

KINEMA FITNESS PRIVACY POLICY

Kinema Fitness, Inc. (“Kinema Fitness,” “Company,” “We”) respects your privacy and is committed to protecting it through our compliance with this policy. This document describes the types of information we may collect or that you may provide when you access or use Kinema Fitness’s website (collectively “Services”) and our practices for using, maintaining, protecting and disclosing that information.

Information We Collect and How We Collect It

We collect information from and about users of our Services:

- Directly from you when you provide it to us.
- Automatically when you use the Services.
- Through the use of Cookies.

Information You Provide to Us

When you use or register with the Services, you may be asked to provide information by which you may be personally identified such as your name, email address, and telephone number. ("Personal Information").

This information includes:

- Information provided at the time of registering to use the Services, creating a profile and inputting information into forms including your name, email address, phone number, company name, and location.
- Information requested for wellness assessments, namely health information related to stress, sleeping patterns, nutrition, emotional wellbeing, and other information that may be helpful in providing health coaching services.
- Details of transactions you carry out through the Services and of the fulfillment of your orders, such as when you sign up for a call or schedule a personal training session. You may be required to provide financial information before placing an order through the Services.
- Records and copies of your correspondence (including e-mail addresses and phone numbers),

if you contact us. We may also ask you for information when you report a problem with the Services.

- Your responses to surveys that we might ask you to complete for research purposes.

Automatic Information Collection

When you download, access or use the Services, it may use technology to automatically collect:

- Usage Details. When you access and use the Services, we may automatically collect certain details of your access to and use of the Services, including traffic data, location data, logs and other communication data and the resources that you access and use on or through the Services.
- Device Information. We may collect information about your computer, mobile device and internet connection, including the computer or mobile device's unique device identifier, IP address, operating system, browser type, mobile network information and the device's telephone number.

Cookies

We may automatically collect certain information through the use of “cookies.” Cookies are small data files that are stored on your hard drive by our Services. Among other things, the use of cookies helps us to improve the Services and your user experience. We use cookies to see which areas and features are most popular, to count the number of computers accessing our Services, and to personalize your experience by remembering your preferences.

We link the information we store in cookies to any personally identifiable information you submit while on the Services. If your browser is set not to accept cookies or if you reject a cookie, you may not be able to access certain features or services, however you can still use the Services normally. The use of cookies by our service providers or third parties is not covered by our privacy statement. We do not have access or control over these cookies. We do not track signals, or plant cookies when a Do Not Track (DNT) browser mechanism is in place.

Use of Personal Information

We use your personal information as follows:

- To improve our services.
- To respond to comments and questions and provide customer service.
- To send information including confirmations, invoices, technical notices, updates, security alerts, and support and administrative messages.
- To communicate about promotions, upcoming events, and other news about products and services offered by us and our selected partners.
- To protect, investigate, and deter against fraudulent, unauthorized, or illegal activity.
- To provide and deliver products and services customers request.

Sharing of Personal Information

We may share personal information as follows:

- We share your information with Mindbody and Twin Oaks, which are software that allows you to view, register and pay for our Services.
- We may share personal information when we do a business deal, or negotiate a business deal, involving the sale or transfer of all or a part of our business or assets. These deals can include any merger, financing, acquisition, or bankruptcy transaction or proceeding. However, this information will be in the aggregate and anonymized to protect your personal information.
- We may share information to respond to lawful requests and legal processes.
- We may share information to protect the rights and property of Kinema Fitness, our agents, customers, and others. This includes enforcing our agreements, policies, and terms of use.
- We may share information in an emergency. This includes protecting the safety of our employees and agents, our customers, or any person.

We may also share aggregated and/or anonymized data with others for their own uses. We will never share personal information of employees with their employers, including but not limited to the McDonald's Corporation.

Third-Party Disclosure and Links

In order to provide our Services to you, we utilize software created and operated by Mindbody and Twin Oaks. The Personal Information you provide on their platforms is governed by their privacy statements. We strongly encourage you to carefully read their privacy statements. Learn more about Mindbody at their website, www.mindbodyonline.com, and about Twin Oaks at <https://healthclubsoftware.com/>.

The Services may include links to other websites whose privacy practices may differ from those of Kinema Fitness. If you submit Personal Information to those sites, we encourage you to read their respective privacy statements as well.

Security of Your Personal Information

The security of your Personal Information is important to us. When you enter sensitive information (such as credit card number) on our Services, we encrypt that information using secure socket layer technology (SSL).

Kinema Fitness takes reasonable security measures to protect your Personal Information to prevent loss, misuse, unauthorized access, disclosure, alteration, and destruction. Please be aware, however, that despite our efforts, no security measures are impenetrable.

If you use a password on the Services, you are responsible for keeping it confidential. Do not share it with any other person. If you believe your password has been misused, please notify us immediately.

Updating and Accessing Your Personal Information

If your Personal Information changes, we invite you to correct or update your information. We will retain your information for as long as your account is active or as needed to provide you services. If you wish to

cancel your account, request that we no longer use your information to provide you services, or delete your Personal Information, you may do so through your account settings, or contact us at info@kinemafitness.com. We will respond to your request to have your Personal Information updated as soon as possible. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Choices About Use of Your Information

You can use some of the features of the Services without registering, thereby limiting the type of information that we collect.

You may unsubscribe from receiving certain promotional emails from us. If you wish to do so, simply follow the instructions found at the end of the email. Even if you unsubscribe, we may still contact you for informational, transactional, account-related, or similar purposes, including messages about your current Kinema Fitness account and services.

Many browsers have an option for disabling cookies, which may prevent your browser from accepting new cookies or enable selective use of cookies. Please note that, if you choose not to accept cookies, some features and the personalization of our Services may no longer work for you.

Legal Basis for Processing Personal Information Under The General Data Protection Regulation (GDPR)

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it.

However, we will normally collect personal information from you only (i) where we need the personal information to perform a contract with you; (ii) where the processing is in our legitimate interests and not overridden by your rights; or (iii) where we have your consent to do so. We have a legitimate interest in operating our Services and communicating with you as necessary to provide these Services, for example when responding to your queries, improving our platform, undertaking marketing, or for the purposes of detecting or preventing illegal activities.

In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information).

Your Data Protection Rights Under the General Data Protection Regulation (GDPR)

If you are a resident of the EEA, you have the following data protection rights:

- If you wish to access, correct, update, or request deletion of your personal information, you can do so at any time by emailing info@kinemafitness.com.
- In addition, you can object to the processing of your personal information, ask us to restrict the processing of your personal information, or request portability of your personal information. Again, you can exercise these rights by emailing info@kinemafitness.com.
- You have the right to opt-out of marketing communications we send you at any time. You can exercise this right by clicking on the "unsubscribe" or "opt-out" link in the marketing emails we send you. To opt-out of other forms of marketing, please contact us by emailing info@kinemafitness.com.
- Similarly, if we have collected and process your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect the processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

Your Data Protection Rights under the California Consumer Privacy Act (CCPA)

The California Consumer Privacy Act (“CCPA”) provides consumers with specific rights regarding their Personal Information. If you are a California resident, you have the right to:

- Request we disclose to you free of charge the following information covering the 12 months preceding your request: (a) the categories of Personal Information about you that we collected; (b) the categories of sources from which the Personal Information was collected; (c) the purpose for collecting Personal Information about you; (d) the categories of third parties to whom we disclosed Personal Information about you and the categories of Personal Information that was disclosed (if applicable) and the purpose for disclosing the Personal Information about you; and (e) the specific pieces of Personal Information we collected about you;
- Request we delete Personal Information we collected from you, unless the CCPA recognizes an exception;
- If the business sells Personal Information, you have a right to opt-out of that sale.

Consistent with California law, if you choose to exercise your applicable CCPA rights, we won’t charge you different prices or provide you a different quality of services. If we ever offer a financial incentive or product enhancement that is contingent upon you providing your Personal Information, we will not do so unless the benefits to you are reasonably related to the value of the Personal Information that you provide to us. If you are a California resident and wish to exercise your rights under the CCPA, please contact us at info@kinemafitness.com.

Notice Concerning The Information Of Children

Kinema Fitness is not directed to children under the age of 13 and does not intentionally collect any information from children under the age of 13. Please contact us if your child has provided Personal Information to us and we will delete the information.

Changes to This Policy

Kinema Fitness may change this Policy from time to time. If we make any changes to this Policy, we will change the "Last Updated" date below and may notify you by email (sent to the e-mail address specified

in your account). We encourage you to review this Policy whenever you visit the Services to understand how your Personal Information is used.

Contact Information

We welcome your comments or questions about this privacy policy. You may also contact us at our email address info@kinemafitness.com.

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