

## TAB (Train Any Buddy) Inc. PRIVACY POLICY FOR USA

### **Our Privacy Policy Overview**

WE TAKE PRECAUTIONS WITH USER INFORMATION AND PERSONAL DATA. We value our users and respect your privacy. We collect information about you through the Website in an effort to improve your online experience and to communicate with you about our services and promotions. Neither your name nor anything personal about you is sold or shared with any non-affiliated company or agency. However, as described in greater detail below, we may share your information under certain circumstances with businesses with whom we work to help the Website function.

This Privacy Policy describes the personal information we collect about you, why we collect it, how we use it, and when we share it with third parties. This Privacy Policy also describes the choices you can make about how we collect and use certain information. Your privacy is important to TAB (Train Any Buddy) Inc. (sometimes referred to as the "TAB", "we", "our", or "us") and the personal information that you provide to us, and that we otherwise gather about you, is vital to us because it allows us to provide you with our TAB Services (defined below) and make your experience as safe and enjoyable as we can achieve. This Privacy Policy explains how we collect, use, share and protect the information that we have about you. It also describes how you can access and update the personal information you provide to us, and make certain choices about how your information may be used.

### **Our Privacy Policy, In More Detail**

This Privacy Policy applies to any way you may access and/or contact TAB, including web and mobile access, regardless of your method of accessing TAB. The activities and services offered by TAB are collectively referred to as the "Services."

BY USING TAB'S SERVICES OR BY OTHERWISE GIVING US YOUR PERSONAL INFORMATION, YOU AGREE TO THE TERMS OF THIS PRIVACY POLICY AND TO BE BOUND BY ITS PROVISIONS. IF YOU DO NOT AGREE TO THE TERMS OF, AND TO BE BOUND BY, THIS PRIVACY POLICY, THE TERMS OF USE (WHICH INCORPORATE THIS PRIVACY POLICY) OR ANY OTHER PROVISION SET FORTH ON OR IN THE TAB WEB SITE OR APPLICATIONS, AS THEY MAY BE AMENDED FROM TIME TO TIME, THEN YOU ARE NOT AUTHORIZED TO USE THE SERVICES IN ANY WAY.

Please review this Privacy Policy carefully so that you understand TAB's privacy practices. If you do not agree to this Privacy Policy, do not use any of our Services or give us any of your personal information. In addition, please review TAB's Terms of Use, which may apply to your use of our Services. This Privacy Policy is incorporated by reference into TAB's Terms of Use and will be applicable to users using both TAB website ([www.tab.fit](http://www.tab.fit)) and TAB Fit Mobile App (all OS versions).

#### Information Gathered by TAB:

TAB gathers a wide array of information from those who use its Services for the purpose of providing those Services to its users (both trainers and trainees and all users, together

referred to as “Users”) as well as to continue to improve TAB’s Services.

The information we gather from our Users, whether via mobile devices or website (details on user’s information captured by both website and mobile app are mentioned in section below), such as online registration, location tracking, notifications profile pictures or otherwise, helps us maintain safety protocols and personalize our Users’ experience, while continually allowing us to improve the TAB experience. Some, but not all, of the types of information we gather from Users may include sensitive personal information about you, including your full name, a current photograph, as well as information identifying the device you use to access the Services, its IP address, your physical geographic location, and other information that TAB deems necessary or desirable to provide, enhance, and improve the Services and to maintain your account with TAB accurately. Without much of that information, TAB would not be able to provide the Services to you and TAB does, and will, take reasonable steps to ensure that this information remains secure and confidential as to third parties. By using the Services, you represent and warrant that you are aware, have read and fully understand this Privacy Policy, that you have the authority to provide us with any and all of the information that we may request from you, and that the information that you provide is materially accurate, to the best of your knowledge.

The TAB website may also use various technologies to gather information about your mobile phone model, brand, OS and software; this information may be automatically collected by TAB. This information can include, but is not necessarily limited to: your IP address, the browser you are using to access TAB.fit, etc. This information may be used by TAB for the operation of the Services, to maintain and improve the quality of the Services, and to provide general statistics to TAB regarding your, and other Users’, use of TAB’s Services.

You are also free to use any social media aspect of TAB, whether maintained as part of the TAB platform or via third parties (e.g., Facebook, Twitter, Google+, etc.). However, be advised that, by doing so, any personal information that you disclose, including your name, photo, details about your use of TAB’s Services, etc., may be viewed and/or used by other users and as such is beyond TAB’s control.

TAB may also collect information about you from third party sources such as Google Maps, Playstore, etc. that helps TAB to better attribute the data collected and present a more accurate matching for the TAB users. These sources include, but are not necessarily limited to, mediaSource, location and other Users who use TAB’s Services. We may also use the information that you provide to us about TAB users (including, but not limited to, ratings and feedback) for internal purposes, to improve TAB’s Services, to promote TAB, to advise other Users, and to enhance safety and efficiency for our Users.

We collect different information from users, trainers and coaches, and all users must agree to add profile details along with location and phone details prior to being accepted as a designated TAB user. This information in its sole discretion, is collected to enhance the TAB Services and the safety and overall experience of those who use TAB.

#### Information captured by TAB website

TAB captures the following information from the users through the website usage to ensure a quality service of the TAB services. The data points mentioned here are an indication of the type of data captured and are not limited to the ones mentioned here.

Registration details – Only to contact the user based on his approval to be contacted such as Name, phone number, and email.

#### Information captured by TAB Mobile app

TAB captures the following information from the users through the Mobile app usage to ensure a quality service of the TAB users. The data points mentioned here are an indication of the type of data captured and are not limited to the ones mentioned here.

Mandatory details for quick registration to TAB mobile application: Phone number, One time password through SMS, Name, Gender, Email, and Profile picture.

Optional details to further navigate the app and use extended features include: Training location, Training Format, Workout preferences, Training Time, Expertise Level, Training Frequency, Trainer preference, Buddy preference, if willing to train others, and Paid background check.

#### TAB's Use of the Information It Receives From and About Its Users

Information we gather about you is an important part of our business, and we need to collect this information to be able to provide the Services to you as safely, efficiently, and effectively as possible. However, we are not in the business of selling your information to others. We use your personal information, including your email address and/or mobile telephone number, to contact you in connection with your use of TAB's Services. We may share this information with other TAB users as necessary to arrange for you to use the Services, and also for promotional services relating to TAB.

With regard to the financial information that you provide to TAB, we will use that primarily to maintain your account with TAB and to process financial transactions with applicable financial institutions. We will not share your personal financial information with other Users of TAB's Services, but as stated above, other Users may receive personal information about you including your name, geographic location, photo, workout preferences, etc. By using TAB's Services you consent to our sharing this information with other Users.

We may also share your comments, whether as a trainee or a coach, about others who use the TAB Services, whether user, trainee or coach, to improve their and your experience with TAB.

You will have the option to assist us in limiting the number of non-fitness or training related communications you receive from us and we will do our best to honor your instructions to the extent we can do that and still provide you with the Services as TAB sees fit. We will also use the personal information you provide to us, via any platform, to forward trip information to you from other Users, and to contact users to suggest potential matches. We may share your personal information with third party service providers so they can provide TAB with support services such as e-mail origination, background check, insurance coverage, related fitness products and payment processing services. Unless you authorize us to do otherwise, we will endeavor to ensure that these third party entities will not use your personal information for any purpose that is not related to TAB's Services. Except as otherwise set forth herein and in the Terms of Use, we will endeavor to provide you with adequate notice when information about you might go to third parties, and you will have an opportunity to instruct TAB about the use of that information, which we will endeavor to follow unless otherwise required (such as a subpoena or other order from a court of competent jurisdiction).

In addition to the information that we collect about you, you agree to receive information that we may send to you with respect to the Services, including, but not limited to, the names, telephone numbers, photos and other identifying information about other users of the Services with whom you may be participating in fitness sessions and conversations.

#### Information Collected from Users Who Are Coaches or FitBuddies

If you wish to qualify as a Coach or Fitbuddy, you must consent to TAB to collect Personal Information from you in addition to the information that we collect from all Users of TAB's Services. Therefore, in addition to your name, email address, physical address, telephone number and other identifying information as set forth in the mobile and web site application forms, we may collect information including your expertise or level of fitness or certification details, background check which includes sexual offense, Criminal offense, and Global watchlist. We use this information to determine that interactions among TAB users is safe and is conducted with knowledge of each other. Whether or not you qualify as a Coach, Fitbuddy or a user with TAB is solely and exclusively within TAB's discretion and, while TAB does not discriminate based on race, gender, ethnic background and sexual orientation, you may be deemed qualified or unqualified for any appropriate reason including the ratings and comments that other users of TAB's Services leave about you.

#### Security of your Information

We strive to keep your Personal Information private and safe. We take commercially reasonable physical, electronic, and administrative steps to maintain the security of Personal Information collected, including limiting the number of people who have physical access to database servers, as well as employing electronic security systems and certain password protections that guard against unauthorized access.

TAB makes a reasonable and sensible effort to ensure that your information is secure on its system. For example, TAB works to protect the security of your information during transmission by using Secure Sockets Layer (SSL) software, which encrypts information during interactions on the mobile application. TAB has staff dedicated to maintaining the privacy of information that its Users provide. However, TAB is not liable for an unauthorized breach of TAB's security and protection protocols (i.e., if TAB's electronic files are "hacked"), and you agree that you will not seek damages from TAB, and that TAB shall not be liable for any damages incurred by you, in the event your personal information is stolen or otherwise secured from TAB's database of users.

Your TAB profile is password-protected so that only you and authorized TAB employees and agents have access to your personal account information. If you have registered for TAB using Facebook, Snapchat, Google or Apple, then your login and password shall be the same as your Facebook login and password.

Unfortunately, despite our best efforts, the transmission of data over the Internet cannot be guaranteed to be 100% secure. While we will use every reasonable means to ensure the security of information you transmit through the Website, we cannot guarantee that such information will not be intercepted by third parties. We will, however, prosecute any unauthorized or fraudulent transactions to the fullest extent permitted by law.

### Disclosure of User's Information

Your personal information may be passed on to a third party in the event of a transfer of ownership of TAB's assets, or a bankruptcy, or by other operation of law. TAB may also disclose personal information when, as described herein, we determine that such disclosure is necessary to comply with applicable law, to cooperate with law enforcement, or to protect the interests or safety of TAB itself, and its Users.

Finally, you should know that TAB is required to cooperate with appropriate government and law enforcement officials and private parties to enforce and comply with applicable laws and court orders. As a result, TAB may access, use, preserve, transfer and disclose your information (including Personal Information), including disclosing this information to third parties such as government or law enforcement officials or private parties as TAB, in its sole discretion, reasonably determines is necessary and appropriate: (i) to satisfy any applicable law, regulation, subpoenas, governmental requests or legal process; (ii) to protect and/or defend TAB's Terms of Use regarding the Services, including investigation of potential violations of the Terms of Use; (iii) to protect the safety, rights, property or security of TAB and its users who use the Services, or any third party that uses or provides services to TAB; (iv) to protect the safety of the public for any reason; (v) to detect, prevent or otherwise address fraud, security or technical issues; and/or (vi) to prevent or stop activity we may consider to be, or believe poses a risk of being, an illegal, unethical, or legally actionable activity. Further, TAB may use your IP address, location services, or other information that identifies you and/or your mobile device, and may do so in cooperation with third parties such as copyright owners, internet service providers, wireless service providers and/or law enforcement agencies, including disclosing such information to third parties, all in our discretion. Such disclosures may occur without notice to you.

### Editing and Updating Your Information

TAB provides all Users with the ability to access and edit their respective personal information. To update personal info, navigate to your account in the TAB mobile application or online, and enter your login and password. Once logged in, you may view, update and change your personal and account information. However, be advised that, in order for TAB to maintain the integrity of the information that it must collect regarding its Users and to take reasonable steps to enhance security and the Users' experience with TAB, there is certain data, including your phone number that TAB collects, that you cannot alter yourself.

TAB's databases automatically update any personal information you provide to TAB. Any information that you provide to TAB by any means (mobile, internet, e-mail, etc.) or that TAB obtains from internal or third party sources about its Users, including you, is and shall remain, the property of TAB.

### Steps to delete TAB account

1. Click on the profile section on the top left corner of the home screen.
2. In profile section on the top right corner, you can find settings.
3. In settings you will have an option to delete account.
4. Please select the appropriate reason for deleting your account and click on delete account.
5. Check your registered email address for an account deletion confirmation, from TAB Fit.
6. Confirm your account deletion request.

### Retention of Information

To preserve the integrity of the information that TAB receives from, and maintains regarding, its Users, including you, and to comply with applicable statutes and regulations, TAB maintains its databases and the personal information that you and all Users provide for an indefinite length of time. By creating an account with TAB and/or using TAB's Services, you consent to TAB's use of your personal information and acknowledge that TAB may maintain your information in one place for this indefinite length of time. TAB will keep the user's information for a minimum of 10 years and may archive it based on TAB's discretion. TAB may also archive Users' accounts, including yours, and the information that TAB maintains regarding those accounts, upon your written request.

By using the Services, you represent and warrant that you understand and agree that all information submitted by you to TAB shall become and remain the property of TAB and may be used in TAB's sole discretion in accordance with this Privacy Policy and its Terms of Use.

### Theft of Mobile Phone or other media devices Owned by User

In case the user loses or reports a theft of the media device, mobile phone or any other form of device used to access TAB profile with a request to hold, archive, block or delete TAB profile, the user is required to submit a proper copy of official police report, reporting the loss of mobile phone or device. TAB will only be able to take any action on blocking or barring the profile based on verification of the police report. Any loss of data or misuse of information from TAB profile before the account is blocked or archived is not TAB's responsibility.

### Data Security Standards

The information captured by TAB is stored on servers on the cloud.

### Non-Personally Identifiable Information (including "Cookies" and "Pixel Tags")

Through your use of this Website, we may also collect certain non-personally identifiable information from you ("NPII"). NPII is not associated with you as an individual. It is measured anonymously and only in the aggregate. During a normal visit to our website, no personal information is collected. We may, however, collect information that does not identify you, such as information from your web browser, or information about the aggregate number of visits to a web page. This may also include cookies, which are tiny data tags that track where you go, and help navigate you back. This information also helps us see which pages require attention.

Let's talk in more detail about cookies. As mentioned above, our website may use cookies. A cookie is a small piece of information sent by a website that is saved on your hard drive by your computer's browser. Cookies help us remember you when you return to the Website. Cookies also hold information to personalize and enhance your experience and to gather website statistical data, such as which pages are visited, the Internet provider's domain name and the addresses of the sites you visited immediately before coming to and immediately after leaving the Website. The information in the cookies lets us trace your "clickstream" activity (i.e., the paths are taken by users of the Website as they move from page to page) to enable us to better serve our users by

revealing which portions of the Website are the most popular. Cookies contain absolutely no Personal Information. You may disable cookies on your browser. Please review your browser's instructions for doing so.

We may also use "pixel tags" (sometimes called "web beacons" or "clear gifs"), which are tiny graphic images, on the Website. Pixel tags help us analyze Users' online behavior and measure the effectiveness of the Website and our advertising and marketing. We may also use other analytical tools to evaluate site performance through the use of aggregated data, which contain no Personal Information. We work with service providers that help us track, collect, and analyze this information.

Cookies, pixel tags, and/or other analytical tools that we may use on the Website may collect information about your visit, including the pages you view, the features you use, the links you click, and other actions you take in connection with the Website. This information may include your computer's Internet protocol (IP) address, your browser type, your operating system, date and time information, and other technical information about your computer. We may also track certain information about the identity of the website you visited immediately before coming to the Website. We do not otherwise track any information about your use of other websites.

Cookies, pixel tags, and/or other analytical tools in our emails may be used to track your interactions with those messages, such as when you receive, open, or click a link in an email message from us.

We may also work with businesses that use tracking technologies to deliver advertisements on our behalf across the Internet. These companies may collect information about your visits to the Website and your interaction with our advertising and other communications, but no Personal Information is shared with them.

We may combine the NPII collected through cookies, pixel tags, and other analytical tools with other information we may have collected from you. This information may be used to improve our Website, to personalize your online experience, to help us deliver information to you, to determine the effectiveness of advertising, and for other internal business purposes.

### Do Not Track Signals

Our website does not currently respond to web browser's Do-Not-Track signals.

### Your Security

We strive to keep your Personal Information private and safe. We take commercially reasonable physical, electronic, and administrative steps to maintain the security of Personal Information collected, including limiting the number of people who have physical access to database servers, as well as employing electronic security systems and certain password protections that guard against unauthorized access.

Unfortunately, despite our best efforts, the transmission of data over the Internet cannot be guaranteed to be 100% secure. While we will use every reasonable means to ensure the security of information you transmit through the Website, we cannot guarantee that such information will not be intercepted by third parties. We will, however, prosecute any

unauthorized or fraudulent transactions to the fullest extent permitted by law.

### Links to Other Websites

While visiting the Website, you may link to websites operated by third parties or you may have come to the Website using a link found on another website. This does not mean that we endorse these websites or the goods or services they provide. We do not make any representations or warranties about any website that may be linked to the Website. Such other websites are independent of us, and we have no control over, or responsibility for, their information, products or activities.

In addition, our privacy practices may differ from those of these other websites. If you provide Personal Information at one of those websites, you are subject to the privacy policy of the operator of that website, not our Privacy Policy. Please make sure you understand the other website's privacy policy before providing Personal Information.

### "Spoofing" And "Phishing"

A common Internet scam is known as "spoofing" or "phishing." This occurs when you receive an email from what appears to be a legitimate source requesting Personal Information from you. Please be aware that we will not send you any emails requesting you to verify any Personal Information. If you ever receive an email that appears to be from us requesting such information from you, DO NOT respond to it, and DO NOT click on any links appearing in the email. Instead, please forward the email to us at [support@tab.fit](mailto:support@tab.fit) as we will investigate instances of possible Internet fraud.

### Children and Privacy

The Website and Mobile Platform are only meant for those that are 18 and older. You can only use the service if you are 18 and older. The Website and Mobile Platform are not meant for children, and we will not knowingly collect any Personal Information from children under the age of 13 without verified parental consent. We will remove from our files any Personal Information of anyone we discover to be under 13 years old. We are concerned about the safety of children when they use the Internet, and we understand that children may not understand all the provisions of our Privacy Policy or make informed decisions about the choices that are made available to adult users of the Website.

### Grievances

If You have any concern, question, grievance or complaints in relation to the Site or its content, or this Privacy Policy, You can contact to our support team – through the "Support" email – [support@tab.fit](mailto:support@tab.fit)

### Changes to our Privacy Policy

If at any point we decide to use particular personally identifiable information in a manner materially different from that stated at the time it was collected, we will notify you by way of an email or by providing 20 days notice on the TAB Mobile Platform. We also encourage you to review this privacy policy periodically.

We reserve the right to change or update this Privacy Policy by posting such changes or updates to the Website and in the Mobile Platform. Amendments to this Privacy Policy



will be posted at this URL and will be effective when posted. It is your responsibility to review any such changes or updates and check the Website and Mobile Platform from time to time to be sure you understand all terms and conditions, agreements, and policies of the Website and Mobile Platform and are in compliance with them. You can tell if the policy has changed by checking the last modified date that appears at the end of this Privacy Policy. Your continued use of the Website and Mobile Platform following the posting of any amendment, modification, or change shall constitute your acceptance of the updated privacy policy.

#### Contacting TAB

If you have any questions about this privacy statement contact us at [support@tab.fit](mailto:support@tab.fit).

#### Amendments and Updates

This Privacy Policy may be updated, amended, and revised from time to time and all users of TAB's services will have an opportunity to review any updated, amended, and/or revised Privacy Policy and whether or not you have reviewed any updated, amended, and/or revised Privacy Policy, by continuing to maintain an account with TAB you consent to the terms and provisions contained in any Privacy Policy utilized by TAB.

### Privacy Policy - United States TAB FitBuddy and Coach

TAB is committed to protecting your privacy. This Privacy Policy ("Policy") for FitBuddy and Coach explains how we collect, use, disclose and protect personal information of our FitBuddy and Coaches in their capacity as Coaching Service Provider. It applies to all Personal information collected by us on the TAB Mobile App and Website page <https://www.tab.fit> (the "Site"), the TAB mobile application, and any other website or mobile application that links to this Policy (collectively, the "Coaching Services").

Your access to and use of the Coaching Services are subject to our [Independent Contractor Agreement](#) ("ICA") Please make sure that you have carefully read and understand the ICA before you use and provide the Coaching Services. By using the Coaching Services, you accept the ICA, and accept our privacy practices described in this Policy. If you do not feel comfortable with any part of this Policy or our ICA, you must not use or access the Coaching Services.

TAB provides an online marketplace connection, using web-based technology that connects Coaches, users (Buddies), Facilities and/or other businesses. The Coaching Services may change from time to time. As a result, we reserve the right to update or modify this Policy at any time and from time to time without prior notice. If we make any

material changes to the way we process your Personal information, we will notify you before such changes are effective. If you object to any changes, you must cease using the Coaching Services. We recommend you review this Policy periodically. This Policy became effective on the date indicated in our “Terms of Use” section. Your continued use of the Coaching Services after any changes or revisions to this Policy indicates your agreement to the terms of the revised Policy.

## **1. Collection of Personal information**

When you use the Coaching Services, we may collect or receive Personal information about you. The types of Personal information that we may collect about you are:

### *a. Information You Provide to Us Directly*

You may provide your personal information to us when you use the Coaching Services, including when you sign up to become a FitBuddy or Coach, authorize a background check, register as a FitBuddy or Coach, participate as a FitBuddy or Coach, participate in direct deposit, contact us with inquiries or otherwise communicate with us, or otherwise access or use the Coaching Services. This information may include:

- FitBuddy or Coach Profile – We collect profile information associated with your FitBuddy or Coach account. This includes information such as name, email address, phone number, preferred region and city, address, social security number, and other information that may identify you. We may also collect your preferences, such as workout, location of training, language preference, and preferences to receive texts instead of telephone calls. We may also collect your year or date of birth to enable us, for example, to assess whether you qualify to be a Coach or FitBuddy and to determine if you are eligible to provide Coaching Services.
- Certification, Location and Facility Information – We may collect location and facility information, such as your Gym, Home, Work address, Certification of fitness coaching, and insurance information.
- Financial and Payment Information – We may collect financial information to, for example, facilitate payments to FitBuddy and Coaches. This may include bank

and bank account information, including routing and account numbers, and order payment information, including expense reimbursement requests.

*b. Information Received From You as Part of Your Communications*

When you use the Coaching Services, complete electronic forms, communicate with TAB customers or contact us, by online chat, email, phone or text, we may automatically collect and store certain information about you and the activity you engaged in, for example: your name and contact information; information that you voluntarily provide to us; the nature of your communication; the purpose of the interaction, and the action we took in response to your inquiry or request.

*c. Information Collected Automatically*

We also may receive and store certain information about you and your device(s) automatically when you access or use our Site and the Coaching Services. This information may include:

- Technical Information – We collect technical information associated with your activity on our Site and may include information related to your browser and operating system, IP address (the Internet address of your computer), unique device identifiers, and other information such as your device type and version of the app that is in use. We use such information for diagnostic and statistical purposes and to administer the Coaching Services.
- Site Usage Information – We collect information to better understand traffic patterns and Site usage. This may include the webpage that you were visiting before accessing our Site or mobile application, the pages or features of our Site or mobile application you browsed to inform us which part of our Site, app and Coaching Services you visit and how much time you spend there. This information is used to analyze and improve our Site and to provide our users with a better user experience.
- Site Preferences – We collect information about your preferences to make your use of the Site more productive through the use of cookies.

#### d. Location Information

To participate as a FitBuddy or Coach, you must permit the Coaching Services to access location services through the permission system used by your mobile operating system ("Platform") or browser. We may collect the precise location of your device when the TAB Mobile app is running in the foreground or background of your device. We may also derive your approximate location from your IP address. We use your location information to verify that you are present in your preferred region or city when you begin or engage in a coaching (online and in-person) through TAB, connect you with coaching opportunities in your zone, and track the progress and completion of your coaching services. You can enable the location tracking feature through the settings on your device or Platform or when prompted by the TAB mobile app. If you choose to disable the location feature through the settings on your device or Platform, TAB will not receive precise location information from your device, which will prevent you from being able to Coach and receiving Coaching opportunities in your area.

#### e. Information Related to Coaching Sessions

When you participate as a FitBuddy and Coach through the Coaching Services, we may also receive and store information related to your Coaching Sessions and ratings, including:

- Date and time of the sign-up and log-in;
- Session acceptances and declinations and your acceptance rate and cancellation rate;
- The number of Sessions and matches you make;
- The date and time of Session acceptances, declinations, cancellations, chats and completions;
- The quality of sessions;
- In-person sessions route information;
- Payment amounts associated with each session;
- The number of participants per session;
- Tip amounts;
- User (Buddy) ratings and other feedback;
- Attribution and where the user arrived from;

- Where you did the orientation and where you've taken sessions (date time place of orientation); and
- Your location (see Location Information section, above).

*f. Personal information from Publicly-Available Sources and Third Parties*

We may collect or receive Personal information about you from publicly-available sources, marketing partners, and/or third parties. This may include demographic information such as income and spending habits. We may also, for example, receive information about you from the Facilities and/or other businesses utilizing the TAB Services ("Businesses") regarding your Sessions through the Coaching Services.

TAB may also offer a Coaching Referral Program where TAB allows FitBuddy and Coaches to invite friends and family to sign up for the Coaching Services and become a FitBuddy or Coach. We may offer referral bonuses, as set forth in any referral terms governing the TAB Referral Program. To help you do this, we may request that you grant us access to your mobile device address book. You can then direct us to send referral emails or other communications to contacts you select in your address book. By sending a referral, you also consent to TAB sending your public profile image to the contacts you select to receive a referral link. By choosing to invite a friend, you represent that you have received the friend's consent to provide his or her name and email address with us. TAB will use that information to send an email inviting him or her to visit the site and will store that information to track the success of the referral program and may send marketing emails. You can also send an SMS with a referral link to your contacts.

FitBuddy or Coach may not send, publish, or share any false, misleading, or deceptive communications in connection with participation in the Referral Program. Such actions may violate various federal, state, and/or international laws, including, but not limited to, the regulations and policies promulgated by the Federal Trade Commission. TAB users may not send any referral emails, SMS messages, or other communications to children under the age of 18.

If you are referred to TAB through one of our referral programs, or if someone attempts to refer you, we may share your name, whether you have already signed up as a FitBuddy or Coach, whether you are a new FitBuddy or Coach, and whether you have

completed the required number of Sessions in the required amount of time to qualify for a referral bonus.

## **2. Use of Cookies and Other Tracking Technologies**

We use cookies, web beacons, pixels, replay session, and similar technologies to collect information and personalize your experience with the Coaching Services.

### **a. Cookies**

Cookies are small web files that a site or its provider transfers to your device's hard drive through your web browser that enables the site's or provider's system to recognize your browser and remember certain information.

We use first-party and third-party cookies for the following purposes: (1) to make the Coaching Services function properly; (2) to improve the Coaching Services; (3) to recognize you when you return to TAB and to remember information you have already provided, such as your preferences; (4) to collect information about your activities over time and across third party websites or other online services in order to deliver content and advertising tailored to your interests; and (5) to provide a secure browsing experience during your use of the Coaching Services.

You may disable the use of cookies by modifying your browser settings. If you choose to disable cookies you may not be able to fully experience the interactive features of the Coaching Services. For more information on cookies and how to disable cookies visit [www.ftc.gov/ftc/cookies.shtml](http://www.ftc.gov/ftc/cookies.shtml) or [https://www.usa.gov/optout\\_instructions.shtml](https://www.usa.gov/optout_instructions.shtml).

### **b. Web Beacons**

Web beacons, also known as web bugs, pixel tags or clear GIFs, are tiny graphics with a unique identifier that may be included on our Site to deliver or communicate with cookies, in order to track and measure the performance of our Site and services, monitor how many web visitors we have, and to monitor the effectiveness of our advertising. Unlike cookies, which are stored on the user's hard drive, web beacons are typically embedded invisibly on webpages (or in an email).

### c. Replay Session

We may collect information on your use of our Site or the Coaching Services, such as pages visited, links clicked, non-sensitive text entered, and mouse and scrolling movements. The information collected may include a recreation of your session interactions on our site. We take measures to utilize replay session technology to exclude and block sensitive user information.

### d. Online Analytics and Advertising Technologies

We and our third-party vendors may use automated technologies (including cookie identifiers on our Site), along with other collected information, to tailor ads or deliver content when you are on the Dasher Services or on other devices, apps or websites.

### e. Interest-Based Advertising

We (or our service providers) may use the information we collect, for instance, IP addresses and unique mobile device identifiers, to locate or try to locate the same unique users across multiple browsers or devices (such as smartphones, tablets, or computers), or work with providers that do this, in order to better tailor content and features and provide you with a seamless experience across devices. If you wish to opt out of cross device tracking for purposes of interest-based advertising, you may do so through your device settings. We may also use cross-device targeting to help identify our users and serve advertising. This type of advertising is often called “interest-based” or “personalized” advertising—and when it occurs on mobile apps, “cross-app” advertising.

You can learn more about interest-based advertising and how to opt-out of receiving tailored advertising by visiting (i) the Network Advertising Initiative’s Consumer [Opt-Out link](#) or (ii) the Digital Advertising Alliance’s Consumer [Opt-Out link](#). To opt out of Google Analytics for display advertising or customize Google display network ads, you can visit the [Google Ads Settings page](#).

Please note that even if you opt-out, you may still receive advertisements from us. However, in that case, the advertising will not be tailored to your interests. Also, we do not control any of the above opt-out links or whether any particular company chooses to participate in these opt-out programs.

#### f. Mobile Applications

Depending on your permissions, we may receive your personal information from your Internet service and mobile device providers. Users of mobile devices who do not want to receive interest-based advertising may opt-out in several ways. Learn more about your choices for mobile devices by visiting <http://www.aboutads.info/appchoices>. Each operating system, (iOS for Apple phones, Android for Android devices, and Windows for Microsoft devices) provides its own instructions on how to prevent the delivery of tailored in-application advertisements. You should view your device or system “Settings” to determine how you can opt out of use of your device ID for “cross-app” personalized advertising.

### **3. Uses of Your Personal information**

We may use the information we collect or receive about you for various purposes.

#### a. To Receive, Process, and Create Your TAB Account

We may process your information when you sign up to be a FitBuddy or Coach, including background and coaching history checks. As part of the process, we may assess whether you qualify to be a FitBuddy or Coach and allow you to create a FitBuddy or Coach account.

#### b. To Provide You With the Coaching Services

We may use your information to provide you the Coaching Services. For example, we use information to:

- set up your direct deposit and issue payments to you;
- allow you to connect to Sessions requests;
- facilitate the completion of Online Sessions and In-person sessions;
- calculate payments owed;
- verify whether you are present in the city or region in which you intend to coach;
- assess whether you have met requirements for promotional or incentive pay programs;



- assess supply, demand, and other factors associated with aggregate business progress;
- assess activity and acceptance rates, customer ratings, and other factors associated with FitBuddy or Coach impact on the TAB platform; and
- link your FitBuddy or Coach account to your TAB account, if you already have a TAB account or if you create one in the future.

*c. To Maintain, Improve, and Personalize the Coaching Services*

We may use your information for our everyday business operations such as auditing, administration of the Coaching Services, forum management, fulfillment, and analytics. For example, we may use your information to better understand FitBuddy or Coach demographics, interests and behaviors, and we may enhance other information we have about you to help us better understand you and determine your interests. We may also use your information to calculate the total number of visitors to the Coaching Services and to each page or feature of the Coaching Services. Your information may also be used to improve the content and/or functionality of the Coaching Services. For example, it may be used to help us and/or our users (Buddies) improve our offerings. We also use your information to personalize your experience. For example, we may personalize the content and features you see when visiting the Coaching Services or profiles of users (Buddies). In addition, we may personalize advertisements, marketing communications, and recommendations to make them more tailored to your interests.

*d. To Communicate with You*

We may use your information to communicate with you. For example, we may send you text messages or other notifications about Sessions and other available users (buddies). We may also contact you with promotional offerings or other communications that may be of interest to you. If we send you marketing emails about services that may interest you, each email will contain instructions permitting you to “opt-out” of receiving future marketing or other communications.

In the event you contact us, we use certain information to respond to your questions and assist you with any issues that may arise in your use of the Coaching Services. Any communication or material you transmit to us via e-mail or otherwise, including any data,

questions, comments, suggestions or the like, but not including your personal information and any requests, comments or concerns regarding your personal information, will be treated as non-confidential and non-proprietary.

If you send text messages to a TAB customer, using the telephone number for that customer available on the Coaching Services, we may use a third-party service provider to track these text messages. We track these text messages for fraud prevention, to ensure appropriate charging of fees, to enforce our Terms of Use, and for quality and training purposes. As part of this process, TAB and its service provider will receive in real time and store data about your text message, including the date and time of the text message, your phone number, and the content of the text message.

*e. For Account and Network Security Purposes*

We care about keeping you secure and safe while using the Coaching Services. Keeping you safe requires us to process your Personal information, such as your device information, activity information and other relevant information. We use such information to combat spam, malware, malicious activities or security risks; improve and enforce our security measures; and to monitor and verify your identity to prevent unauthorized users from gaining access to your information.

*f. To Maintain Legal and Regulatory Compliance*

The Coaching Services are subject to certain laws and regulations which may require us to process your Personal information. For example, we may process your Personal information to provide you with tax documents, to fulfill our business obligations, or as necessary to manage risk as required under applicable law.

*g. To Enforce Compliance with our Independent Contractor Agreement and Policies*

When you access or use the Coaching Services, you are bound to our [Independent Contractor Agreement](#) (“ICA”) and this Policy. To ensure you comply with them, we process your Personal information by actively monitoring, investigating, preventing, and mitigating any alleged or actual prohibited, illicit or illegal activities on the Dasher Services. We also process your Personal information to: investigate, prevent or mitigate

violations of our internal terms, agreements or policies; enforce our agreements with third parties and business partners.

*h. To Protect You, Others, and Our Business*

We use your information to protect you, others, and our business, including, without limitation, using information for fraud prevention, for enforcement of our [Independent Contractor Agreement](#) (“ICA”), to comply with the law, and to protect against security risks.

*i. For Our Business Purposes*

We may use your information for any other purpose disclosed to you at the time we collect or receive the information, or otherwise with your consent or at your direction.

*j. Aggregated and De-Identified Information*

We may aggregate and/or de-identify information collected through the Coaching Services. We may use de-identified or aggregated data for any purpose, including without limitation for research and marketing purposes and may also share such data with any third parties, including without limitation, advertisers, promotional partners, sponsors, event promoters, and/or others.

**4. Sharing of Personal information with Third Parties**

Your Personal information is not shared with third parties without your permission, except as described herein.

*a. Related Entities*

We may share your information with our affiliates (entities that control or are under the control of TAB) for business purposes. We will require these entities to comply with the terms of this Policy with regard to their use of your information.

*b. Service Providers*

We may share your information with our third-party service providers for certain business purposes. This information is provided in order for them to provide us services such as payment processing, advertising services, marketing partners, background and driver history check services, web analytics, data processing, IT services, FitBuddy or Coach support and other services.

*c. Customers and Merchants*

To facilitate Sessions, we may share your information, including your contact information, vehicle information, location information, ratings, and other information with customers and our Business partners.

*d. When Required by Law*

We recognize that information related to your activities as a FitBuddy or Coach could contain private information. However, we may be required to disclose your information to third parties including law enforcement agencies when required to protect and defend our legal rights, protect the safety and security of TAB users, prevent fraud, comply with the law, respond to legal process, or a request for cooperation by a government entity.

*e. Corporate Transactions*

In the event of an actual or contemplated sale, transfer, merger, reorganization, dissolution, or similar event we may transfer your information to one or more third parties as part of that transaction.

*f. With Your Consent*

We also may share or disclose your information with your consent or at your direction.

## **5. Security**

TAB has implemented administrative, technical, and physical security controls that are designed to safeguard Personal information. However, no online activity is ever fully secure or error-free. While we strive to protect your information, we cannot guarantee

that your Personal information is absolutely secure. Please keep this in mind when disclosing any information to TAB.

Please recognize that protecting your Personal information is also your responsibility. We urge you to take every precaution to protect your information when you are on the Internet, or when you communicate with us and with others through the Internet. Change your passwords often, use a combination of letters and numbers, and make sure you use a secure browser. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of your account might have been compromised), or if you suspect someone else is using your account, please let us know immediately by contacting us as indicated in the Contact Us section below.

## **6. Data Retention**

We will retain your personal information for as long as your account is active or as needed to provide you services and to maintain a record of your transactions for financial reporting purposes. We will also retain and use your personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may retain aggregate or anonymized data indefinitely.

## **7. Third-Party Sites**

Some of the functionality may be provided by third parties and the Coaching Services may link to other third-party websites that are not controlled by TAB. For example, we use services like Stripe for payment processing. These third parties are not under our control and TAB is not responsible for their privacy policies or practices. If you provide any personal information to any third party or through any such third-party website, we recommend that you familiarize yourself with the privacy policies and practices of that third party.

## **8. Social Media Usage**

The Coaching Services may enable you to access social networking services such as Facebook, Twitter, or Instagram, among others (collectively, "Social Network") directly or indirectly through the Coaching Services. You may also have the option of posting content to a Social Network when you access content through the Coaching Services.

For example, you may refer a friend to become a FitBuddy or Coach via Twitter or Facebook links through the Coaching Services. Keep in mind that your activity on a Social Network is governed by that Social Network and not by TAB, and may be visible or accessible to the public. We may also provide the ability to enable or log in to the TAB app and [www.tab.fit](http://www.tab.fit) via a Social Network, as described in more detail in our TAB Privacy Policy. Your FitBuddy or Coach account and information collected through the Coaching Services may, at times, be linked to your TAB customer accounts and any affiliated Social Networks you have enabled via TAB.

## **9. Children’s Information**

The Coaching Services are not intended for children under 18 years of age and we do not knowingly collect personal information from children under the age of 13 through the Coaching Services. If you are a parent or guardian of a child under the age of 13 and believe he or she has disclosed personally identifiable information to us, please contact us at [support@tab.fit](mailto:support@tab.fit). A parent or guardian of a child under age 13 may review and request deletion of the child’s personal information.

## **10. Accessing and Correcting Your Personal information, and Your Choices**

Keeping your personal information current helps ensure that we provide you with the most relevant services. You can access and update your personal information via your account profile. While we are ready to assist you in managing your registrations, deactivating your account, and removing your active profile and data, we cannot always delete records of past interactions and transactions. For example, we are required to retain records relating to payments issued to you for financial reporting and compliance reasons. In addition, because of the way we maintain certain services, after you delete certain information, we may temporarily retain backup copies of such information before it is permanently deleted.

If you are a registered FitBuddy or Coach you may access and modify your personal information by logging into the FitBuddy or Coach profile using your username and password and visiting the “My Profile” page. You may disable our ability to use cookies by using the cookie controls in your web browser or mobile app (see “Use of Cookies and Other Tracking Technologies” section above).

If we send you marketing emails about services that may interest you, each email will contain instructions permitting you to “opt-out” of receiving future marketing or other communications.

You may also contact us at [support@tab.fit](mailto:support@tab.fit) to access, modify or request deletion of your personal information.

## **11. Your California Privacy Rights**

Pursuant to Section 1798.83 of the California Civil Code, residents of California can obtain certain information about the types of personal information that companies with whom they have an established business relationship have shared with third parties for their direct marketing purposes during the preceding calendar year. In particular, the law provides that companies must inform consumers about the categories of personal information that have been shared with third parties, the names and addresses of those third parties, and examples of the types of services or products marketed by those third parties. To request a copy of the information disclosure provided by TAB pursuant to Section 1798.83 of the California Civil Code, please contact us via the email or mailing address provided below. Please allow 30 days for a response.

## **12. California Do Not Track Disclosure**

TAB does not have a mechanism in place for responding to browser “do not track” signals or other similar mechanisms used to limit collection of information for use in Online Behavioral Advertising.

## **13. International Users**

TAB is based in the United States and, regardless of where you use the Coaching Services, the information collected as part of that use will be transferred to and maintained on servers located in the United States. Any information we obtain about you will be stored in accordance with U.S. privacy laws, regulations, and standards, which may not be equivalent to the laws in your country of residence. By using the Coaching Services, you consent to this collection, transfer, storage, and processing of information to and in the United States.

## **14. Contact Us**

If you have any questions or concerns relating to this Policy or our privacy practices please contact us at: [support@tab.fit](mailto:support@tab.fit) or:

TAB (TRAIN YOUR BUDDY), INC.  
43671 Skye Road  
Fremont, CA 94539