PRIVACY POLICY
Effective Date / Date of Last Revision: November 2020

1. **WHO WE ARE.** TRAIN HEROIC LLC ("TrainHeroic," "we" or "us") provides a training platform and mobile application (collectively, the “Sites”) that 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 (collectively, the “Services”).

   If you use our Sites and Services, we collect and process various types of data from you. In some instances, the data will be considered “personally identifiable information,” “personal information” or “personal data” under applicable laws. Generally, this type of data is information that relates to an identified or identifiable individual.

   We are committed to protecting your privacy and developing technology that provides you with a powerful and secure online service. The purpose of this Privacy Policy is to plainly and transparently disclose to you how we collect, use and share information, and how we attempt to safeguard the data you provide to us. We are committed to securing data that we collect concerning you ("you") and complying with applicable data protection and privacy laws.

2. **HOW TO CONTACT US.** If you have any questions regarding data protection or your rights, please contact us:

   TrainHeroic
   Attn: Privacy Department
   7007 Winchester Circle
   Boulder, CO 80301
   privacy@trainheroic.com

3. **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, unauthorised access or disclosure, loss, alteration or destruction. However, we do not guarantee the performance or adequacy of such security measures.

   b. **Limitation on Access.** Access to any personal information 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 information.
c. **Children.** The Children’s Online Privacy Protection Act ("COPPA") requires online service providers to obtain parental consent before they knowingly collect PII from children who are under 13 years of age. We normally do not knowingly collect, use or disclose any personal information from children under the age of thirteen (13). If you are under 13, please do not use the Sites or provide personal information to us unless you first obtain permission from us and provide us with verifiable parental consent. Our parental consent form and instructions may be accessed here: https://legal.trainheroic.com/trainheroic-coppa-parental-consent-form.pdf

d. **Processing of Data By App Store Providers.** We make our mobile application available through various application stores. TrainHeroic assumes 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.

4. **TYPES OF INFORMATION WE COLLECT.** We may collect the following types of personal data from you.

   A. **Information you provide:**
      - Contact information (name, mailing address, telephone number, electronic mail address, company name, title, and company department information)
      - Account information (name, mailing address, telephone number, electronic mail address, company name, title, and company department information)
      - Profile information, including photos, geo-location information, date, time and activity information, equipment usage, challenge information.
      - Order information
      - Payment information
      - All data you upload and/or provide to us through your use of the Platform, including activity and performance data
      - Inquiry information (if you send us inquiries)
      - Communications to and from you through the Sites and/or Services, including any posts on our forums or discussion areas
      - Your login information
      - Any other information you provide to us

   We collect and process this information so that you can sign up and use the Services.
B. Information we collect as you navigate our Sites. We automatically collect certain personal data through your use of the Sites and Services, such as the following:

- **Usage Information.** We collect information such as which of the pages on the Sites you access, the frequency of access, and what you click on while in the Site(s).

- **Technical Information.** We collect technical information about your connection to our Sites, including the Internet protocol (IP) address, browser type and version, browser plug-in types and versions.

- **Device Information.** We collect information about the device you are using, such as hardware model, operating system, application version number.

- **Mobile Device Information.** In addition to the Device Information listed above, when you access our Sites via a browser on your mobile device, we collect and aggregate information about whether you are accessing the Sites via a mobile device or tablet, device type, and carrier.

- **Location Information.** We collect location information from Site visitors on a city-regional basis.

We use cookies and other tracking technologies (such as pixels and web beacons) (collectively, “Cookies”) to collect information as you navigate our 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).

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.

Cookies can be blocked by changing your Internet browser settings to refuse all or some Cookies. If you choose to block all Cookies (including essential Cookies) you may not be able to access all or parts of the Sites. You can find out more about Cookies and how to manage them by visiting [www.AboutCookies.org](http://www.AboutCookies.org). You can understand which third parties have currently enabled Cookies for your browser or mobile device and how to opt-out of some of those Cookies by accessing
the Network Advertising Initiative’s website or the Digital Advertising Alliance’s website. For more information on mobile specific opt-out choices, visit the Network Advertising Initiative’s Mobile Choices website.

5. **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 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 fulfilment of the processing purposes set out above.

The provision of your personal data is voluntary, but in many cases it is necessary in order to receive Services as requested by you.

6. **HOW WE USE YOUR PERSONAL DATA.** We may use the personal data we collect to:

- Allow you to participate in features, demos and programs we offer on the Sites and Services
- Allows you to connect with coaches
- Process your account registration
- Contact you regarding our products, services or promotions that we feel may be of interest to you
- Communicate with you about our Sites or Services or to inform you of any changes to our Sites or Services
- Troubleshoot errors and provide support
- Provide educational workshops, webinars and other materials
- Conduct data analytics for troubleshooting, data analysis, testing, research, customizations, and enhancement and improvements to the Sites and Services.
- Tailor our content, advertisements and offers
- Maintain and improve our Sites and Services
- Defend our legal rights and the rights of others
- Determine your location and manage digital content rights
- Efficiently maintain our business
- Comply with applicable law.

7. INFORMATION WE SHARE WITH THIRD PARTIES

We may share the information that we collect about you in the ways described below. We do not sell your personal data.

With others you direct us to share with. We share the information you provide to us with those you consent to or request we share access with. For example, we enable you to share your information and content with coaches and to purchase products and services from third parties that provide it through our Sites. Whether to use these services is your choice.

With service providers. We may share information with service providers who:
- perform data services on our behalf (e.g., email, hosting, maintenance, backup, analysis, etc.)
- process payments on our behalf
- prepare, deploy and analyze advertising content on our behalf
- provide other services on our behalf

To ensure that your personal data receives an adequate level of protection, we will put in place appropriate procedures with the service providers to ensure that your personal data is treated by those service providers in a way that is consistent with this Privacy Policy and in compliance with applicable laws.

Other. We may share information with other persons or entities if you have consented to the disclosure.

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
- To any person who we reasonably believe may 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 Information
We may share information with other persons or entities as part of our own corporate transactions, such as during financing of our business, or any business or asset sale or merger.

8. **THIRD PARTY CONTENT, DATA AND ADVERTISING SERVICES**

**Social Media Data.** If you connect your social media accounts to our Sites or Services, the social media accounts will share information with us, such as your name, email address, language preference, public profile information, and any other data you choose to share with us from your social media accounts.

**Google Analytics.** We may use Google Analytics, a web analytics service provided by Google, Inc. Google Analytics uses Cookies or other tracking technologies to help us analyze how users interact with the Sites and Services, compile reports on their activity, and provide other services related to their activity and usage. The technologies used by Google may collect information such as your IP address, time of visit, whether you are a returning visitor, and any referring website. The technologies used by Google Analytics do not gather information that personally identifies you. The information generated by Google Analytics will be transmitted to and stored by Google and will be subject to Google’s privacy policies. To learn more about Google’s partner services and to learn how to opt-out of tracking of analytics by Google, click [here](#).

**Google AdWords.** We may use Google AdWords for targeting and remarketing. If we do, we may collect data about your activities that does not personally or directly identify you when you visit our Sites, the website for which we serve advertisements, or the website and online services where we display advertisements. We use the information we collect to serve you more relevant advertisements (referred to as “Remarketing”). We collect information about where you saw the ads we serve you and what ads you clicked on. Users may opt out of Google’s use of cookies by visiting the Google Advertising Opt-out Page.

**Third-Party Links.** Our Sites and Services may contain links to websites, platforms, applications or services operated by third parties. These third parties may use their own cookies, web beacons and other tracking technology to collect information about you. They may also ask you to provide information. This Privacy Policy does not cover those practices and we encourage you to review the privacy policies and procedures of any third-party applications and services you use. We may engage or
work with other third parties to serve advertisements or other analytics on our Site or Services.

**Interest-based ads.** We may use cookies and other technologies on our Sites to collect information about your online activities over time and across different websites you visit in order to provide you with interest-based advertising. You can generally opt-out of receiving interest-based advertisements from members of the Network Advertising Initiative or the Digital Advertising Alliance by visiting their opt-out pages: ([http://www.networkadvertising.org/choices/](http://www.networkadvertising.org/choices/)) and ([http://www.aboutads.info/choices/](http://www.aboutads.info/choices/)). When you opt-out using these links, please note that you may still receive advertisements. They just will not be personalized based on your interests.

**“Do not track” signals.** Some internet browsers incorporate a “Do Not Track” feature that signals to website 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 Sites do not currently interpret, respond to or alter its practices when it receives “Do Not Track” signals.

### 9. OPT-OUT AND CHOICES ABOUT YOUR PERSONAL DATA

We respect your privacy and provide ways for you to choose whether to share your information with us or any third parties. You may opt-out of our services.

*You may decline to provide information.* You have the right to decide not to share information through our sites.

*Review and request changes to your personal data.* You may use your account to access, correct, or view certain personal data we have collected which is associated with your account. You may also contact us at [privacy@trainheroic.com](mailto:privacy@trainheroic.com) to request information or changes.

*Request deletion.* You may submit a request to update or delete your personal data by contacting us at [privacy@trainheroic.com](mailto:privacy@trainheroic.com).

**PLEASE NOTE, HOWEVER, THAT IF YOU CHOOSE NOT TO PROVIDE US WITH CERTAIN INFORMATION OR ASK US TO DELETE YOUR INFORMATION, WE MAY NOT BE ABLE TO PROVIDE YOU WITH THE FULL FUNCTIONALITY OF OUR SITES OR SERVICES.**
Marketing communications. You may unsubscribe from marketing emails from us by clicking on the unsubscribe link included in the footer of our emails. You also may submit a request to us at privacy@trainheroic.com.

10. HOW YOUR INFORMATION IS PROTECTED

We have implemented a number of reasonable security methods that are designed to keep your information confidential and secure. It is important that you understand, however, that no commerce solution, website, application, database or system is completely secure or "hacker proof," and we cannot anticipate all potential misuse of your information. We cannot and do not guarantee the security of any information you provide or otherwise transmit to us, and your use of one or more of our Sites indicates that you are willing to assume this risk. We have implemented the following steps:

Secure operating environments. We store your information in secure operating environments that are protected from the public and that we only allow authorized TrainHeroic employees and agents/contractors to access on a need-to-know basis. We follow generally accepted industry standards to protect personal information; however, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security.

Prior authentication for account access. We require individuals with registered accounts to verify their identity (e.g., email address, password) before they can access or make changes to their account information. This helps prevent unauthorized access to your account.

Measures we expect you to take. It is important for you to also play a role in keeping your information safe and secure. When signing up for an online account, please be sure to choose an account password that is hard for others to guess and never reveal your password to anyone else. If you use a shared or public computer, never choose to have your email address or password remembered and make sure to log out of your account every time you leave the computer. You should also make use of any privacy settings or controls we may provide you in our website community areas.

11. DATA RETENTION

We will store your information for as long as: (a) you use our Sites and Services; (b)
our performance of the Services require; (c) in accordance with our data retention policies; and (d) as long as our ethical or legal obligations require.

12. **ACCESSIBILITY.**

We are committed to ensuring this Privacy Policy is accessible to individuals with disabilities. If you wish to access this Privacy Policy in an alternate format, or would like to report an issue you are experiencing, please email us at privacy@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. **NOTICE TO NEVADA RESIDENTS**

Nevada law allows Nevada residents to opt-out of the sale of certain types of personal information. Subject to a number of exceptions, Nevada law defines “sale” to mean the exchange of certain types of personal information for monetary consideration to a person for the person to license or sell the information to additional persons. We do not currently sell personal information as defined in the Nevada law. However, if you are a Nevada resident, you still may submit a verified request to opt-out of sales and we will record your instructions and incorporate them in the future if our policy changes. Opt-out requests may be sent to privacy@trainheroic.com.

14. **NOTICE TO CALIFORNIA RESIDENTS**

This notice reflects our good faith understanding of the California Consumer Privacy Act ("CCPA"), the California Privacy Rights Act ("CPRA"), other California privacy laws and our current data practices. However, there are varying interpretations of the California laws’ requirements. We may update our practices and this notice as the CCPA and the CPRA continue to develop, and as we continue to develop our compliance program.

This Notice to California Residents ("Notice") applies to “Consumers” as defined by the CCPA and is a supplement to the other sections of our Privacy Policy. This Notice covers our collection, use, disclosure, and sale of California Consumers’ “Personal Information” ("PI") as defined by the CCPA. Some of the data we collect and process is not subject to CCPA consumer rights. For example, we collect and process the following types of information that is currently exempted to some degree from the CCPA: (a) business-to-business information; (b) employee or personnel information; and (c) publicly available information (as defined by the CCPA).
A. COLLECTION AND USE OF PERSONAL INFORMATION
As set forth in Section 4 above, we collect certain categories of Personal Information from and about our consumers, including California Consumers. During the last twelve months, we have collected Personal Information described in Section 4 from California Customers for the purposes set forth in Sections 5 and 6, and may have disclosed such data to the categories of recipients set forth in Sections 7 and 8.

B. SOURCES OF PERSONAL INFORMATION
We receive Personal Information from the information that you and others provide, your device(s), and from our partners. The categories of sources from which we’ve collected or received Personal Information include:

- **You:** We collect the content, communications, and other information you provide when you interact with us, our Site(s) and our social media accounts, including when you sign up for an account, and message or communicate with us. We collect information about how you interact with our Sites, and the time, frequency, and duration of your activities.
- **Other people:** We may also receive and analyze content, communications, and information about you that other people, such as coaches, provide when they use our Sites, such as when someone submits a request on our Site(s) on your behalf.
- **Your device(s) and technology:** We collect information from and about the computers, phones, connected TVs, and other web-connected devices you use that integrate with our Sites, and we may combine this information across different devices you use.
- **Partners & Service Providers:** We may receive information about you from our coaches or others who assist us in providing information, services and other products. We may also share information with our service providers, such as schools, advertising providers, data analytics providers, and others identified above.

C. YOUR RIGHTS. Under the CCPA, you have the following rights:

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<tr>
<th>Number</th>
<th>Description of your right</th>
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<tbody>
<tr>
<td>Right 1</td>
<td>The right to know what personal information we collect about you.</td>
</tr>
<tr>
<td>Right 2</td>
<td>The right to know whether we sell or disclose your personal information, and if so, to whom.</td>
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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 PI we have collected about you; (2) categories of PI we have collected about you; (3) categories of sources from which the PI was collected; (4) categories of PI that we sold or disclosed for a business purpose about you; (5) categories of third parties to whom your PI was sold or disclosed for a business purpose; and (6) the business or commercial purpose for collecting or, if applicable, selling your PI.

Right to Request Deletion: You have the right to request that we delete your Personal Information that we have collected from you. Note that if you request that we delete your information, we may be unable to provide you with certain Services and you may become ineligible for some of our programs.

Right to Opt-Out of the Sale of Personal Information: The CCPA defines “sell” to mean selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a California resident’s Personal Information to another business or a third party for monetary or other valuable consideration. We do not sell personal information.

Right to Non-Discrimination: We will not discriminate against you for exercising any of your CCPA rights.

How to Exercise Your Rights: To exercise your “right to know”, “right to opt-out of sale” or your “right to request deletion,” email us at privacy@trainheroic.com or by using our online contact webform.

Please note that to protect your information, we may need additional information from you to verify your identity before processing your request.
Under the CCPA, you may exercise these rights yourself or you may designate an authorized agent to make these requests on your behalf. We reserve the right to request that your authorized agent have written permission from you to make requests on your behalf and may need to verify your authorized agent’s identity.

15. NOTICE TO RESIDENTS OF THE EUROPEAN ECONOMIC AREA. We do not operate in the European Economic Area and do not target or market our Sites or Services to individuals in the European Economic Area. However, to the extent the General Data Protection Regulation ("GDPR") may apply to you, you have certain rights. The GDPR allows us to collect and use personal information from individuals within the European Economic Area 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.

The GDPR and other regulations treat some types of sensitive personal information as particularly sensitive, including information about racial or ethnic origin, sexual orientation, religious beliefs, trade union membership, health data and criminal records. We will not collect or use these types of data without your consent unless the law allows us to do so. If we do, it will only be when necessary for reasons of substantial public interest or to establish, exercise or defend legal claims.

If you reside in the European Economic Area, you have a number of rights under data protection laws in relation to the way we process your personal data. These are set out below. You may contact us directly to exercise any of these rights, and we will respond to any request received from you within one month from the date of the request. In very exceptional circumstances we may need to extend this timescale, but we will always tell you in advance if we do, and our reasons why.

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<tbody>
<tr>
<td>Right 1</td>
<td>A right to access personal data held by us about you, as well as information about how we are using your data.</td>
</tr>
<tr>
<td>Right 2</td>
<td>A right to require us to rectify any inaccurate personal data held by us about you.</td>
</tr>
<tr>
<td>Right 3</td>
<td>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</td>
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</table>
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.

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<td>Right 4</td>
<td>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.</td>
</tr>
<tr>
<td>Right 5</td>
<td>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.</td>
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<tr>
<td>Right 6</td>
<td>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).</td>
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<tr>
<td>Right 7</td>
<td>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 consented to receive communications from us, you can contact us at any time to have your details removed from lists used by us or to update your marketing preferences. Please email <a href="mailto:privacy@trainheroic.com">privacy@trainheroic.com</a> and provide your name, email/telephone number/account number in the body of the email, telling us what you would like us to do. You can also click &quot;unsubscribe&quot; on any of our emails, and we will ensure we don’t send you any communications of this nature in future.</td>
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