

# Privacy Statement

Last updated: September 16, 2015

This Privacy Statement describes how MyWindFit collects, uses, discloses, transfers and stores your information. Please read through and familiarize yourself with this Privacy Statement. This Privacy Statement describes the treatment of information MyWindfit collects on its websites where this Privacy Statement is posted and from the MyWindFit mobile application, collectively known as “products” or ”services”.

MyWindFit may make available through certain services (for example, message boards, forums, chats and blogs, etc.) to which you are able to post information and materials. Please note that any information you disclose through such services or otherwise on our sites may become public information, and may be available to the general public. We strongly urge you not to disclose Personal Information, or any other information, on our sites. WE ARE NOT RESPONSIBLE FOR THE USE OF ANY PERSONAL INFORMATION YOU VOLUNTARILY DISCLOSE THROUGH THE PRODUCTS.

Our products and applications are not directed to individuals under the age of 13, and we request that individuals under 13 not provide Personal Information to any of MyWindFit’s products. If we learn that we have collected the Personal Information of a child under 13, we will take steps to delete the information as soon as possible.

## 1. COLLECTION AND USE OF INFORMATION

### A. Personal Information

“Personal Information” is information that identifies a particular individual. When you create an account on the MyWindFit website or mobile application, register your products, in promotional activities, or contact our product support personnel, we may collect a variety of Personal Information, which depending on the circumstances may include your name, mailing address, phone number, email address, and payment card information. You can choose to use the products without providing any Personal Data, however, you may not be able to use certain features of the products. We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Statement unless a longer retention period is required or permitted by law.

We may use Personal Information about you for the following purposes:

- i. **Communication** We may communicate with you, such as to provide you with the products and services you request, about your account or transactions with us, to give you important information about your products or applications, and (consistent with applicable laws and the choices available to you as described in Paragraph 6 below) send you offers and promotions for our products and applications.
- ii. **Customer Support** When you interact with our customer support representatives via email or telephone we may collect Personal Information relevant to the situation, such as your name, mailing address, phone number, email address and contact preferences.
- iii. **Purchases** If you provide your payment card information on a MyWindFit website or directly on your MyWindFit product, then MyWindFit will use your payment card information and related payment and account information, as well as your name and mailing address if applicable, for the purpose of filling your purchases and collecting payment of recurring fees, if applicable.

- iv. **Promotions** If you enter into a sweepstakes, contest or similar promotion, we may use the information you provide to administer those promotions.

## B. Other Information

“Other Information” is any information that does not identify, and cannot reasonably be used to identify, a particular person, such as: browser and device information, app usage data, information collected through cookies and other technologies, demographic information and other information provided by you, data generated by mobile applications and website databases, anonymous information and aggregated information. Please note we may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable law. Examples of Other Information include:

- i. **Location Information** The physical location of your device through GPS will be collected in order to provide you and MyWindFit the information necessary to calculate your activity (exercise) data.
- ii. **Activities and Activity Data** The MyWindFit website and mobile application allow you to upload activities (for example, running, walking, cycling, etc.) and activity data (for example location, distance, pace, activity time, calories burned, wind speed, temperature, etc.) from the MyWindFit products. MyWindFit may use uploaded activity data in an anonymous and aggregated manner that would not personally identify you. MyWindFit will not transfer or sell your activity data to any third party without providing you prior notice and obtaining your consent.
- iii. **Server Log Information** Information such as your Internet Protocol (IP) address, browser type, browser language, the date and time of your request, the time(s) of your visit(s) and the web page(s) that you visited. Please note that we treat IP Addresses, server log files, and related information as Other Information, except where we are required under applicable laws to treat any such information as Personal Information.
- iv. **Cookies and Other Technology** We may use cookies, pixel tags, web beacons, clear GIF’s or other similar tools on our websites or in our email messages. These technologies help MyWindFit, measure the effectiveness of advertisements, and compile aggregate statistics about site usage and response rates.. In addition, MyWindFit uses Google Analytics as a method of tracking site statistics and user demographics, interests and behavior on many of our products. We may also engage one or more third party service providers to serve online advertisements on our behalf. They may use a pixel tag or other similar technology to collect anonymous information about your visits to sites, and they may use that information to target advertisements for goods and services. This information is collected anonymously, in a manner that does not personally identify you.
- v. **Use of Apps** When you download and use apps, we and our service providers may track and collect app usage data, such as the date and time the app on your device accesses our servers and what information and files have been downloaded to the app based on your device number. A third-party service provider to collect analytical information related to the use of its mobile apps, such as device state information, device hardware and OS information, information relating to how an app functions, and the physical location of a user’s device at the time the device crashes. This information is collected and stored in a way that does not personally identify any particular user.

## **2. DISCLOSURE OF INFORMATION**

### **A. Service Providers**

We may use third party service providers to help us operate our business and websites or administer activities on our behalf, such as fulfilling purchases, processing payment card payments and shipping products to you. We may share Personal Information about you, including payment card information, with these third parties to enable them to perform the services.

### **B. Other Disclosures**

We may disclose Personal Information about you to others if we have your consent to do so in such form of consent as may be required under applicable law. We may also disclose Personal Information about you to others as we believe to be necessary or appropriate: (a) under applicable law or regulation, including laws or regulations outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public authorities and law enforcement officials, including officials outside your country of residence; (d) to assist or support theft investigations, or (e) to enforce any of our terms and conditions or policies;

### **C. Assignment**

We may transfer information to an affiliate, a subsidiary, or a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of MyWindFit's business, assets, or stock, including, without limitation, in connection with any bankruptcy or similar proceeding.

## **3. LINKS, THIRD PARTY APPLICATIONS**

MyWindFit products may contain links to other sites that are not operated by MyWindFit, and our products may contain applications that you can download from third parties. These linked sites, services, and applications are not under MyWindFit's control and we are not responsible for the privacy practices or the content of any linked sites, services, and applications. If you provide any Personal Information through any third-party sites, services, or applications, your transaction will occur on the third party's site, service, and/or application and the information you provide will be collected by, and controlled by, the privacy statement of that third party. MyWindFit IS NOT RESPONSIBLE FOR THE PRIVACY PRACTICES OR THE CONTENT OF THIRD-PARTY WEB SITES OR THIRD-PARTY APPLICATIONS. We recommend you review the privacy statement of any third parties.

## **4. SECURITY**

MyWindFit takes reasonable security measures to help protect against loss, misuse, unauthorized access, and unauthorized disclosure or alteration of the Personal Information under its control. The transmission of information you provide to MyWindFit during the registration processes is encrypted using secure socket layer technology (SSL). If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us.

## **5. YOUR CHOICES FOR MARKETING CORRESPONDENCE**

We and our affiliates may use your Personal Information to send you marketing-related correspondence (including emails) related to MyWindFit products or applications unless you opt-out of receiving them. To opt out of receiving marketing-related correspondence from MyWindFit and our affiliates, please email us at [webmaster@MyWindFit.com](mailto:webmaster@MyWindFit.com).

## **6. UPDATES TO THIS PRIVACY STATEMENT**

We may change this Privacy Statement at any time in the future. You can determine when this Privacy Statement was last revised by referring to the "LAST UPDATED" legend at the top of this page. Any changes will become effective upon our posting of the revised Privacy Statement. We will provide notice to you via email or message on our website if these changes are material and, where required by applicable law, we will obtain your consent.

## **7. REVIEWING/CORRECTING/UPDATING/DELETING**

MyWindFit takes reasonable steps to ensure that the Personal Information we collect from you is accurate, complete, and current. You may request access and request that your Personal Information be updated or deleted. Consistent with applicable law, MyWindFit will respond to your requests and in any event within 30 days. We may need to retain certain information for recordkeeping purposes, and there may also be residual information that will remain in our databases and other records, which will not be removed. Access, correction or deletion requests can be made as follows [webmaster@MyWindFit.com](mailto:webmaster@MyWindFit.com)