think may be of interest to you.
- To analyze and understand our members use patterns, improve our service and optimize the features of our services.
- Where it is necessary for our legitimate interests (or those of a third party), and your interests and fundamental rights do not override those interests.
- When we need to comply with a legal or regulatory obligation.
- Where we need to protect your (or someone else's) interests.
- Where necessary in connection with the sale, merger, acquisition or other reorganization of our business.
- For marketing purposes
- To process transactions
- By creating an account with us, you agree that we may contact you for marketing and transactional purposes by phone, e-mail, mail, or text message, even if your number is on a do-not-call list or is a wireless number.

Generally, for those consumers located in the European Union, we do not rely on consent as a legal basis for processing your personal data, other than in relation to sending third party direct marketing communications.

to you via e-mail or text message. You have the right to withdraw consent to marketing at any time by contacting us.

California residents, please review the California Privacy Notice below for additional disclosures about how we may use your personal information.

#### Other Purposes for which we will use your personal data

We have set out below a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground, depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out below.

- Purpose/Activity: To register you as a new customer

Type of data: Identity Contact

Lawful basis for processing: Performance of a contract with you

- Purpose/Activity: To process and deliver your order including (i) Manage payments, fees and charges and (ii) Collect and recover money owed to us

Type of data: Identity, Contact, Financial, Transaction, Marketing and communications

Lawful basis for processing: Performance of a contract with you, Necessary for our legitimate interests (to recover debts due to us)

- Purpose/Activity: To manage our relationship with you which will include (i) Notifying you about changes to our terms or privacy policy and (ii) Asking you to leave a review or take a survey

Type of data: Identity, Contact, Profile, Marketing and communications

Lawful basis for processing: Performance of a contract with you, Necessary to comply with a legal obligation, Necessary for our legitimate interests (to recover debts due to us)

- Purpose/Activity: To enable you to partake in a prize drawing, competition, or to complete a survey

Type of data: Identity, Contact, Profile, Usage, Marketing and communications

Lawful basis for processing: Performance of a contract with you and Necessary for our legitimate interests (to study how customers use our products and services, to develop them and grow our business)

- Purpose/Activity: To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting, and hosting of data)

Type of data: Identity, Contact, Technical

Lawful basis for processing: Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud, and in the context of a business reorganisation or group restructuring exercise) and Necessary to comply with a legal obligation

- Purpose/Activity: To deliver relevant website and app content and advertisements to you and to measure or understand the effectiveness of the advertising we serve to you

Type of data: Identity, Contact, Profile, Usage, Marketing and communications, Technical

Lawful basis for processing: Necessary for our legitimate interests (to study how customers use our products and services, to develop them, to grow our business, and to inform our marketing strategy)

- Purpose/Activity: To use data analytics to improve our website, apps, products and services, marketing, customer relationships, and experiences

Type of data: Technical, Usage

Lawful basis for processing: Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business, and to inform our marketing strategy)

- Purpose/Activity: To make suggestions and recommendations to you about goods or services that may be of interest to you

Type of data: Identity, Contact, Technical, Usage, Profile

Lawful basis for processing: Necessary for our legitimate interests (to develop our products and services, and to grow our business). Consent (if the data is classified as sensitive data).

#### Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

Promotional offers from us

We may use your identity, contact, technical, usage, and profile data to form a view on what we think you may want or need or what may be of interest to you. This is how we decide which products, services, and offers may be relevant for you (known in the industry as marketing).

You will receive marketing communications from us if you have requested information from us, have purchased goods or services from us, or if you provided us with your details when you entered a competition or registered for a promotion, and, in each case, you have not opted out of receiving that marketing.

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#### Opting out

You can ask us or third parties to stop sending you marketing messages at any time by logging into the website or app and checking or unchecking relevant boxes to adjust your marketing preferences, by following the opt-out links on any marketing message sent to you, or by contacting us with a request at any time. California residents have additional opt out rights, which are explained in the Right to Opt-out of Sale of Personal Information section.

When you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product or service purchase, warranty registration, product or service experience, or other transactions.

#### Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

#### Change of purpose

We will only use your personal data for the purposes for which we collect it, unless we reasonably consider that we need to use it for another reason, and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and, if required, explain our legal basis for and obtain your consent to the new use.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, when this is required or permitted by law.

### 5. DISCLOSURE AND SHARING OF YOUR PERSONAL DATA

We may disclose or share your personal data to entities other than iFIT for a business purpose. We may and during the last 12 months have disclosed or shared the categories of personal data listed above.

We may disclose for a business purpose or have in the last 12 months disclosed the above-listed categories of personal data to the following categories of third parties or service providers:

#### Internal third parties

Other companies in the iFIT group act as joint controllers or processors, provide IT and system administration services, and undertake leadership reporting.

#### External third parties

- Service providers acting as processors based inside or outside the US who provide IT and system administration services. We require all service providers to respect the security of your personal data and to treat it in accordance with the law. We do not allow our service providers to use your personal data for their own purposes, and we only permit them to process your personal data for specified purposes and in accordance with our instructions.
- Partners that offer health and fitness services only when you choose to link your account.
- Professional advisers acting as processors or joint controllers, including lawyers, bankers, auditors, and insurers based inside or outside the US who provide consultancy, banking, legal, insurance, and accounting services.
- Regulators and other authorities acting as processors or joint controllers based inside or outside the US who require reporting of processing activities in certain circumstances.
- Any other entity when required by law. For example, in response to a court order or subpoena. We may also disclose information in response to requests from law enforcement agencies or other public agencies if we feel that such disclosure may prevent the instigation of a crime.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.
- Third parties for marketing purposes, including for analytics and the delivery of targeted advertising.
- We may also sell your personal data for certain of the business purposes listed above. California residents please see the California Privacy Notice for additional information about how we may sell your personal



information and how you may opt out of the sale of your personal information.

## 6. INTERNATIONAL TRANSFERS

We share your personal data within the iFIT group. We store the information we collect—including your personal data—in the United States, so if you are accessing an iFIT site from another country, your information is being transferred to and from the United States and specifically outside of the European Economic Area (EEA) or Brazil.

We ensure that your personal data is protected by requiring all of iFIT's companies to follow the same rules when processing your personal data. These rules are called binding corporate rules. For further details, see European Commission: binding corporate rules. Moreover, sensitive and private data exchanged between an iFIT site and you happens over an SSL secured communication channel and is encrypted and protected with digital signatures.

We want you to feel confident using the iFIT sites. However, no system can be completely secure. Therefore, although we take steps to secure your information, we do not promise, and you should not expect, that your personal information, searches, or other communications will always remain secure. Users should also take care with how they handle and disclose their personal information and should avoid sending personal information through insecure email. Please refer to the Federal Trade Commission's website [www.consumer.ftc.gov](http://www.consumer.ftc.gov) for information about how to protect yourself against identity theft.

Many of our external third parties are based in the US or in other countries around the world, so their processing of your personal data may involve a transfer of data outside of the country where you are located.

Whenever we transfer your personal data, we ensure a similar degree of protection is afforded to it by ensuring that at least one of the following safeguards is implemented:

When we use certain service providers, we may use specific contracts approved by the European Commission, which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.

Please contact us if you want further information on the specific mechanism we use when transferring your personal data in or out of the EEA.

## 7. DATA RETENTION

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data, whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are set out in the table in paragraph four above.

By law, we must keep basic information about our customers (including contact, identity, financial, and transaction data) for seven years after they cease being customers, for tax purposes.

In some circumstances, you may ask us to delete your data. If we delete your account, your user profile will no longer be visible, and all of the information associated with your account will be permanently deleted. In some circumstances, we may anonymize your personal data (so that it can no longer be associated with you) for research or statistical purposes—in which case, we may use this information indefinitely without further notice to you. You may still receive promotional e-mails from us regarding new iFIT products or services.

## 8. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please access the sections below to find out more about these rights.

If you are a California resident, you have different rights. Please see the California Privacy Notice to learn about your rights.

Request access to your personal data

Request correction of your personal data

Request erasure of your personal data

Object to processing of your personal data

Request restriction of processing your personal data

Request transfer of your personal data

Right to withdraw consent

If you wish to exercise any of the rights set out above, please contact us.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data or to exercise any of your other rights. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally, it may take us longer than a month if your request is particularly complex or if you have made a number of requests. In this case, we will notify you and keep you updated. If you are a California resident, please see the California Privacy Notice for information about our timing to respond to your requests.

Advertising disclaimer

iFIT shares no affiliation with any political party or its views. iFIT ads visible on political websites are there as a result of remarketing—not a partnership, affiliation, or endorsement.

Remarketing allows iFIT to display ads to people who have visited iFIT sites. When people leave an iFIT site without buying anything, remarketing helps us reconnect with them by showing relevant ads across their different devices and websites. The ads simply follow the user to the sites they visit.

## 9. GLOSSARY

### LAWFUL BASIS

Legitimate interest means that we conduct and manage our business to enable us to give you the best services and products and the most secure experience. We consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required to or permitted by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### YOUR LEGAL RIGHTS

Individuals that are not residents of California have the rights described below. If you are a resident of California, information about your consumer rights can be found under the California Privacy Notice.

Request access to your personal data, commonly known as a data subject access request. This enables you to receive a copy of the personal data we hold about you and to check that we lawfully process it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, although we may need to verify the accuracy of the new data you provide us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data when you have successfully exercised your right to object to processing (see below), when we may have processed your information unlawfully, or when we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons, which we will inform you, if applicable, at the time of your request.

Object to processing of your personal data when we are relying on a legitimate interest (or those of a third party), and there is something about your particular situation which makes you want to object to processing on this ground, as you feel it impacts on your fundamental rights and freedoms. You also have the right to object when we process your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling, legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) when our use of the data is unlawful, but you do not want us to erase it; (c) when you need us to hold the data, even if we no longer require it, if you need it to establish, exercise, or defend legal claims; or (d) you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party that you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that

this right only applies to automated information which you initially provided consent for us to use, or when we used the information to perform a contract with you.

Withdraw consent at any time when we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

#### Contact Us

Full name of legal entity: iFIT Inc.

Name and title of iFIT's DPO: Melanie McIntyre, Deputy General Counsel

E-mail address: [privacy@ifit.com](mailto:privacy@ifit.com)

Postal address: 1500 S. 1000 W. Logan, Utah 84321 USA

Telephone number: 1.866.608.1798

#### CALIFORNIA PRIVACY NOTICE

The California Consumer Privacy Act of 2018 (CCPA) requires that business disclose certain additional information about how it collects, uses, discloses and sells the personal data of a California resident. This California Privacy Notice is part of iFIT's Privacy Notice. This section only applies to California residents. The rights discussed in this section do not extend to individuals who are not California residents.

#### California Residents' Rights Under the CCPA

**Right to Know/Right to Access General Collection and Use of Personal Information.** Under the CCPA, California residents have the right to request that we disclose what information we have collected, used, disclosed, or sold over the past 12 months. Once we receive and confirm your verifiable consumer request for such information, we will disclose to you, based on your specific request:

- The categories of personal information we collected about you over the past 12 months.
- The specific pieces of personal information we have collected about you over the past 12 months.
- The categories of sources from which the personal information is collected over the past 12 months.
- The business or commercial purpose for collecting or selling that personal information over the past 12 months.
- The categories of third parties with whom we shared your personal information over the past 12 months.
- If we disclosed your personal information for a business purpose, the personal information categories that each category of recipients obtained.
- If we sold your personal information for a business purpose, the personal information categories that each category of recipients purchased.

**Right to Request Deletion.** Under the CCPA, California residents have the right to request that we delete any of your personal information that we have collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete your personal information from our records, and direct our service providers to do the same, unless an exception applies.

**Right to Opt-Out of Sale of Personal Information.** Under the CCPA, California residents 16 years old or older have the right to direct businesses that sell personal information to not sell your personal information (the "right to opt-out").

**Right to Opt-In to Sales of Personal Information for Minors Under 16.** Pursuant to the CCPA, we do not sell the personal information of California residents we actually know are less than 16 years of age, unless we receive affirmative authorization (the "right to opt-in") from either the consumer who is 13-15 years of age, or the parent or guardian of a consumer less than 13 years of age. Consumers who opt-in to personal information sales may opt-out of future sales at any time.

**Right to Non-Discrimination.** Under the CCPA, California residents have the right not to be discriminated against for having exercised the rights established by the CCPA. We will not discriminate against you for exercising any of your CCPA rights.

We may offer you certain financial incentives permitted by the CCPA, or different prices, rates, levels, or quality of goods or services that are reasonably related to your personal information's value to the business. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time. For more information about the CCPA-permitted financial incentives that we offer, see our Notice of Financial Incentive.

#### How California Residents Can Exercise Their Rights

**Exercising Your Right to Know.** For California residents to exercise the right to know/right to access information, you or your authorized agent may submit a verifiable consumer request using the contact information below.



You may only make a verifiable consumer request to know or request for access twice within a 12-month period. The verifiable consumer request must include information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative and describe your request in enough detail that we can properly understand, evaluate, and respond to it.

Upon receiving a request to know, we will confirm receipt within 10 days. If we are able to verify your request, we will make our best effort to respond within forty-five (45) days of our receipt of your request. If we require more time (up to 45 additional days), we will inform you of the reason and extension period in writing. We will not disclose information to you if we cannot verify your identity.

**Exercising Your Right to Request Deletion.** For California residents to exercise the right to request deletion, you or your authorized agent may submit a verifiable consumer request by using the contact information below.

Upon receiving a request to delete, we will confirm receipt within 10 days. If we are able to verify your request, we will make our best effort to respond within forty-five (45) days of our receipt of your request. If we require more time (up to 45 additional days), we will inform you of the reason and extension period in writing. In our response, we will specify the manner in which we have deleted your personal information, in accordance with the CCPA. We will not delete information if we cannot verify your identity.

**Exercising Your Right to Opt-Out of Sale of Personal Information.** For California residents to exercise the right to opt-out if we engage in selling your personal information, you or your authorized agent may submit a request to us by filling out the Notice of Right to Opt-Out of Sale of Personal Information found at <https://privacyportal.onetrust.com/webform/9f2a1fbd-e318-4058-aed9-27aa6caa6db1/1811e75b-60cf-4806-a047-cea9ab5788df>.

You may also exercise your right to opt-out by calling us at the toll-free phone number listed below.

We will act upon your request to opt-out within fifteen (15) days of receiving the request. We will instruct the third parties to whom the information has been sold in the 90 days prior to your request not to further sell the information, and we will notify you when this instruction has been completed.

We will not act upon a request from authorized agents if the agent does not submit proof that the agent has been authorized by you to act on your behalf. We will not act upon a request if we believe it is fraudulent.

Your consumer requests may be submitted by either:

- Calling us at 1.866.608.1798

- Filling out the Notice of Right to Opt-Out of Sale of Personal Information found at <https://privacyportal.onetrust.com/webform/9f2a1fbd-e318-4058-aed9-27aa6caa6db1/1811e75b-60cf-4806-a047-cea9ab5788df>.

Only you as a California resident, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable request to know/request for access, request for deletion, or request to opt-out.

**How We Verify California Residents' Requests to Know/Requests for Access and Requests for Deletion**

We will not respond to requests to know/requests for access or requests for deletion unless we can verify your identity to a reasonable degree of certainty. To verify your identity, when feasible, we will use information about you that we already have; however, we may need to request additional information, which we will use only for the purposes of verification. We may also use a third-party identity verification service. The information we need to verify your request will depend on the nature and scope of your request. Upon receipt of your request, we will notify you if we need additional information from you to verify your request.

**Sale of Personal Information**

In some circumstances, we may sell your personal data. We may sell and during the last 12 months we may have sold the following categories of personal data:

- **Identifiers:** we collect certain identifying information from you including first name, maiden name, last name, username, or similar identifier, marital status, title, date of birth, gender, contact information such as billing address, mailing address, e-mail address, and telephone numbers.
- **Customer Records Information:** this includes personal information defined by the California customer records law, such as address, telephone number, bank account, credit card number, physical information, and medical information.
- **Protected Class Information:** if you choose to include it in your profile, we will collect certain of characteristics of protected classifications under California or federal law, such as age, race, marital status, and medical conditions.
- **Commercial Information:** when you make purchases from us, we gather information about your purchasing history, about payments to and from you and other details of products and services you have purchased from us.
- **Biometric Information:** we may collect biometric information from you when you create your product profile or use our Services. This includes your health and exercise data, including sleep and nutritional data or other

physical patterns or rhythms from your workouts or fitness goals. It may also include information you share about your workouts or fitness goals, such as videos of a workout. We may use information that you share to create a profile of your aspirations, goals and accomplishments to provide you with suggestions to help you reach the next level in your fitness challenge.

- Internet or other electronic network activity information: we collect certain electronic information including internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website. We also collect information about how you use our website, products, and services.
- Geolocation: this information may be recorded when you use certain features of our apps, which may be uploaded to your profile when synced with your account.
- Sensory data: we will collect this information if you choose to share it, such as a video of your workout.
- Inferences: we use the information we collect about you to improve your experience when using our Services. This includes monitoring and complying with your preferences in receiving marketing from us and our third parties and your communication preferences. We also collect information about your social media interactions through our Services, including your public profile information, your social media connections, photos and "likes."

The categories of third parties to whom this information may be or has been sold is:

Internal third parties

Other companies in the iFIT group act as joint controllers or processors, provide IT and system administration services, and undertake leadership reporting.

External third parties

—Third parties for marketing purposes, including for analytics and the delivery of targeted advertising.

- Partners that provide health and fitness services, when you link your iFIT account.

Notices for California Residents

- Notice at Collection
- Notice of Right to Opt-Out of Sale of Personal Information
- Notice of Financial Incentive

How We Respond to Do Not Track Signals

We do not respond to Do Not Track signals.

Shine the Light

California Civil Code Section 1798.83 permits users of the iFIT sites that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes.

#### NOTICE AT COLLECTION OF PERSONAL INFORMATION

This Notice at Collection of Personal Information ("Notice at Collection") is part of iFIT's Privacy Notice and includes details about the personal information we collect from California residents and the purposes for which that personal information will be used. This Notice at Collection applies solely to California residents. We adopt this Notice at Collection in accordance with the California Consumer Privacy Act of 2018 ("CCPA").

Personal Information We Collect About You

We collect personal information. In particular, we may collect the following categories of personal information from or about you:

- Identifiers: we collect certain identifying information from you including first name, maiden name, last name, username, or similar identifier, marital status, title, date of birth, gender, contact information such as billing address, mailing address, e-mail address, and telephone numbers.
- Customer Records Information: this includes personal information defined by the California customer records law, such as address, telephone number, bank account, credit card number, physical information, and medical information.
- Protected Class Information: if you choose to include it in your profile, we will collect certain of characteristics of protected classifications under California or federal law, such as age, race, marital status, and medical conditions.
- Commercial Information: when you make purchases from us, we gather information about your purchasing history, about payments to and from you and other details of products and services you have purchased from us.
- Biometric Information: we may collect biometric information from you when you create your product profile or use our Services. This includes your health and exercise data, including sleep and nutritional data or other

physical patterns or rhythms from your workouts or fitness goals. It may also include information you share about your workouts or fitness goals, such as videos of a workout. We may use information that you share to create a profile of your aspirations, goals and accomplishments to provide you with suggestions to help you reach the next level in your fitness challenge.

- Internet or other electronic network activity information: we collect certain electronic information including internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website. We also collect information about how you use our website, products, and services.
- Geolocation: this information may be recorded when you use certain features of our apps, which may be uploaded to your profile when synced with your account.
- Sensory data: we will collect this information if you choose to share it, such as a video of your workout.
- Inferences: we use the information we collect about you to improve your experience when using our Services. This includes monitoring and complying with your preferences in receiving marketing from us and our third parties and your communication preferences. We also collect information about your social media interactions through our Services, including your public profile information, your social media connections, photos and "likes."

#### How We Use Your Personal Information

We will only use your personal information in a manner that is consistent with applicable laws. Most commonly, we will use the categories of personal information identified above for the following business purposes:

- When we need to perform a contract we are about to enter into or have entered into with you
- For the provision of our products and services or the operation of our business or a third party's business. All of our employees and contractors are required to follow our data privacy and security policies when handling personal information.
- For providing you with customized and personalized recommendations for other iFIT health or fitness opportunities that we think may be of interest to you.
- To analyze and understand our members use patterns, improve our service and optimize the features of our services.
- Where it is necessary for our legitimate interests (or those of a third party), and your interests and fundamental rights do not override those interests
- When we need to comply with a legal or regulatory obligation
- Where we need to protect your (or someone else's) interests
- Where necessary in connection with the sale, merger, acquisition or other reorganization of our business
- For marketing purposes
- By creating an account with us, you agree that we may contact you for marketing purposes by phone, e-mail, mail, or text message, even if your number is on a do-not-call list or is a wireless number
- To process transactions

We will only use your personal information for the purposes for which we collected it, including where we reasonably consider that we need to use it for a reason that is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you as required by law.

Please note that we may process your personal information without your knowledge or consent where this is required or permitted by law.

#### NOTICE OF RIGHT TO OPT-OUT

This Notice of Right to Opt-Out is part of iFIT's Privacy Notice and includes information about the right of California Consumers to opt-out of the sale of their personal information. This Notice of Right to Opt-Out applies solely to California residents. We adopt this Notice of Right to Opt-Out in accordance with the California Consumer Privacy Act of 2018 ("CCPA") and any terms defined in the CCPA have the same meaning when used in this Notice of Right to Opt-Out.

#### RIGHT TO OPT-OUT OF SALE OF PERSONAL INFORMATION

California residents may exercise the right to opt-out of our selling of your personal information by filling out the Notice of Right to Opt-Out of Sale of Personal Information found at <https://privacyportal.onetrust.com/webform/9f2a1fbd-e318-4058-aed9-27aa6caa6db1/1811e75b-60cf-4806-a047-cea9ab5788df>.

"DO NOT SELL MY PERSONAL INFORMATION"

You may also exercise your right to opt-out by calling us at 1.866.608.1798.

You may use an authorized agent to submit a request to opt-out on your behalf if you provide the authorized agent written permission to do so. We will not act upon a request from authorized agents if the agent does not submit proof (your written permission) that the agent has been authorized by you to act on your behalf. We will not act upon a request if we believe it is fraudulent.

#### NOTICE OF FINANCIAL INCENTIVE FOR CALIFORNIA RESIDENTS

This Notice of Financial Incentive is part of iFIT's Privacy Notice and includes an explanation of financial incentives we offer California residents. This Notice of Financial Incentive applies solely to California residents. We adopt this Notice of Financial Incentive in accordance with the California Consumer Privacy Act of 2018 ("CCPA").

From time-to-time, we offer coupons, discounted offerings, advance notices of sales and other special offerings and the opportunity to enter into contests and sweepstakes to consumers that have opted-in to the receipt of marketing material from us by providing us with certain personal information, such as their name, an email address, and a street address.

We may offer discounted pricing for certain products or services in the form of coupons or promo codes. We offer these incentives to encourage consumers to try our products and services or to learn more about our offerings. We offer other incentives based on a consumer's purchase history or demographic data, such as advance notice of sales. We value the personal information collected in connection with these incentives by determining the approximate additional spending per consumer, per year compared to individuals that do not participate in our incentives.

Participation in our financial incentive programs requires your prior opt-in consent. You can opt-in to participate in the financial incentives described by checking the box when you sign up for an account or otherwise indicating your consent when you request information from us.

You may revoke your consent and withdraw from a financial incentive program at any time by doing one of the following:

- Calling us at 1.866.608.1798
- Filling out the Notice of Financial Incentive found at <https://privacyportal.onetrust.com/webform/9f2a1fbd-e318-4058-aed9-27aa6caa6db1/1811e75b-60cf-4806-a047-cea9ab5788df>.