

GYMGO, LLC
PRIVACY POLICY

PLEASE READ THE FOLLOWING PRIVACY POLICY CAREFULLY.

This Privacy Policy describes GymGO, LLC's ("GymGO," "we" or "us") policies and procedures on the collection, use and disclosure of your information when you use the GymGO Services, via the Site, your mobile phone, or through the App.

This Privacy Policy is incorporated into and is subject to the GymGO End-User License and Terms of Service (the "Terms of Service"). Capitalized terms that are not defined in this Privacy Policy have the meaning given them in our Terms of Service which can be found at www.gymgo.com.

If you do not agree to the terms of this Privacy Policy, then you may not use the Services. GymGO reserves the right to modify this Privacy Policy at any time without prior notice. You agree that each visit you make to the Site or the App will be subject to the then-current Privacy Policy, and continued use of the Services now or following modifications in this Privacy Policy confirms that you have read, accepted, and agreed to be bound by such modifications. The term "you" or "user" shall refer to any person or entity who uses, downloads, accesses, browses the App or the Site or uses or receives any Services.

1. Information Collection. GymGO collects the following information (collectively, "Personal Information"):

- a. **User-Provided Information:** You may provide to GymGO what is generally called "personally identifiable" information (such as your name, email address, postal mailing address, home/mobile telephone number, or demographic information) when using the Services. We may collect and store this personally identifiable information. If you correspond with us by email, we may retain the content of your email messages, your email address and our responses. If you use your Facebook, Twitter, or other social networking site ("SNS") account information to sign in to GymGO, we will collect and store your SNS user ID. If you connect your GymGO account with your SNS account (such as to enable posting from GymGO), we ask for your permission to collect certain information from your SNS account (such as information from your SNS profile). You also provide us information in User Content you post to the Service. Your questions, answers, and other contributions on the Service, and metadata about them (such as when you posted them) are collected and stored by GymGO.
- b. **Health Data:** You may choose to synch your account with GymGO with other wearable health devices and fitness trackers (each, a "Device"). When you synch a Device, it automatically transmits activity and physical information to us which may include: detailed physical information based on monitoring your micro movements, including your activity intensity and duration, your heart rate and other biometric data, and other similar health and fitness data ("Health Data"). This data may include health patterns such as calories you burn, activities undertaken and your trends and progress. This data can also provide information on certain conditions you may have.

You may also choose to track your Health Data without linking with a Device by entering such data through your usage of the Services. Health Data, whether received by a Device or through your use of the Services, is collected and stored by GymGO.

- c. **“Cookies” Information:** When you use the Services, we may send one or more cookies (small text files containing a string of alphanumeric characters) to your computer. These cookies (a) store your username and password; (b) analyze the usage of the Service; (c) customize the Service to your preferences; and (d) control the advertising displayed by the Service. GymGO may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be used by your browser on subsequent visits to the GymGO Service. Persistent cookies can be removed. Please review your web browser “Help” file to learn the proper way to modify your cookie settings. Please note that if you delete, or choose not to accept, cookies from the GymGO Service, you may not be able to utilize the features of the GymGO Service to their fullest potential.
 - d. **“Automatically Collected” Information:** When you use the Services or open one of our HTML emails, we may automatically record certain information from your web browser by using different types of technology, including “clear gifs” or “web beacons.” This “automatically collected” information may include Internet Protocol address (“IP Address”) or other device address or ID, web browser and/or device type, the web pages or sites that you visit just before or just after the Services, the pages you view on the Services, and the dates and times that you visit the Services.
 - e. **Information from Other Sources:** We may also obtain information, including personally identifiable information, from third parties and sources other than the GymGO Services, such as advertisers, or other users who import your email address from their address book. We may also, at your direction, receive information from third party service that provide a mechanism to expose information you have provided to such third party through the use of an application program interface (API), such as Facebook Connect. If we combine or associate information from other sources with personally identifiable information that we collect through the GymGO Service, we will treat the combined information as personally identifiable information in accordance with this Privacy Policy.
2. **Information Usage.** GymGO uses the Personal Information to operate, maintain, enhance, and provide all of the features and services found on the Services. We may use your email address to send you Service-related notices (including any notices required by law, in lieu of communication by postal mail). You can control receipt of certain Service-related messages on your Settings page. We may also use your contact information to send you marketing email messages. If you do not want to receive such messages, you may opt out by following the instructions in the message. GymGO uses all of the Personal Information to understand and analyze the usage trends and preferences of our users, to improve the way the Services work and look, and to create new features and functionality. GymGO may use “automatically collected” information and “cookies” information to: (a) personalize our services, such as remembering your information so that you will not have to re-enter it during your visit or the next time you visit the Services; (b) provide customized third party advertisements, content, and information; (c) monitor and analyze the effectiveness of the Services and third party marketing activities; (d) monitor aggregate site usage metrics such as total number of visitors and pages viewed; and (e) track your entries, submissions, and status in any promotions or other activities.
3. **Information Protection.** GymGO uses commercially reasonable physical, managerial, and technical safeguards to preserve the integrity and security of your Personal Information. We cannot, however, ensure or warrant the security of any information you transmit to GymGO or guarantee that your information on the Service may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. If GymGO learns of a security systems breach,

then we may attempt to notify you electronically so that you can take appropriate protective steps. GymGO may post a notice through the Services if a security breach occurs. Depending on where you live, you may have a legal right to receive notice of a security breach in writing. To receive a free written notice of a security breach you should notify us at legal@gymgo.com.

4. **Information Disclosure.** Your privacy is very important to us, and we are not in the business of selling data that could identify you. We do, however, disclose your Personal Information in a variety of circumstances.
 - a. Any personally identifiable information that you voluntarily choose to include in a publicly accessible area on the Services, such as a public profile page or in any user Content will be available to other users who access that content. We may also syndicate content exposed in public areas of the site to third party services. Once you make your personally identifiable information available in any of these ways, it may be collected and used by the recipients without restriction.
 - b. GymGO may share or sell automatically collected and other aggregate non-personally-identifiable information with interested third parties to assist such parties in understanding the usage, viewing, and demographic patterns for certain programs, content, services, advertisements, promotions, and/or functionality on the Services.
 - c. GymGO works with third party service providers to provide website hosting and maintenance as well as other services for us. To the extent it is necessary for these service providers to complete their contractual obligations to GymGO, these third parties may have access to or process your Personally Information. Generally, these disclosures are made under terms comparable to this policy, and the recipients are limited to using the information the purpose for which it was provided.
 - d. GymGO may also disclose your Personal Information if required to do so by law or in the good-faith belief that such action is necessary to comply with state and federal laws (such as U.S. Copyright law), in response to a court order, judicial or other government subpoena or warrant, or to otherwise cooperate with law enforcement activity.
 - e. GymGO also reserves the right to disclose your Personal Information that we believe, in good faith, is appropriate or necessary to take precautions against liability; to protect us and others from fraudulent, abusive, or unlawful uses or activity; to investigate and defend ourselves against any third party claims or allegations; to assist government enforcement agencies; to protect the security or integrity of the Services; or to protect the rights, property, or personal safety of GymGO, our users, or others.
5. **Your Choices.** You may, of course, decline to share certain personally identifiable information with GymGO, in which case we may not be able to provide to certain Services to you. You may update, correct, or delete your profile information and preferences at any time by accessing your account preferences page. Please note that while your changes are reflected promptly in active user databases, we may retain all information you submit for a variety of purposes, including backups and archiving, prevention of fraud and abuse, and analytics.

To protect your privacy and security, we take reasonable steps to verify your identity before granting you account access or making corrections to your information. You are responsible for maintaining the secrecy of your unique password and account information at all times.

6. **Children's Privacy.** GymGO does not solicit or knowingly collect personally identifiable information from children under the age of 13. If GymGO obtains actual knowledge that it has collected personally identifiable information from a child under the age of 13, we will promptly delete such information from its database.
7. **Email Communication from Other Users.** By finding and connecting with other user, you may receive electronic communications, including email and personal messages from other users.
8. **Third Party Sites.** The Services contain links to websites and services provided by third parties. Please remember that when you use a link to go from the Service to another website, our Privacy Policy is no longer in effect. Any personally identifiable information you provide on third party sites or services is provided directly to that third party and is subject to that third party's policies, if any, governing privacy and security. We are not responsible for the content or privacy and security practices and policies of third party sites or services to which links are displayed on the Services. We encourage you to learn about third parties' privacy and security policies before providing them with personally identifiable information.
9. **International Visitors.** This Site is hosted in the United States. If you are an international visitor, you should note that by providing your Personal Information, you are: (a) permitting the transfer of your Personal Information to the United States which may not have the same data protection laws as the country in which you reside; and (b) permitting the use of your Personal Information in accordance with this Privacy Policy.
10. **In the Event of Merger, Sale, or Bankruptcy.** GymGO reserves the right to transfer all Personal Information in its possession to a successor organization in the event of a merger, acquisition, or bankruptcy or other sale of all or a portion of GymGO's assets. Other than to the extent ordered by a bankruptcy or other court, the use and disclosure of all transferred Personal Information will be subject to this Privacy Policy, or to a new privacy policy if you are given notice of that new privacy policy and an opportunity to affirmatively opt-out of it. Personal Information submitted or collected after a transfer, however, may be subject to a new privacy policy adopted by GymGO's successor organization.
11. **Changes to Our Privacy Policy.** Please revisit this page periodically to stay aware of any changes to this Privacy Policy, which may be revised periodically at GymGO's sole discretion. If we change our privacy policies and procedures, we will post those changes on this page to keep you aware of what information we collect, how we use it and under what circumstances we may disclose it. Changes to this Privacy Policy are effective 30 days after being published on the Website.
12. **Our Contact Information.** If you have any questions about our practices or this privacy policy, please contact us at legal@gymgo.com.

Last Updated: June 9, 2016