

## YES.FIT PRIVACY POLICY

Here we describe the privacy practices for our applications, software, websites, APIs, products, and services (the “Services”). You will learn about the data we collect, how we use it, the controls we give you over your information, and the measures we take to keep it safe.

When you use our Services, we collect the following types of information.

### INFORMATION YOU PROVIDE US

#### ACCOUNT INFORMATION

Some information is required to create an account on our Services, such as your name, email address and password. You may also choose to provide other types of information, such as a profile photo, biography, country information, and community username.

#### ADDITIONAL INFORMATION

To help improve your experience or enable certain features of the Services, you may choose to provide us with additional information. You may also connect with friends on the Services or invite friends who have not yet joined by providing their email addresses, accessing social networking accounts, or using the contact list on your mobile device.

If you contact us or participate in a survey, contest, or promotion, we collect the information you submit such as your name, contact information, and message.

#### PAYMENT AND CARD INFORMATION

Yes.Fit uses Stripe and Paypal to process payments. If you make purchases on Yes.Fit, you provide your payment information, including your name, credit or debit card number, card expiration date, CVV code, and billing address. We do not store this payment information. We store your shipping address to fulfill your order. Stripe and Paypal may retain this information in accordance with their own privacy policies and terms.

### INFORMATION WE RECEIVE FROM YOUR USE OF OUR SERVICES

#### DEVICE INFORMATION

Your device collects data to estimate a variety of metrics like the number of steps you take, your distance traveled, calories burned, weight, heart rate, sleep stages, active minutes, and location. The data collected varies depending on which device you use. When your device syncs with our applications or software, data recorded on your device is transferred from your device to our servers.

#### GEOLOCATION INFORMATION

The Services include features that use precise geolocation data, including GPS signals, device sensors, Wi-Fi access points, and cell tower IDs. We collect this type of data if you

grant us access to your location. We may also derive your approximate location from your IP address.

## USAGE INFORMATION

When you access or use our Services, we receive certain usage or network activity information. This includes information about your interaction with the Services, for example, when you view or search content, create or log into your account, pair your tracker to your account, or open or interact with Yes.Fit.

We also collect data about the devices and computers you use to access the Services, including IP addresses, browser type, language, operating system, mobile device information (including device and application identifiers), the referring web page, pages visited, location (depending on the permissions you have granted us), and cookie information.

## INFORMATION WE RECEIVE FROM THIRD PARTIES

If you choose to connect your account on our Services to your account on another service, we may receive information from the other service. For example, if you connect to Facebook or Google, we may receive information like your name, profile picture, age range, language, email address, and friend list. You may also choose to grant us access to your exercise or activity data from another service. You can stop sharing the information from the other service with us by removing our access to that other service.

We may partner with third parties, such as employers and insurance companies that offer Yes.Fit Services to their employees and customers. In such cases, those companies may provide us with your name, email address, or similar information (like a telephone number or subscriber ID) so that we can invite you to participate or determine your eligibility for particular benefits, such as discounts or free services.

## HOW WE USE INFORMATION

### PROVIDE AND MAINTAIN THE SERVICES

Using the information we collect, we are able to deliver the Services to you and honor our Terms of Service contract with you. For example, we need to use your information to provide you with your Yes.Fit dashboard tracking your exercise, activity, and other trends; to enable the community features of the Services; and to give you customer support.

For the Services' social features, we may use your information to help you find and connect with other users and to allow other users to find and connect with you. For example, your contact information allows other users to follow you.

### IMPROVE, PERSONALIZE, AND DEVELOP THE SERVICES

We use the information we collect to improve and personalize the Services and to develop new ones. For example, we use the information to troubleshoot and protect against errors; perform data analysis and testing; conduct research and surveys; and develop new features and Services.

When you allow us to collect precise location information, we use that information to provide and improve features of the Services such as recording where a workout took place or mapping an activity.

#### COMMUNICATE WITH YOU

We use your information when needed to send you Service notifications and respond to you when you contact us. We also use your information to promote new features or products that we think you would be interested in. You can control marketing communications and most Service notifications by using your notification preferences in account settings or via the “Unsubscribe” link in an email.

#### PROMOTE SAFETY AND SECURITY

We use the information we collect to promote the safety and security of the Services, our users, and other parties. For example, we may use the information to authenticate users, facilitate secure payments, protect against fraud and abuse, respond to a legal request or claim, conduct audits, and enforce our terms and policies.

#### HOW INFORMATION IS SHARED

We never sell the personal information of our users. We do not share your personal information except in the limited circumstances described below.

#### WHEN YOU AGREE OR DIRECT US TO SHARE

You may direct us to disclose your information to others, such as when you use our social features. For certain information, we provide you with privacy preferences in account settings and other tools to control how your information is visible to other users of the Services.

You may also direct us to share your information in other ways, for example, when you give a third-party application access to your account, or give your employer access to information when you choose to participate in an employee wellness program. Remember that their use of your information will be governed by their privacy policies and terms. You can revoke your consent to share with third-party applications or employee wellness programs using your account settings.

#### FOR EXTERNAL PROCESSING

We transfer information to our corporate affiliates, service providers, and other partners who process it for us, based on our instructions, and in compliance with this policy and any other appropriate confidentiality and security measures. These partners provide us with services

globally, including for customer support, information technology, payments, sales, marketing, data analysis, research, and surveys.

#### FOR LEGAL REASONS TO PREVENT HARM

We may preserve or disclose information about you to comply with a law, regulation, legal process, or governmental request; to assert legal rights or defend against legal claims; or to prevent, detect, or investigate illegal activity, fraud, abuse, violations of our terms, or threats to the security of the Services or the physical safety of any person.

Please note: Our policy is to notify you of legal process seeking access to your information, such as search warrants, court orders, or subpoenas, unless we are prohibited by law from doing so. In cases where a court order specifies a non-disclosure period, we provide delayed notice after the expiration of the non-disclosure period. Exceptions to our notice policy include exigent or counterproductive circumstances, for example, when there is an emergency involving a danger of death or serious physical injury to a person.

We may share non-personal information that is aggregated or de-identified so that it cannot reasonably be used to identify an individual. We may disclose such information publicly and to third parties, for example, in public reports about exercise and activity, to partners under agreement with us, or as part of the community benchmarking information we provide.

If we are involved in a merger, acquisition, or sale of assets, we will continue to take measures to protect the confidentiality of personal information and give affected users notice before transferring any personal information to a new entity.

#### CORPORATE WELLNESS PROGRAMS

Our corporate wellness programs allow employers to create groups and invite their employees and other stakeholders to participate in Yes.Fit wellness initiatives. By joining a corporate wellness group, you are authorizing Yes.Fit to share some of your data with the owner of the group - the employer. This data may include your name, email address, activity data, device information, etc.

#### YOUR RIGHTS TO ACCESS AND CONTROL YOUR PERSONAL DATA

We give you account settings and tools to access and control your personal data, as described below, regardless of where you live. If you live in certain jurisdictions, you may have legal rights with respect to your information, which your account settings and tools allow you to exercise, as outlined below.

#### ACCESSING DATA

By logging into your account, you can access much of your personal information, including your dashboard with your daily exercise and activity statistics.

## EDITING AND DELETING DATA

By logging into your account and using your account settings, you can change and delete your personal information. For instance, you can edit or delete the profile data you provide.

If you choose to delete your account, please note that while most of your information will be deleted within 30 days, it may take up to 90 days to delete all of your information, like the data recorded by Yes.Fit and other data stored in our backup systems. This is due to the size and complexity of the systems we use to store data. We may also preserve data for legal reasons or to prevent harm, including as described in the How Information Is Shared section.

## OBJECTING TO DATA USE

We give you account settings and tools to control our data use. For example, through your privacy settings, you can limit how your information is visible to other users of the Services; using your notification settings, you can limit the notifications you receive from us; and under your application settings, you can revoke the access of third-party applications that you previously connected to your Yes.Fit account.

## DATA RETENTION

We keep your account information, like your name, email address, and password, for as long as your account is in existence because we need it to operate your account. In some cases, when you give us information for a feature of the Services, we delete the data after it is no longer needed for the feature. For instance, when you provide your contact list for finding friends on the Services, we delete the list after it is used for adding contacts as friends. We keep other information, like your exercise or activity data, until you use your account settings or tools to delete the data or your account because we use this data to provide you with your personal statistics and other aspects of the Services. We also keep information about you and your use of the Services for as long as necessary for our legitimate business interests, for legal reasons, and to prevent harm, including as described in the How We Use Information and How Information Is Shared sections.

## ANALYTICS PROVIDED BY OTHERS

We work with partners who provide us with analytics. This includes helping us understand how users interact with the Services, serving advertisements on our behalf across the internet, and measuring the performance of those advertisements. These companies may use cookies and similar technologies to collect information about your interactions with the Services and other websites and applications.

## INFORMATION SECURITY

We work hard to keep your data safe. We use a combination of technical, administrative, and physical controls to maintain the security of your data. This includes using Transport Layer Security (“TLS”) to encrypt many of our Services. No method of transmitting or storing data is completely secure, however. If you have a security-related concern, please contact customer support.

#### CHANGES TO THIS POLICY

We will notify you before we make material changes to this policy and give you an opportunity to review the revised policy before deciding if you would like to continue to use the Services. You can review previous versions of the policy in our archive.

#### WHO WE ARE AND HOW TO CONTACT US

If you have questions about this policy, or need help exercising your privacy rights, please contact us at [info@yes.fit](mailto:info@yes.fit).