

EFFECTIVE AS OF [DATE]

1. Scope

This Privacy Policy describes how we collect, use, disclose and store information you provide to us. The Privacy Policy applies to repgympass.com (*the “Site”*) and any website, application, service or tool (collectively, the “**Services**”) on or in which it is posted, linked or referenced. The services are owned by REP GYM PASS LLC, a Washington limited liability company and operated by Google Cloud Services and its affiliates.

This Privacy Policy describes:

- Information that we receive from you when you interact with the Services
- How we use and process the information that we receive
- If and why Personal Information may be disclosed to third parties
- Your choices regarding the collection and processing of your Personal Information

Please note that this Privacy Policy does not apply to information collected through third-party websites or services that you may access through the Services or that you submit to us through email, text message, and other electronic messages.

2. User consent and incorporation

PLEASE REVIEW THIS PRIVACY POLICY CAREFULLY. When you submit information to or through the Services, you consent to the collection and processing of your information as described in this Privacy Policy.

By using the Services, you accept the terms of this Privacy Policy and consent to our collection, use, disclosure and retention of your information as described in this Privacy Policy.

IF YOU DO NOT AGREE WITH ANY PART OF THIS PRIVACY POLICY OR OUR TERMS AND CONDITIONS, THEN PLEASE DO NOT USE ANY OF THE SERVICES.

3. Effective date and changes to Privacy Policy

The Effective Date of this Privacy Policy is set forth at the top of this webpage. Whenever possible, we will provide you with advance written notice of our changes to this Privacy Policy. We will not make retroactive changes that reduce your privacy rights unless we are legally required to do so. Your continued use of the Services after the Effective Date constitutes your acceptance of the amended Privacy Policy. The amended Privacy Policy supersedes all previous versions.

4. Personal information vs. usage information

“Personal Information” means information associated with or used to identify or contact a specific person. Personal Information includes: (1) contact data (such as e-mail address, telephone number, physical address); (2) demographic data (such as gender, date of birth and zip code); and (3) certain Usage Data (defined below), such as IP address; and (4) any other categories of information as reasonable needed to complete the offering of services, the user provides or the digital service operator collects, such as user generated content or purchases.

“Usage Information” or **“Usage Data”** is information about an individual's online activity that, by itself, does not identify the individual, such as browser type, operating system and webpages visited.

Generally, we do not consider Usage Data as Personal Information because Usage Data by itself usually does not identify an individual. Personal Information and Usage Data may be linked together. Different types of Usage Information also may be linked together and, once linked, may identify an individual person. Also, some Usage Data may be Personal Information under applicable law.

5. Sensitive personal information

Certain Personal Information, such as information about personal health or finances, is characterized as sensitive and subject to stricter regulation than other personal information. Before providing it to use, we urge you to carefully consider whether to disclose your sensitive Personal Information to us. If you do provide sensitive Personal Information to us, you consent to its use and disclosure for the purposes and in the manner described in this Privacy Policy.

6. Location data

“Location Data” is a category of Personal Information collected about the location of a mobile device or computer, including:

- the location of the mobile device or computer used to access the Services derived from GPS or WiFi use;
- the IP address of the mobile device or computer or internet service used to access the Services,
- other information made available by a user or others that indicates the current or prior location of the user, such as information that you or others post indicating your location; geotag information in photographs.

7. Combining information from third-party sources

We may combine the information we collect from you with information from other sources and use the combined information as described in this Privacy Policy. We may allow you to share information with third-party social media services, such as by associating your social media account with the account (“Account”) you create when you use the Services. When you do so, those social media sites may give us access to certain personal information that they store. When you associate your social media account with your account and you authorize us to have access to this information, you agree that we may collect, use and store the information provided by social media services as described in this Privacy Policy.

8. Information collection in general

We collect information that you provide to us and from your use of the Services. The information that we collect and how we process it depends on how you use and access the Services. Some information is collected automatically through use of cookies and similar data collection tools. To learn more about how and why we use cookies and similar tools to collect information, please see Section 8 and 9 below:

From You. We collect information from you when you:

- **Use the Services:** We collect Personal Information and Usage Data from you when you create an account to use one of the Services, contact us for help or information or otherwise voluntarily provide your Personal Information.
- **Connect with Social Media through the Services:** The Services may offer you the ability to use Facebook Connect or other social media services (collectively, “Social Media”) in conjunction with certain Services. When you access the Services through your Facebook or other Social Media account, the Services may, depending on your privacy settings, have access to information that you have provided to the Social Media platform. We may use this information for the purposes described in this Privacy Policy or at the time the information was collected.
- **From our Business Partners and Service Providers:** Third parties that assist us with our business operations also collect information (including Personal Information and Usage Data) about you through the Services and share it with us. For example, our vendors collect and share information with us to help us detect and prevent fraud.
- **Usage Data:** We also automatically collect Usage Data when you interact with the Services.
- **Participation in Sweepstakes:** We collect Personal Information and Usage Data from you when you participate in Sweepstakes.
- **Contact List:** We collect Personal Information when you join our newsletter, marketing or other contact list.

9. Cookies and other information collection tools

Cookies

We and the service providers that help us provide the Services use small text files called cookies. “Cookies” are small computer files sent to or accessed from your web browser or your computer's or tablet's hard drive that contain information about your computer, such as a user ID, user settings, browsing history and activities conducted while using the Services. Cookies are not themselves personally identifiable, but may be linked to Personal Information that you provide to us through your interaction with the Services. A Cookie typically contains the name of the domain (internet location) from which the Cookie originated, the “lifetime” of the Cookie (i.e., when it expires) and a randomly generated unique number or similar identifier.

How We Use Data Collection Tools

Cookies help us improve the Services by tracking users' navigation habits and storing users' password, customizing users' experience with the Services; enabling us to analyze technical and navigational information about the Services; and helping to detect and prevent fraud.

We also use other Cookies and other data collection tools (such as web beacons and server logs), which we collectively refer to as “Data Collection Tools,” to help improve your experience with the Services. For example, Data Collection Tools help us remember users and make the Services' more relevant to them.

The Services also may use Data Collection Tools to collect information from the device used to access the Services, such as operating system type, browser type, domain and other system settings, as well as the operating system used and the country and time zone in which the computer or device is located.

Control of Cookies

Web browsers allow some control of most Cookies through the browser settings.

Some web browsers (including some mobile web browsers) provide settings that allow a user to reject Cookies or to alert a user when a Cookie is placed on the user's computer, tablet or mobile device. Most mobile devices also offer settings to reject mobile device identifiers. Although users are not required to accept Cookies or mobile device identifiers, blocking or rejecting them may prevent access to some features available through the Services.

10. Third party tracking

Online Advertising.

Our advertising management partners use Data Collection Tools through the Services to enable them to recognize a unique Cookie that has been placed on a user's browser, which in turn enables us and these ad management partners to learn which advertisements bring users to the Services. In addition, we and our ad management partners may use these Data Collection Tools to track the actions of users of the Services, to measure statistics of our marketing efforts, and to deliver advertisements on the Services that may be more relevant to you.

We and our ad management partners also may use Data Collection Tools to record the actions of users of the Services, to measure statistics of our marketing efforts, to deliver advertisements on the Services that may be more relevant to individual consumers and to improve the consumer experience on the Services.

We support the Self-Regulatory Principles for Online Behavioral Advertising of the Digital Advertising Alliance (“Principles”). This means that we allow users to exercise choice regarding the collection of information about their online activities over time and across third-party websites for online interest based advertising purposes.

Opting Out of Interest-Based Advertisements.

Users may “opt out” of receiving online interest-based advertisements by following the instructions at www.aboutads.info/choices or www.networkadvertising.org/choices/. After opting out, an “opt-out”

Cookie will be placed on the user's device indicating that the user does not want to receive interest-based advertisements. If a user deletes Cookies generally, the user will need to opt-out again.

Opting out of interest-based advertising does not mean users will no longer see advertisements from us or on the Services; rather, opting out means that the online ads presented will not be based on the user's particular interests.

In addition, even after opting out of receiving interest-based advertisements, Data Collection Tools on the Services may collect information about users' activities on the Services, including for analytics, fraud prevention and any other purpose permitted under the Principles.

Data Collection by Third Parties.

Certain third parties that we do not control may use Data Collection Tools on the Services. This Privacy Policy does not apply to those third parties or their Data Collection Tools and Rep Gym Pass LLC is not responsible for third parties data collection policies (including Do Not Track provisions), procedures or use of your data.

11. How information is used

We may use the information we collect for any of the following purposes:

- to provide the Services to you;
- to operate, improve and personalize the products and services we offer, and to give each user a more consistent and personalized experience when interacting with us;
- for customer service, security, to detect fraud or illegal activities, or and for archival and backup purposes in connection with the provision of the Services;
- to communicate with users, via instant message or other chat functions and email;
- to better understand how users access and use the Services, for the purposes of trying to improve the Services and to respond to user preferences, including language and location customization, personalized help and instructions, or other responses to users' usage of the Services;
- to help us develop our new products and services and improve our existing products and services;
- to provide users with advertising and direct marketing that is more relevant to you; to enforce any other terms or other applicable policies; and
- to assess the effectiveness of and improve advertising and other marketing and promotional activities on or in connection with the Services.

- Please note that for the purposes of seeking to provide our users with a better experience and to improve the Services, information collected through the Services may, subject to user privacy controls (if available), be used in an aggregated or individualized manner.

For example, personal information collected during use of one of the services may be used to suggest particular content that can be made available to the user on another of the Services or be used to try to present more relevant advertising in another of the Services.

12. Sharing/disclosure of information

We may share and disclose information as described at the time information is collected or as follows:

To Perform Services. We may disclose Personal Information to third parties in order to perform services requested or functions initiated by users, such as disclosing name, email, address and other information to sign up for execution of partner gyms. In addition, we may disclose Personal Information in order to identify a user in connection with communications sent through the Services. We also may offer users the opportunity to share information with friends and other users through the Services.

With Third Party Service Providers Performing Services on Our Behalf. We share information, including Personal Information, with our service providers to perform the functions for which we engage them (such as hosting and data analyses). We may share information as needed to operate other related services.

With Third Parties for any Consideration. We may share information, including Personal Information, with Third Parties to obtain any Consideration, so long as it is allowed under applicable law.

For Legal Purposes. We also may share information that we collect from users, as needed, to enforce our rights, protect our property or protect the rights, property or safety of others, or as needed to support external auditing, compliance and corporate governance functions. We will disclose Personal Information as we deem necessary to respond to a subpoena, regulation, binding order of a data protection agency, legal process, governmental request or other legal or regulatory process. We may also share Personal Information as required to pursue available remedies or limit damages we may sustain.

Corporate Changes. We may transfer information, including your Personal Information, in connection with a merger, sale, acquisition or other change of ownership or control by or of us or any affiliated company (in each case whether in whole or in part). When one of these events occurs, we will use reasonable efforts to notify users before your information is transferred or becomes subject to a different privacy policy.

13. Information transfer

We may transfer information about you, including your Personal Information, in connection with a merger, sale, reorganization, acquisition or other change of ownership or control by or of Rep Gym Pass LLC or any affiliated company (in each case whether in whole or in part). When one of these

events occurs, we will use reasonable efforts to notify users before their information becomes subject to different privacy and security policies and practices.

14. Choices about use and disclosure of information

You can visit your account to manage and correct the information we have on file about you.

15. How information is retained and disposed

We retain information as long as it is necessary and relevant for our operations. In addition, we retain personal information from closed accounts to comply with applicable law, prevent fraud, resolve disputes, troubleshoot problems, assist with any investigation, enforce our policies and procedures, collect any fees owed and other actions permitted by law. After it is no longer necessary for us to retain information, we dispose of it according to our data retention and deletion policies.

16. How information is secured

We employ industry standard security measures designed to protect the security of all information submitted through the Services. However, the security of information transmitted through the internet can never be guaranteed. We are not responsible for any interception or interruption of any communications through the internet or for changes to or losses of data. Users of the Services are responsible for maintaining the security of any password, user ID or other form of authentication involved in obtaining access to password protected or secure areas of any of our digital services. In order to protect you and your data, we may suspend your use of any of the Services, without notice, pending an investigation, if any breach of security is suspected. Access to and use of password protected and/or secure areas of any of the Services are restricted to authorized users only. Unauthorized access to such areas is prohibited and may lead to criminal prosecution.

17. Linked Services

The Services may contain links to third-party websites and services (“Third Party Services”) with which we have no affiliation. A link to any Third Party Service does not mean that we endorse it or the quality or accuracy of information presented on it. If you decide to visit a Third Party Service, you are subject to its privacy policy and practices and not this Privacy Policy. We encourage you to carefully review the legal and privacy notices of all other digital services that you visit.

18. Special provisions: Not child-directed

The Services are not intended for use by individuals under the age of 16. If you are under the age of 16, you may only use our Services with the consent of or under the supervision of your parent or legal guardian. The use of most of our Services are restricted if under the age of 16.

Consistent with the requirements of the Children's Online Privacy Protection Act (COPPA), if we learn that we have received any information directly from a child under age 13 without first receiving his or her parent's verified consent, we will use that information only to respond directly to that child (or his or her parent or legal guardian) to inform the child that he or she cannot use the Services and subsequently we will delete that information.

19. Special provisions: California Do Not Track provision, direct disclosure option

How We Respond to Browser “Do Not Track” Signals: Some web browsers (including Safari, Internet Explorer, Firefox and Chrome) incorporate a “Do Not Track” (DNT) or similar feature that signals to digital services that a visitor does not want to have his/her online activity tracked. If a digital service that responds to a particular DNT signal receives the DNT signal, the browser can block that digital service from collecting certain Personal Information about the browser's user. Not all browsers offer a DNT option and DNT signals are not yet uniform. For this reason, we and many other digital service operators do not respond to DNT signals.

20. User-generated content and California Eraser Law Provision

The Services may offer registered users the opportunity to share photographs, videos, reviews, comments about blog posts and other content (“User Content”). Personal Information in User Content may be made available to others and may be used in unexpected ways. You submit your User Content at your own risk. We may access and use your User Content consistent with this Privacy Policy.

User Content is not moderated and may be modified or deleted (in whole or in part) for technical or other reasons. To request removal of User Content, please contact us at info@repgympass.com. In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

21. EU personal information processing

Any personal information collected about EU visitors through the Services is processed in the United States by us or by a party acting on our behalf. When you provide personal information to us through the Services, you consent to the processing of your data in the United States. The Services are hosted in the United States.