

## **The Pilates Class Online Privacy Policy**

**Effective Date:** 8/25/2021

This privacy policy (“Policy”) explains how all information, including information about you (the “User”), is collected, used, and disclosed by The Pilates Class Online LLC (“The Pilates Class,” “we,” “us,” and “our”). We use the streaming services (collectively, the “Platform”) owned and operated by Good Tripper LLC (“Instill”) to provide the content available at thepilatesclass.com and on other The Pilates Class branded applications (collectively, the “Services”). This Policy covers your use of the Platform and Services, as well as all other interactions (e.g., customer service inquiries, user conferences, etc.) you may have with us. By accessing the Platform or using the Services, you agree to our collection, use, and disclosure of your information as outlined in this Policy. We may modify this Policy from time to time. Your continued use of the Platform and/or Services constitutes your acknowledgement and agreement to any updated Policy.

**If you do not agree with this Policy, do not access or use the Services, Platform, or any other aspect of our business.**

### **1. Personal Information We Collect**

When you access our Platform or use the Services, we collect and store certain information about you, including Personal Information (defined below), your IP address, and standard web log information, such as your browser type and the pages you accessed on our Services. If you do not agree to our collection of this information, you may not be able to use all or part of our Platform or Services.

“Personal Information” is information that, alone or in combination with other information in our possession, could be used to personally identify you. We collect the following categories of Personal Information and other information as described below:

#### ***a. Information You Provide***

Information You Provide Directly. We may collect or receive the following categories of Personal Information when you access the Platform, request to receive information about The Pilates Class or our Services, create an account, verify your identity, use any of the Services, or otherwise communicate with us, including through customer support channels.

- Account Information, such as your name, email address, password, and free trial or subscription plan information, including sign-up, expiration, and renewal dates, as well as referral and promotional code information.
- Payment Transaction Information, such as:
  - Name associated with your payment method;

- o Time of transaction and amount paid;
- o Items and quantities purchased; and
- o Delivery name and address.

**Note: payment method information, such as credit card number and billing address, are collected and processed through a third-party service, and we will not have access to such information.**

- Identity Verification Information, such as:
  - o Name, mailing address, email address, phone number; and
  - o Government-issued documentation, such as driver's license or passport.

We may also collect information, including Personal Information, that you voluntarily provide to us when you:

- participate in surveys or promotions;
- register for, attend, or participate in conferences, webinars, or events;
- provide us feedback or comment on our blogs or social media pages; and
- submit information to us so that we can assess potential business opportunities.

***b. Information We Automatically Collect***

We automatically collect certain information when you access the Platform or use the Services, such as:

- Electronic & Online Identifiers (IDs), such as:
  - o If on a mobile device: mobile carrier, and device IDs;
  - o If using a browser: operating system, browser type; and
  - o Internet Protocol (IP) address.
- Internet Activity Information, such as:
  - o Your “log-in” and “log-out” information;
  - o The pages that you visit before, after, and while using our Services;
  - o Pages you visit, links you click, and the content you view on the Platform;
  - o Other log file information, which may include your web request, number of clicks and how you interact with links and content on the Platform and Services, and other such information.

We collect information using Cookies (as defined below) and other tracking technologies directly and through third-party service providers, such as “Cookies,” which are small text files that websites send to your computer or mobile device. This includes session Cookies (which are deleted once you close your browser) and persistent Cookies (which remain on your computer or device until you delete them or they expire). Read more about your choices when it comes to Cookies in Part 6 of this Policy.

We may use Cookies for the following purposes:

- when it is operationally necessary for us to provide you access to our Platform or Services. This also includes tracking behavior in order to protect against irregular, fraudulent, or possibly illegal behavior on our Platform or Services;
- to assess the performance of how you and others use our Platform and Services (for more information, read the Analytics section below); and
- to enhance the functionality of our Platform or Services. This includes identifying you when you sign into our Services and keeping track of your preferences, interests, or past items viewed.

We use the third-party analytics tools, such as:

- Amplitude.
- Braze.
- Mux.

Our Services may contain social media buttons and email integrations such as Facebook, LinkedIn, Twitter, Instagram, and Gmail. These features may collect your IP address, which page you are visiting on our Services, and may set a Cookie to enable the feature to function properly. Your interactions with these platforms are governed by the privacy policy of the companies providing them.

*c. Information from Third Parties*

We may collect and receive information about you, including Personal Information, from third parties. In addition, we may receive demographic and business industry information about you from third parties to help us better understand our users and to improve and market the Services.

## **2. How We Use Your Information**

We use information that we collect about you for the following purposes:

- To develop and provide you with the Platform and Services, including to:
  - manage accounts and provide the Services;
  - determine your eligibility for our Services;
  - improve, personalize, and enable your use of the Platform and Services; and
  - develop new products and features.
- To protect The Pilates Class, our users, and the public, and comply with applicable law, regulation, or legal process, including to:
  - validate user information for fraud and risk detection purposes;
  - resolve disputes and protect the rights of users and third parties;
  - respond to claims and legal process (such as subpoenas and court orders);
  - monitor and enforce compliance with the applicable Terms; and
  - prevent or stop any activity that may be illegal, unethical, or legally actionable.
- To operate our business, including to:
  - process orders and deliver content and products;
  - manage and enforce contracts with you or with third parties;
  - resolve disputes, collect fees, and troubleshoot problems;
  - prevent potentially fraudulent, prohibited, or illegal activities, and enforce our Terms;
  - manage our corporate governance, compliance, and auditing practices; and
  - generate anonymized or aggregated data.
- To communicate with you as part of your use of Services, including to:
  - respond to requests or questions you submit to our support staff;
  - send you surveys and get your feedback about the Services; and
  - otherwise contact you with Services-related notices.
- To market to you, including to:
  - determine your eligibility for certain programs, events, and offers;
  - inform you of our products, services, features, or promotions; and
  - provide you with newsletters, articles, reports, and announcements.
- For any other purpose for which you expressly authorize us to use your information.

### **3. How We Share Your Information**

We will only share your information with the categories of third parties listed below for the purposes described in this Policy, unless otherwise noted at the point of collection.

- Authorized Service Providers that limit how they use your information and promise to keep your information confidential;
- Other parties under the circumstances described below:
  - for legal reasons, including:
    - with companies that verify your identity for us and detect fraud;
    - with legal and financial advisors, auditors, examiners, and certain (including potential) investors; and
    - with companies that may acquire us, if we are involved in a merger, acquisition, or sale of assets.
  - to comply with applicable law, regulation, or legal process, including to:
    - comply in good faith with law enforcement or national security requests;
    - comply in good faith with legal process, such as a court order or subpoena (including in a country other than your home country);
    - protect your, our, or others' rights, property, or safety;
    - enforce our policies or contracts and collect amounts owed to us;
    - assist with an investigation or prosecution of suspected or actual illegal activity.
  - to further public policy goals, including:
    - publishing reports that incorporate aggregated, non-personally identifiable information about customer attributes, transactions, and behavior;
    - sharing data containing aggregated and/or non-personally identifiable customer information with nonprofit or non-partisan organizations, academic institutions, think tanks, trade associations, consultancies, or similar organizations, only if they have signed an agreement with us that restricts how they can store, access, share, and use the information.
  - for any other purpose and to any other person with whom you expressly authorize us to share your information or which you post publicly (such as comments on video content or social media pages).

#### **4. Your Privacy Choices & Rights**

If you have an account with The Pilates Class, you can review and update your Personal Information in the account settings at any time by logging in to your account.

Data protection laws in certain jurisdictions differentiate between the “controller” and “processor” of information. In general, our users are the controllers of the data on the Platform and Services. In general, The Pilates Class is the processor of the data provided by its Users and the controller of non-User-generated data and other non-publicly available or accessible information it collects and/or solicits.

##### ***a. Notice to Non-U.S. Users***

Your data will be transferred outside of your home country to the United States. As such, you may have additional rights based on your home country or location. The Pilates Class is committed to complying with all laws and regulations that may apply to The Pilates Class's collection, use, and disclosure of Personal Information. For example, data located in the EU may be subject to the General Data Protection Regulation ("GDPR"), which allows for eligible data subjects to withdraw their consent to the collection and processing of Personal Information, as well as to exercise the following rights:

- Right to be Informed.
- Right to Access.
- Right to Rectify.
- Right to Erasure.
- Right to Restrict Processing.
- Right to Data Portability.
- Right to Object.
- Rights related to Automated Individual Decision-Making and Profiling.

Users from the European Economic Area (EEA) also have the right to opt out of Cookies. If you believe you are entitled to certain rights based on your home country or location, please contact us by email at [info@thepilatesclass.com](mailto:info@thepilatesclass.com). You may also 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.

Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your Personal Information conducted in reliance on lawful processing grounds other than consent.

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 or process Personal Information from you only where we have your consent to do so, where we need the Personal Information to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. 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.

***b. Notice to California Users***

California law permits users who are California residents to request and obtain from us once a year, free of charge, a list of the third parties to whom we have disclosed their Personal Information (if any, and as defined under applicable California law) for such third parties' direct marketing purposes in the prior calendar year, as well as the type of Personal Information disclosed to those parties. If you are a California resident and would like to request this information, please submit your request to [info@thepilatesclass.com](mailto:info@thepilatesclass.com).

This Supplemental California Privacy Notice only applies to our processing of Personal Information that is subject to the California Consumer Privacy Act of 2018 ("CCPA"). The CCPA specifies that natural persons who are California residents have the right to know what categories of Personal Information we have collected about them and whether we have disclosed or sold that Personal Information for a business purpose (e.g., to a service provider) in the preceding twelve (12) months. For purposes of the CCPA, we do not "sell" Personal Information, nor do we have actual knowledge of any "sale" of Personal Information of minors under 16 years of age.

Categories of Personal Information we may collect about you:

- **Identifiers** (ex: name, email address, mailing address, phone number);
- **Personal Information categories listed in the California User Records statute** (Cal. Civ. Code § 1798.80(e)) (ex: passport number, driver's license or state identification card number, or financial information,);
- **Protected classification characteristics under California or federal law** (ex: age, gender, or sex);
- **Commercial information** (ex: sales engagement history);
- **Internet or other electronic network activity information** (ex: IP address, unique personal identifier, web history, advertising history);

Categories of third parties who we may share that information:

See Part 3 of this Policy;

Right to Non-Discrimination for the Exercise of a Consumer's Privacy Rights:

You have the right not to receive discriminatory treatment from us for exercising the privacy rights granted by the CCPA.

***c. Notice to Nevada Users***

If you are a resident of Nevada, you have the right to opt out of the sale of certain Personal Information to third parties who intend to license or sell that Personal Information. Please note that we do not currently sell your Personal Information as sales are defined in Nevada Revised Statutes Chapter 603A. If you have any questions, please contact us as at [info@thepilatesclass.com](mailto:info@thepilatesclass.com).

**d. Verifiable User Requests**

Only you, or someone legally authorized to act on your behalf, may make a verifiable user request related to your Personal Information. You may also make a verifiable user request on behalf of your minor child. In order to verify your request, we will ask you to provide your name, email address, and certain other pieces of identifying information. Once you or your authorized agent has submitted the requested information and any necessary supporting documentation, we will confirm the information by reviewing it against our records and may additionally use the services of a third-party service provider to verify your identity. The only purpose for which we will use such submitted information is to verify your identity and once the submitted information has been used for that purpose, it will be deleted from our records in accordance with this Policy. To designate an authorized agent, please contact us as at [info@thepilatesclass.com](mailto:info@thepilatesclass.com).

**5. How We Protect & Store Your Information**

We store and process your Personal Information using third-party servers located in data centers in the United States. We employ administrative, physical, and technical safeguards, including firewalls and data encryption, designed to protect your information from unauthorized access and to comply with applicable privacy laws in the states and countries in which we operate. Your Personal Information will be kept on our servers or on those of our service providers and only those employees that require it for the purposes of their duties will have access to your Personal Information.

Despite these efforts, no security measures are perfect or impenetrable and no method of data transmission can be guaranteed to prevent any unauthorized interception, access, disclosure, alteration, destruction, or other type of misuse. We also depend on you to protect your information. Therefore, we urge you to take adequate precautions to protect your personal data as well, including never sharing your account password with anyone. If you become aware of any breach of security or privacy, please notify us immediately. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized disclosure.



If The Pilates Class learns of a systems security breach, we may attempt to notify you electronically so that you can take appropriate protective steps. By using the Services, you agree that we may communicate with you electronically. We may post a notice on the Platform or through the Services if a security breach occurs. We may also send an email to you at the email address you have provided to us. Depending on where you live, you may have a legal right to receive notice of a security breach in writing. To receive free written notice of a security breach (or to withdraw your consent from receiving electronic notice of a security breach), please contact us at [info@thepilatesclass.com](mailto:info@thepilatesclass.com).

***a. International Data Transfers***

All information processed by The Pilates Class or our service providers may be transferred, processed, or stored anywhere in the world, including in countries that may have data protection laws that are different from the laws where you live. Your information may be accessible to the courts, law enforcement, and national security authorities of the United States. We endeavor to safeguard your information consistent with the requirements of applicable laws. If your Personal Information is transferred to a country other than your home country, we will take measures to protect your Personal Information with appropriate measures, such as contract clauses. To obtain more information about our policies and practices with respect to service providers outside your country, please contact us as at [info@thepilatesclass.com](mailto:info@thepilatesclass.com).

***b. Data Retention***

We retain Personal Information we collect from you where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax, or accounting requirements). When we have no ongoing legitimate business need to process your Personal Information, we will either delete or anonymize it or, if this is not possible (for example, because your Personal Information has been stored in backup archives), then we will securely store your Personal Information and isolate it from any further processing until deletion is possible.

***c. Links to Third-Party Platforms***

The Services may contain links to (or allow you to link to) other third-party services or websites. We do not control the information collection of third-party services or websites that can be reached through such links. This Policy only covers the privacy practices of The Pilates Class. It does not apply to the practices of third-party websites, services, or applications, even those who we have partnered or integrated with. We encourage you to be aware when you are linking to a third-party service or website and to read the privacy statements of any third-party service or website that collects personally identifiable information. Third-party services handle your information in accordance with their own

practices and privacy policies. We are not responsible for their policies, practices, or handling of your information.

## **6. Cookies & Do-Not-Track Signals**

When you use the Platform or Services, we and certain business partners and vendors may use essential and non-essential Cookies and other tracking technologies to recognize you as a customer; customize the Services and other content; measure the effectiveness of promotions; perform a wide range of analytics; mitigate risk and prevent potential fraud; and to promote trust and safety across the Platform and Services. Certain Services are only available through the use of Cookies, so if you choose to disable or decline Cookies, your use of certain Services may be limited or not possible. Please note that a third-party website may place Cookies of its own. We have no control over third-party websites or the Cookies they set.

Do-Not-Track ("DNT") is an optional browser setting that allows you to express your preferences regarding tracking by advertisers and other third parties. We do not respond to DNT signals.

## **7. Information About Children**

The Services are not directed to children under the age of 16. If we obtain actual knowledge that we have collected Personal Information from a child under the age of 13, for purposes of the US Children's Online Privacy Protection Act, a child under the age of 16, where GDPR is applicable, or from a California resident child under the age of 18, for purposes of the Online Eraser Law, and do not otherwise have verifiable parental consent to collect and process such Personal Information, we will promptly delete it unless we are legally obligated to retain such data. Contact us if you believe that we have mistakenly or unintentionally collected information from an underage User or you would like to request the deletion of your User data pursuant to this section.

## **8. Changes to this Policy**

We are always improving, and we may occasionally modify or update this Policy accordingly. Any information that we collect is subject to the policy in effect at the time such information is collected. We may, however, modify and revise this Policy from time to time. If we make any material changes to this Policy, we may use the email address or other Personal Information you've provided to us to notify you of such changes, post a notification on the Platform, or provide a notification through the Services, and we will indicate when such changes will become effective in any such notice. It is your responsibility to periodically monitor and review this Policy and any changes we make. By continuing to access or use the Platform or the Services after those changes become effective, you agree to be bound by the revised policy.

## **9. Contact Information**

If you have questions or concerns regarding this Policy, or any feedback pertaining to your privacy and the Services that you would like us to consider, please email us at [info@thepilatesclass.com](mailto:info@thepilatesclass.com) or reach out to us at:

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