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# TrainHeroic Privacy Policy

October 4, 2023

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## 1. WHO WE ARE

Train Heroic, LLC ("TrainHeroic", "we," or "us") provides a variety of services and features directed to coaches, sport enthusiasts and athletes through our online and mobile fitness offerings provides information and tools to athletes and coaches to manage and provide training programs, assess performance, communicate and share data, provide educational information, and sell/purchase training content ("Services"). The TrainHeroic Services are provided through its websites ([www.trainheroic.com](http://www.trainheroic.com), [athlete.trainheroic.com](http://athlete.trainheroic.com), [coach.trainheroic.com](http://coach.trainheroic.com), [coachapp.trainheroic.com](http://coachapp.trainheroic.com),

[marketplace.trainheroic.com](https://marketplace.trainheroic.com), [teams.trainheroic.com](https://teams.trainheroic.com), [account.trainheroic.com](https://account.trainheroic.com), [library.trainheroic.com](https://library.trainheroic.com)), related mobile applications and all related subdomains. All of the above-identified websites and mobile applications are collectively referred to as the “Sites” and individually as a “Site.”

Some of the data we collect is considered “personally identifiable information,” “personal information” or “personal data” under applicable law (collectively referred to in this [Privacy Policy](#) as “Personal Data”). Generally, Personal Data is information that can be reasonably connected to an identified or identifiable individual. It does not include de-identified or anonymized data.

The purpose of this [Privacy Policy](#) is to disclose to you how we collect, use and share Personal Data and how we attempt to safeguard the Personal Data we collect and process. We are committed to securing the Personal data that we collect concerning you (“you”) and complying with applicable data protection and privacy laws. We may update this [Privacy Policy](#) from time to time. When we do, we will post an amended version of the [Privacy Policy](#) on our Sites. Please review this [Privacy Policy](#) periodically.

## 2. HOW TO CONTACT US

If you have any questions regarding data protection or your rights, please contact us:

Train Heroic LLC  
Attn: Privacy Team  
285 Century Place, Louisville, CO 80027  
United States of America  
Visit us at [support.trainheroic.com](https://support.trainheroic.com)  
Email us at [privacy@trainheroic.com](mailto:privacy@trainheroic.com)  
Call us toll-free (for the U.S.A.): 1-877-201-1442

### 3. OUR LEGAL REASONS FOR COLLECTING AND USING DATA.

We rely on the following legal grounds for the collection, processing, and use of personal data:

- the collection, processing and use is necessary to provide the Sites and Services as requested by you;
- your consent;
- the collection, processing and use is necessary for the performance of a contract to which you are a party or to take steps at your request prior to entering into a contract;
- the collection, processing and use is necessary for compliance with a legal obligation to which we are subject;
- the collection, processing and use is necessary for the purposes of the legitimate interests pursued by us or by a third party, except (for residents of the European Economic Area (“EEA”)) where such interests are overridden by the interests or fundamental rights and freedoms of you which require protection of Personal Data; such legitimate interests are the fulfillment of the processing purposes set out above.

In some circumstances, the provision of your personal data is voluntary, but in many cases it is necessary in order to access the Sites and/or receive Services your request.

### 4. WHY WE COLLECT DATA AND HOW WE COLLECT IT

We collect, process and use Personal Data to allow us to provide our Sites and Services to you. For example, we use the Personal Data we collect to:

- Communicate with you;
- Process your account registration;
- Maintain your account and provide you with access to our Sites and Services;
- Contact you regarding any account issues;
- Provide you with information and offers;

- Allow you to participate in features, demos and programs we offer on the Sites and Services;
- Connect you with coaches;
- Troubleshoot and provide you with support;
- Provide educational workshops, webinars and other material;
- Personalize, enhance, an/or tailor your experience on our Sites and using our Services;
- Develop new features, products and services;
- Integrate with third-party applications;
- Analyze and improve our Sites and Services;
- Tailor our content, advertisements and offers;
- Measure the performance of our Sites and Services;
- Provide information about data privacy and security;
- Assist with ensuring the security and integrity of the Sites and Services;
- Investigate, prevent or take action regarding illegal activities, suspected fraud or violations of our [Terms of Use](#);
- Efficiently maintain our business;
- Comply with applicable law; and
- Defend our legal rights and the rights of others.

We obtain Personal Data directly from you, through cookies and other technologies, through your devices, and from third parties as described in this Policy and any other privacy notices we may provide to you when you interact with us.

## 5. PROTECTING YOUR PRIVACY GENERALLY

- a. Industry-Standard Protection. We utilize industry-standard security measures to safeguard the information we collect, maintain and use. These measures include technical and procedural steps to protect your data from misuse, unauthorized access or disclosure, loss, alteration or destruction. However, we do not and cannot guarantee the performance or adequacy of such security measures.

- b. **Limitation on Access.** Access to any Personal Data we collect and store is generally restricted to our employees and/or contractors who require it to perform a job or other contracted function. We require vendors and contractors we work with to use reasonable, industry standard protocols to maintain the confidentiality, security, and integrity of Personal Data.
- c. **Processing of Data By App Store Providers.** We make our mobile application available through various application stores. We assume no responsibility for the collection or processing of data by Google, Apple or any other app store provider at the time of downloading the App or creating an account with such app store providers. Please refer to the data privacy statements of these providers. There is no exchange of data between us and the app store providers.

## 6. COMMITMENT TO CHILDREN'S PRIVACY.

In compliance with applicable law and our company practices, we do not knowingly collect Personal Data from children under 16 years of age or permit children under 16 years old to register for accounts on the Sites and Services without first obtaining consent from a parent or legal guardian. The exception to this is we will collect limited Personal Data from a child under 16 years old if they attempt to create an account and identify that they are under 16 years old. In that event, we will permit the child to create a limited, temporary account to provide contact information for a parent or legal guardian so that we can attempt to obtain consent. If we are unable to obtain verifiable consent within seventy-two (72) hours, we will delete the child's account and Personal Data. We will fully activate an account only after receiving verifiable consent from a parent or legal guardian. We also permit parents and legal guardians of athletes under 16 years of age to [contact us](#) to request (1) what Personal Data we have about their child, (2) that we correct any incorrect Personal Data, (3) that we delete the Personal Data of their child, and/or (4) that we cease further collection or use of any Personal Data from their child. Please see our [Terms of Use](#) for more information.

We do not sell the Personal Data of children under 16 years old.

## 7. SOURCES AND TYPES OF INFORMATION WE COLLECT

**a. Information You Provide Directly To Us.** We may collect the following categories of Personal Data if you provide it to us:

- Contact information, which includes name, mailing address, telephone number, e-mail address;
- Account registration information, which includes first name and last name, email address, primary sport, gender, username and password;
- Profile information, which includes photos, date of birth, weight, geo-location information, activity information, equipment usage, challenge information;
- Information regarding your account and subscriptions, such as account type, expiration date; coach information and sponsor information;
- Your training plans and programs, goals, workouts, events, recovery, training progress and performances, heart rate, and other training metrics;
- Videos you record and provide relating to your workouts and goal performances;
- Payment information, such as billing contact information, payment methods, transaction history and payment amounts;
- Information you provide to us when inquiring about our products or services;
- Any other information you provide to us, including both private messages and user generated, publicly posted content.

**b. Information We Collect Via Tracking Technology.** We use cookies and other tracking technologies (such as pixels and web beacons)

(collectively, “cookies”) to collect information as you navigate the Sites. Cookies are small files of information that are stored by your web browser software on your computer hard drive, mobile or other devices (e.g., smartphones or tablets). Information that may be collected via cookies include:

- Unique personal identifiers (device identifiers, IP address, cookies, beacons, pixel tags, mobile ad identifiers and other forms or persistent or probabilistic identifiers that can be used to identify a particular consumer or device);
- Internet or other electronic network activity information (browsing history; search history; and information regarding your interaction with website, application or advertisement);
- Device information, such as your browser type and version, language, time zone, operating system and version, location.

Types of cookies we use:

- **Strictly Necessary Cookies:** These cookies are essential in order to enable you to move around the website and use its features. Strictly Necessary Cookies may not be disabled.
- **Analytics Cookies:** These cookies collect information about how visitors use a website, for instance, which pages visitors go to most often. These cookies do not collect information that identifies a visitor. All information these cookies collect is aggregated and therefore anonymous. It is only used to improve how the website works. By using our website, you agree that we can place these types of cookies on your device.
- **Functionality Cookies:** These cookies allow the website to remember choices you make and provide enhanced, more personal features. For instance, these cookies can be used to remember the volume level you prefer to use when watching videos on our website. The information these cookies collect may be anonymized and they cannot track your browsing activity on other websites.

- **Targeting Cookies:** These cookies are small encrypted files that track user's actions and are used to identify users between different websites. Targeting cookies collect user information and use it to build profiles of user interests and then show personalized ads for that user. These cookies may be referred to as marketing and advertisement cookies.

We use Cookies to: (a) estimate audience size and usage patterns; (b) understand and save your preferences for future visits, allowing us to customize the Sites and Services to your individual needs; (c) advertise new content, events and services that relate to your interests; (d) keep track of advertisements and search engine results; (e) compile aggregate data about Site traffic and Site interactions to resolve issues and offer better Site experiences and tools in the future; and (f) recognize when you return to the Site(s). We set some Cookies ourselves and others are set by service providers. We use Cookies set by service providers to provide us with useful information to help us improve our Sites and Services, to conduct advertising, and to analyze the effectiveness of advertising.

You can control the use of cookies at the browser level by setting your web browser controls to accept or refuse cookies. If you choose to block all cookies (including essential cookies) you may not be able to access all or parts of our Sites and Services. In addition, most advertising networks offer you a way to opt out of targeted advertising. If you would like to find out more information on this, please visit the websites: <http://www.aboutads.info/choices/> or <http://www.youronlinechoices.com> or <http://globalprivacycontrol.org>.

- c. Non-Identifiable Information.** We collect and use non-personally identifiable user information ("Non-PII") for several purposes, including (without limitation): (i) to calculate necessary royalty payments to third party content providers, which are often based on the number of times a work is opened or accessed by our users; (ii) to prepare reports and



other materials that we may share with others in an anonymous format; and (iii) for analytics purposes. In some instances, we use third-party vendors to collect, monitor and/or maintain Non-PII. For example, we utilize [Rollbar](#), [Google SSO](#) and [Google Analytics](#). Rollbar is utilized for error monitoring. Information logged includes common request data. Google Analytics is utilized to analyze application, feature and content usage.

## 8. UNIVERSAL OPT-OUT MECHANISMS

The Sites recognize the Global Privacy Control (GPC) signal. If you are using a browser setting or plug-in that sends an opt-out preference signal to the Site you visit, we will treat that as a valid request to opt out. To download and use a browser supporting the GPC browser signal, click here: <https://globalprivacycontrol.org/orgs>. If you choose to use the GPC signal, you will need to turn it on for each supported browser or browser extension you use.

Some internet browsers incorporate a “Do Not Track” feature that signals to websites you visit that you do not want to have your online activity tracked. Given that there is not a uniform way that browsers communicate the “Do Not Track” signal, the Site does not currently interpret, respond to or alter its practices when it receives “Do Not Track” signals.

## 9. INFORMATION WE DISCLOSE TO THIRD PARTIES

We may provide access to Personal Data to others in the following ways:

- a. With Service Providers. We may share information with service providers who:
  - perform data services on our behalf, such as hosting and cloud storage services, and data warehousing ([AWS](#), [Snowflake](#), [Google](#));

- provide project management and workflow management services ([Asana](#), [Confluence](#), [Miro](#));
  - provide marketing services for us ([Iterable](#));
  - provide defect-tracking services, database and/or monitoring services, and error monitoring services ([Atlassian](#), [New Relic](#), [Redis](#), [Rollbar](#));
  - provide messaging and notification services, customer feedback services, and customer support services ([Iterable](#), [Slack](#), [SalesForce](#), [Zendesk](#), [84Codes](#), [Survey Monkey](#) ([Momentive](#)));
  - provide analytics and visualization services, data pooling services, and data transfer services ([Fivetran](#), [Iterable](#), [Peakware](#), [Google Analytics](#), [Segment \(Twilio\)](#), [Sigma](#));
  - provide other services on our behalf, such as feature-flag services, and accounting and tax software services ( [Netsuite](#), [Avalara](#));
  - provide other general services such as documentation software and usability testing ([Microsoft](#), [Maze](#), [Figma](#)); and
  - process payment information on our behalf ([Braintree](#), [Stripe](#), [Zuora](#))
- b. With Our API Partners. We make our Sites and Services compatible with third party software that you can choose to connect with. Examples include [Zapier](#). For more information on our compatibility options and API partners, visit this page on the [TrainHeroic Help Center](#).
- c. To Meet Our Legal Requirements or Exercise Our Rights. We may share information with third parties in the following instances:
- When we are required to do so by law.
  - In connection with any legal proceedings or prospective legal proceedings.
  - To establish, exercise, or defend our legal rights, including providing information to others for the purposes of fraud prevention.

- When we reasonably believe it is appropriate to apply to a court or other competent authority for disclosure of that Personal Data where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that Personal data.
  - We may share information with other persons or entities as part of our own corporate transactions, such as during financing or any asset sale.
- d. At Your Request. We will share your Personal Data when you request or otherwise consent to the disclosures.

## 10. SECURITY

When you register for an account with us, you will be required to choose a password which enables you to access our Sites and Services. You are responsible for keeping this password confidential and for all activity that takes place through your account credentials. Do not share your password with anyone. If your password is compromised, change your password within your account. If you believe your account may have been compromised, please notify us immediately.

We take industry standard security measures to protect your information. We also have put into place appropriate agreements and/or procedures with our service providers to ensure that your Personal Data is treated consistent with applicable data privacy and security laws. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your Personal Data, we cannot and do not guarantee the security of your data.

## 11. DATA RETENTION

We will store your Personal Data for as long as: (a) you maintain an account with us; (b) you continue using our Sites and Services; (c) your Personal Data is stored in our backup servers and/or services; (d) in accordance with our retention policies and schedules; and (e) as long as we are legally required to retain the Personal Data. Data can be deleted upon request.

## 12. ACCESSIBILITY

We value all of our users, and it is our goal to provide an excellent experience for all our users, including our users with disabilities. You understand and accept, however, that some of the features of the Site and Services may not be fully accessible because they are provided by third-parties or have errors. If you wish to access this [Privacy Policy](#) in an alternate format, or would like to report an issue you are experiencing on our Sites or Services, please email us at [support@trainheroic.com](mailto:support@trainheroic.com). You expressly agree to attempt to resolve any and all issues with accessibility directly with us and in good faith prior to instituting any legal action against us.

## 13. STATE PRIVACY RIGHTS AND DISCLOSURES

Depending on the state in which you reside, you may have certain privacy rights regarding your personal data. If you are a California resident, please see our “Notice to California Residents” section below. For other state residents, your privacy rights may include (if applicable):

- The right to confirm whether or not we are processing your personal data and to access such personal data;
- The right to obtain a copy of your personal data that we collected from and/or about you in a portable and, to the extent technically feasible, readily usable format that allows you to transmit the information to another controller without hindrance, where the processing is carried out by automated means;

- The right to delete personal data that we collected from and/or about you, subject to certain exceptions;
- The right to correct inaccurate personal data that we maintain about you, subject to certain exceptions;
- The right, if applicable, to opt out of the processing of your personal data for purposes of (1) targeted advertising; (2) the “sale” of your personal data (as that term is defined by applicable law); and (3) profiling in furtherance of decisions that produce legal or similarly significant effects concerning you;
- If we are required by applicable law to obtain your consent to process sensitive personal data, the right to withdraw your consent; and
- The right not to receive discriminatory treatment by us for the exercise of your privacy rights.

We do not sell personal data. However, depending on how applicable privacy laws define a “sale,” our use of cookies and tracking technologies may constitute a sale of personal data (i.e., information from cookies) to third-party advertisers and analytics companies. Our Sites also use cookies and other tracking technologies to display advertisements about our products to you on nonaffiliated websites, applications, and online services. This is “targeted advertising” under applicable privacy laws. We do not use personal data for profiling in furtherance of “decisions that produce legal or similarly significant effects” concerning individuals.

To exercise your rights, please submit a request through our [Privacy Request Page](#), emailing us at [privacy@trainheroic.com](mailto:privacy@trainheroic.com) or calling us at 1-877-201-1442. If legally required, we will comply with your request upon verification of your identity and, to the extent applicable, the identity of the individual on whose behalf you are making such request. To do so, we will ask you to verify data points based on information we have in our records. If you are submitting a request on behalf of another individual, please use the same contact methods described above. If we refuse to take action regarding your request, you may appeal our decision by emailing us at [privacy@trainheroic.com](mailto:privacy@trainheroic.com) or calling us at 1-877-201-1442.

## 14. NOTICE TO CALIFORNIA RESIDENTS

This Privacy Notice to California Consumers (“CA Notice”) is for California residents and supplements the other sections of our [Privacy Policy](#). This CA Notice explains how we collect, use and disclose your “Personal Information” (as that term is defined by California law) and how you may exercise your rights under the California Consumer Privacy Act (“CCPA”). This Notice is intended solely for, and is applicable only as to, California residents. If you are not a California resident, this does not apply to you.

NOTE: If you are a California resident and a current or former employee, job applicant or independent contractor of TrainingPeaks, please see our [Privacy Policy for California Employees, Former Employees & Job Applicants](#) for more information on our collection, use and storage of your Personal Information in that capacity.

NOTICE AT COLLECTION OF PERSONAL INFORMATION. To provide you with our products, Sites and Services, we collect and process information about you, including in some cases, Personal Information. To comply with the CCPA and to assist you in understanding our data collection and protection practices during the past 12 months:

- a. Categories of Consumer Personal Information. We collect and, in the 12 months prior to the Date of Last Revision of this [Privacy Policy](#), have collected the following categories of consumer Personal Information. Please note that not all categories are collected from all users of the Sites and Services.
  - Identifiers (name, alias, account name, email address, Internet Protocol address, online identifiers, other similar identifiers)
  - Unique personal identifiers (cookies, beacons, pixel tags, mobile ad identifiers, or other similar technology)
  - Physical characteristics or description
  - Telephone numbers

- Account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account
  - Internet or other electronic network activity information (browsing history; search history; and information regarding an individual's interaction with a website, application or advertisement)
  - Commercial information (records of products or services purchased, obtained, or considered, or other commercial information)
  - Geolocation data
  - Biometric information
  - Fitness information
  - Audio, electronic, visual, or similar information that is linked or reasonably linkable to an individual.
  - Video information.
- b. Sources of Personal Information. We collect the above categories of consumer Personal Information from you, from your devices, from coaches and sponsors, and from our service providers as described in Section 7 above.
- c. Purpose for Collection. In addition to the business purposes for which we collect consumer Personal Data described in Sections 3 and 4 above, we collect consumer Personal Information for the following business or commercial purposes:
- Auditing related to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards
  - Helping to ensure security and integrity to the extent the use of your Personal Information is reasonably necessary and proportionate for these purposes
  - Debugging to identify and repair errors that impair existing intended functionality

- Short-term, transient use, including, but not limited to, non-personalized advertising shown as part of your current interaction with us, provided that your Personal Information is not disclosed to another third party and is not used to build a profile about you or otherwise alter your experience outside the current interaction with us
- Performing services, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services
- Providing advertising and marketing services, except for cross-context behavioral advertising, to you provided that, for the purpose of advertising and marketing, our service providers and/or contractors shall not combine the Personal Information of opted-out consumers that the service provider or contractor receives from us, or on our behalf with Personal Information that the service provider or contractor receives from, or on behalf of, another person or persons or collects from its own interaction with you.
- Undertaking internal research for technological development and demonstration
- Undertaking activities to verify or maintain the quality or safety of a service that is owned, manufactured, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us
- Advancing our commercial or economic interests, such as by inducing another person to buy, rent, lease, join, subscribe to, provide, or exchange products, goods, property, information, or services, or enabling or effecting, directly or indirectly, a commercial transaction.



- d. Sale, Sharing and Disclosure of Personal Information. We do not “sell” Personal Information, as that term is commonly interpreted. However, we do engage in targeted advertising activities that may constitute a sale or a share of Personal Information under California law. The following table identifies the categories of Personal Information that we have shared for cross-contextual behavioral advertising in the 12 months preceding the Date of Last Revision of this [Privacy Policy](#) and, for each category, the categories of third parties to whom we sold or shared Personal Information:

Category of Personal Information	Categories of Third Parties
Unique personal identifiers (such as browser information, IP address, date and time of visit, device identifiers, unique user IDs, cookies, beacons, pixel tags, mobile ad identifiers, or other similar technology)	Advertising networks/service providers.

The following table identifies the categories of Personal Information that we disclosed for a business purpose in the 12 months preceding the Last Updated date of this Privacy Policy and, for each category, the categories of recipients to whom we disclosed Personal Information. Please note that not all categories of personal information were necessarily shared with all categories of recipients listed.

Category of Personal Information	Categories of Recipients
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Identifiers (name, alias, account name, email address, Internet Protocol address, online identifiers, other similar identifiers)	Coaches; other app providers; data hosting and cloud storage providers; mailing providers; accounting and billing service providers; client relationship management service providers; payment processing vendors, API partners.
Unique personal identifiers (cookies, beacons, pixel tags, mobile ad identifiers, or other similar technology)	Data hosting and cloud storage providers; advertising service providers; cookie and privacy management provider; client relationship management service providers.
Physical characteristics or description	Coaches; other app providers; data hosting and cloud storage providers; client relationship management service providers.
Telephone number	Coaches; client relationship management service providers; data hosting and cloud storage providers.
Account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account	Client relationship management service providers; security, anti-fraud, and verification providers; data hosting and cloud service providers; payment processing vendors.

Internet or other electronic network activity information (browsing history; search history; and information regarding an individual's interaction with a website, application or advertisement)	Data hosting and cloud storage providers; cookie and privacy management provider; error logging provider; website hosting providers; advertising service providers.
Commercial information (records of products or services purchased, obtained, or considered, or other commercial information)	Coaches; data hosting and cloud storage providers; mailing providers; accounting and billing service providers; advertising service providers; client relationship management service providers; payment processing vendors.
Biometric data	Coaches; other app providers (if you share it); data hosting and cloud storage providers; client relationship management service providers.
Fitness data	Coaches; other app providers (if you share it); data hosting and cloud storage providers; client relationship management service providers.
Audio, electronic, visual, or similar information that is linked or reasonably linkable to an individual (photos)	Coaches; other app providers (if you share it); data hosting and cloud storage providers; client relationship management service providers.

Video	Coaches; other app providers (if you share it); data hosting and cloud storage providers; client relationship management service providers.
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- e. Children’s Personal Information. We do not knowingly collect Personal Information of consumers under 16 years of age and we do not knowingly sell the Personal Information of consumers under 16 years of age.
- f. Retention of Personal Information. We retain Personal Information for as long as necessary to fulfill the purposes for which we collect it, such as to provide you with the service you have requested, and for the purpose of satisfying any legal, accounting, contractual, or reporting requirements that apply to us.
- g. Your Rights. Under the CCPA, you have the following rights:

RIGHT TO KNOW	You have the right to request that we disclose to you the Personal Information we collected about you in the 12-month period preceding your request. This right includes the right to request: (1) specific pieces of Personal Information we have collected about you; (2) categories of Personal Information we have collected about you; (3) categories of sources from which the Personal Information was collected; (4) categories of Personal Information that we sold or disclosed for a business purpose about you (if applicable); (5) categories of third parties to whom your Personal Information was sold or disclosed for a
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	business purpose (if applicable); and (6) the business or commercial purpose for collecting or, if applicable, selling your Personal Information.
RIGHT TO DELETE	You have the right to request that we delete your Personal Information that we have collected from you, with some exceptions. Note that if you request that we delete your information, we may be unable to provide you with certain offers or services.
RIGHT TO CORRECT	You have the right to correct inaccurate Personal Information we maintain about you.
RIGHT TO OPT OUT OF SALE OR SHARING	You have the right to say no to the sale of Personal Information or the sharing of your Personal Information for cross-context behavioral advertising purposes. We do not sell Personal Information, but we do engage in advertising practices that could be considered cross context behavioral advertising.
RIGHT TO LIMIT PROCESSING OF SENSITIVE PERSONAL INFORMATION	If we use or disclose Sensitive Personal Information for purposes other than those allowed by the CCPA and its regulations, you have the right to limit our use and disclosure. We do not collect, use or disclose Sensitive Personal Information for any purposes other than to provide our Sites and Services to you.

RIGHT TO NON-DISCRIMINATION	<p>You have the right to non-discrimination for exercising your CCPA rights. This means we cannot deny you goods or services, charge you different prices, or provide a different level of quality of goods or services just because you</p> <p>exercise your rights under the CCPA. We do not will not discriminate against you for exercising your CCPA rights.</p>
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- h. How to Exercise Your Rights. Right to Submit a Request to Know, Delete and/or Correct: You may submit a request to know, delete and/or correct by visiting our [Privacy Request Page](#), emailing us at [privacy@trainheroic](mailto:privacy@trainheroic) or calling us at 1-877-201-1442. If you are submitting a request on behalf of a California resident, please submit the request through one of the designated methods discussed above. After submitting the request, we will require additional information to verify your authority to act on behalf of the California resident.

Right to Opt Out of the Sale of Sharing of Data for Cross Context Behavioral Advertising. You have the right to opt-out of the sales of your Personal Information and the sharing of your Personal Information for cross context behavioral marketing. You may exercise your right to opt out of targeted advertising cookies through our cookie management tool. You may adjust your cookie preferences by visiting [trainheroic.com](https://trainheroic.com) and selecting the cookie setting in the footer banner or the widget tool



icon in the bottom left corner. Widget Icon:

Our Process for Verifying a Request to Know, Delete, and/or Correct. We will comply with your request upon verification of your identity and, to

the extent applicable, the identity of the California resident on whose behalf you are making such request. We will verify your identity either to a “reasonable degree of certainty” or a “reasonably high degree of certainty” depending on the sensitivity of the Personal Information and the risk of harm to you by unauthorized disclosure, deletion, or correction as applicable. For requests to access categories of Personal Information and for requests to delete or correct Personal Information that is not sensitive and does not pose a risk of harm by unauthorized deletion or correction, we will verify your identity to a “reasonable degree of certainty” by verifying at least two data points that you previously provided to us and which we have determined to be reliable for the purpose of verifying identities. For requests to access specific pieces of Personal Information or for requests to delete or correct Personal Information that is sensitive and poses a risk of harm by unauthorized deletion or correction, we will verify your identity to a “reasonably high degree of certainty” by verifying at least three pieces of Personal Information you previously provided to us and which we have determined to be reliable for the purpose of verifying identities. In addition, you must submit a signed declaration under penalty of perjury stating that you are the individual whose Personal Information is being requested.

- i. CCPA Metrics. Below are metrics regarding requests to know, delete, and opt out of sales received from all individuals pursuant to the CCPA for the 2022 calendar year.

	Requests to Know	Requests to Delete	Requests to Opt Out of Sales

Number of requests received	1	1	0
Number of requests complied with in whole	1	1	0
Number of requests complied with in part	0	0	0
Number of requests denied	0	0	0
Average number of days to complete a request	1	1	0

- j. Shine the Light Law. California Civil Code § 1798.83 permits you to request information regarding the disclosure of your personal information by us to third parties for the third parties' direct marketing purposes (as those terms are defined in that statute). We do not sell or disclose information to third parties for their direct marketing purposes.

## **15. NOTICE TO RESIDENTS OF THE EUROPEAN ECONOMIC AREA.**

The General Data Protection Regulation ("GDPR") applies to individuals located in the European Economic Area ("EEA"). The GDPR allows us to collect and use personal information from individuals within the EEA only for one or more of the following reasons:

1. To fulfill a contract we have with you;
2. When we have a legal duty;
3. When it is in our legitimate interest; or



#### 4. When you provide consent.

We do not operate in the EEA or specifically direct our business to consumers in the EEA. However, we recognize some of our website users, customers and prospective customers could be located within the EEA. If you reside in the EEA, you have a number of rights under data protection laws in relation to the way we process your Personal Data, which are set forth below. You may contact us directly to exercise any of these rights, and we will verify your request and, if appropriate, respond to any request received from you within one month from the date of the request. In exceptional circumstances we may need to extend this timescale, but we will always tell you in advance if we do, and our reasons why.

Right 1	A right to access personal data held by us about you, as well as information about how we are using your data.
Right 2	A right to require us to rectify any inaccurate personal data held by us about you.
Right 3	A right to require us to erase personal data held by us about you, and where the personal data has been made public, for other controllers processing the personal data to also erase links to, or copy or replication of, such personal data. This right will only apply where (for example): we no longer need to use the personal data to achieve the purpose we collected it for; or where you withdraw your consent if we are using your personal data based on your consent; or where you object to the way we process your data (in line with Right 6 below).
Right 4	A right to restrict our processing of personal data held by us about you. This right will only apply where (for example): you dispute the accuracy of the personal data held by us; or where you would have the right to require us to erase the personal data

	but would prefer that our processing is restricted instead; or where we no longer need to use the personal data to achieve the purpose we collected it for, but you require the data for the purposes of dealing with legal claims.
Right 5	A right to receive personal data, which you have provided to us, in a structured, commonly used and machine-readable format. You also have the right to require us to transfer this personal data to another organization, at your request.
Right 6	A right to object to our processing of personal data held by us about you (including for the purposes of sending marketing materials to you).
Right 7	A right to withdraw your consent, where we are relying on it to use your personal data (for example, to provide you with marketing information about our services or products).

If you have any concerns regarding our processing of your personal data, or are not satisfied with our handling of any request by you in relation to your rights, please get in touch with our team through the contact information provided in Section 2 of this [Privacy Policy](#). You may also reach out to [your applicable Data Protection Authority](#) (“DPA”) for more information. There is a DPA located in each EU Member State.