

CALIFORNIA B2B PRIVACY NOTICE / YOUR PRIVACY RIGHTS

LAST UPDATED: September 15, 2023

Fitness International, LLC, together with its subsidiaries and affiliates (collectively, “Company” “us,” “we,” or “our”) is committed to protecting the privacy of Personal Data (i.e., information reasonably related to a specific individual). With respect to our B2B relationships, we handle only limited Personal Data as a “Controller” or “Business,” such as information about another business’s employees that we collect through online interactions and communications like email (collectively, our “Digital Properties”), in-person events and through other online and offline interactions (for example, if you, as an employee of one of our vendors, negotiate a contract on behalf of your business). This Notice applies to Personal Data that we handle as a Controller or Business and describes how we process such Personal Data of California residents in their capacity as an employee, owner, director, officer, or contractor of another company, partnership, sole proprietorship, nonprofit, or government entity with whom we do business. This Notice does not apply to job applicants, our employees or our retail (B2C) customers. Please read this carefully.

Whenever you interact with us on behalf of another individual or entity, such as by referring us a reference, you must obtain their consent (or have the legal authority without consent) to share their Personal Data with us.

Changes: We may update this Notice from time to time. Any updated Notice will be effective when posted. Please check this Notice periodically for updates.

1. Sources of Personal Data

We collect Personal Data about you from the following sources:

- A. **Directly from you.** We may collect Personal Data you provide to us directly, such as when you contact us through our Digital Properties, interact with us in person, communicate with us, or sign up for an account or other services.
- B. **Data collected automatically and through tracking technologies.** We may automatically collect information about you, such as through cookies and other tracking technologies, when you interact with our Digital Properties. This may include information about how you use and interact with our Digital Properties, information about your device, and internet usage information.
- C. **From third parties.** We may collect Personal Data from third parties, such as service and content providers, business partners, our affiliated companies and subsidiaries, data brokers, social media companies, or other parties who interact with us.
- D. **From publicly available sources.** We may collect Personal Data about you from publicly available sources, such as public profiles and websites.

We may combine information that we receive from the various sources described in this Notice and use and disclose the combined information for the purposes identified below.

2. Types of Personal Data We Collect

We may collect the following types of Personal Data:

- A. **Identifiers**, such as your name, email address, physical address, telephone number, other business contact information, and device identifiers (e.g., cookie IDs and IP address).
- B. **Records about you**, such as signatures; physical characteristics or a description of you; the content, timing, and method of communications you have with us; and information you share with or upload to our Digital Properties.
- C. **Demographic information**, such as age (including birthdates) and gender.
- D. **Commercial information**, such as information related to your transactions; products or services purchased, sold, obtained, or considered; subscription information; or other purchasing, consuming or selling histories or tendencies.
- E. **Internet or other electronic network activity information**, such as your browsing history, search history, preference information, account settings (including any default preferences), and other information regarding your interactions with and use of the Digital Properties.
- F. **Non-precise geolocation data**, such as your approximate location based on your IP address.
- G. **Audio, electronic, visual, or other sensory information**, such as photographs taken at events, call recordings, and video recordings of our premises.
- H. **Professional or employment-related information**, such as job title; organization; professional licenses, credentials; affiliations; and other professional information.
- I. **Education information**.
- J. **Sensitive Personal Data**, including Social Security number (particularly if used in lieu of an Employer Identification Number on a Form W-9).

3. How We Use Personal Data

We may use Personal Data for the following purposes:

- A. **To provide your company with products and services or to receive products and services from your company**; this includes making our Digital Properties, products, and services available to you; registering, verifying, and maintaining your account with us; receiving goods or services that the business you represent provides to us; delivering goods or

services that the company you represent requests from us; providing customer service; processing or fulfilling orders and transactions (including processing incoming or outgoing payments); verifying customer information and eligibility for certain programs or benefits; communicating with you (including soliciting feedback and responding to requests, complaints, and inquiries); and providing similar services or otherwise facilitating your relationship with us.

- B. **For our internal business purposes**, such as day-to-day operation of our business; maintaining internal business records, such as accounting, document management, and similar activities; enforcing our policies and rules; management reporting; auditing; and IT security and administration.
- C. **For our internal research and product or service improvement purposes**, such as verifying, maintaining or evaluating the quality and safety of our products and services or the products or services provided by the business you represent; improving our products and services; designing new products and services; evaluating the effectiveness of our advertising and marketing efforts; and debugging and repairing errors with our systems, networks, and equipment.
- D. **For legal, safety or security reasons**, such as complying with legal, reporting, and similar requirements; investigating and responding to claims against us, our personnel, and our customers; for the establishment, exercise or defense of legal claims; protecting our, your, our customers', and other third parties' safety, property or rights; detecting, preventing, and responding to security incidents and health and safety issues (including managing the spread of communicable diseases); and protecting against malicious, deceptive, fraudulent, or illegal activity.
- E. **In connection with a corporate transaction**, such as if we acquire assets of another business or sell or transfer all or a portion of our business or assets, including through a sale in connection with bankruptcy and other forms of corporate change.
- F. **For marketing**, such as marketing our products or services or those of our affiliates, business partners, or other third parties. For example, we may use Personal Data we collect to personalize advertising to you (including by developing product, brand, or services audiences and identifying you across devices/sites); to analyze interactions with us or our Digital Properties, or to send you newsletters, surveys, questionnaires, promotions, or information about events or webinars. If we do this, you may unsubscribe from our email marketing via the link in the email.

We may use anonymized, de-identified, or aggregated information for any lawful purpose.

4. How We Disclose Personal Data

We may disclose Personal Data to third parties, including to the categories of recipients described below. We do not “sell” or “share” for targeted advertising Personal Data (as those terms are defined in the California Consumer Privacy Act).

- A. **Affiliates and subsidiaries**, including parent entities, corporate affiliates, subsidiaries, business units, and other companies that share common ownership.
- B. **Service providers** that work on our behalf to provide products and services, such as IT providers, Internet service providers, web hosting providers, software service providers, data analytics providers, and companies that provide business support services, financial administration, and event organization.
- C. **Professional consultants**, such as accountants, lawyers, financial advisors, and audit firms.
- D. **Vendors necessary to complete transactions you request**, such as shipping companies and logistics providers.
- E. **Law enforcement, government agencies, and other recipients for legal, security, or safety purposes**, such as when we disclose information to comply with law or legal requirements, to enforce or apply our policies, terms, and agreements, and to protect our, our customers', or third parties' safety, property or rights.
- F. **Other entities in connection with a corporate transaction**, such as if we acquire assets of another entity, or sell or transfer all or a portion of our business or assets, including through a sale in connection with bankruptcy and other forms of corporate change.
- G. **The public**, such as when you have an opportunity to make comments regarding us or our products or services that we may share with the public, including comments on our blog posts and reviews on our product pages. Any Personal Data in comments, reviews, or other content that you share in public areas of our Digital Properties may be read, collected, or used by other users or the public.
- H. **Entities to which you have consented to the disclosure.**

5. Data Security and Data Retention

Although we maintain reasonable security safeguards, no security measures or communications over the Internet can be 100% secure, and we cannot guarantee the security of your information.

Your Personal Data will be retained as long as necessary to fulfill the purposes we have outlined above unless we are required to do otherwise by applicable law. This includes retaining your Personal Data to provide you or your company with, or to receive from you or your company, the products and services requested and interact with you; maintain our business relationship with you or your company; improve our business over time; ensure the ongoing legality, safety and security of our services and relationships; or otherwise in accordance with our internal retention procedures. Once you or your company has terminated your relationship with us, we

may retain your Personal Data in our systems and records in order to ensure adequate fulfillment of surviving provisions in terminated contracts or for other legitimate business purposes, such as to enable easier future user onboarding, in order to demonstrate our business practices and contractual obligations, or to provide you with information about our products and services in case of interest.

6. External Links

Our Digital Properties may contain links to external sites or other online services that we do not control. We are not responsible for the privacy practices or data collection policies of such third-party services. You should consult the privacy notices of those third-party services for details on their practices.

7. Supplemental U.S. State Privacy Disclosures

If you live in California, you may have certain rights regarding Personal Data:

- **Right to Know.** You may have the right to request information about the categories of Personal Data we have collected about you, the categories of sources from which we collected the Personal Data, the purposes for collecting, selling, or sharing the Personal Data, and to whom we have disclosed your Personal Data and why. You may also request the specific pieces of Personal Data we have collected about you.
- **Right to Delete.** You may have the right to request that we delete Personal Data that we have collected from you.
- **Right to Correct.** You may have the right to request that we correct inaccurate Personal Data that we maintain about you.

California residents may exercise these rights by visiting <https://forms.office.com/r/FgSeJb4g8k>.

We will not discriminate against you for exercising your privacy rights.

To process rights requests, we may need to obtain information to locate you in our records or verify your identity depending on the nature of the request. In most cases we will collect some or all of the following data elements: first and last name, email address, and telephone number. In some cases, we may request different or additional information, including a signed declaration that you are who you say you are. We will inform you if we need such information.

Authorized agents may exercise rights on behalf of California residents by submitting a request via email to legaldept@fitnessintl.com and indicating that they are submitting the request as an agent. We may require the agent to demonstrate authority to act on behalf of the individual by providing signed permission from the individual. We may also require you to verify your own identity directly with us or to directly confirm with us that the individual provided the authorized agent permission to submit the request.

We only use and disclose Sensitive Personal Data for the following purposes: (i) performing services or providing goods reasonably expected by an average person in that context; (ii) detecting security incidents; (iii) resisting malicious, deceptive, or illegal actions; (iv) ensuring the physical safety of individuals; (v) for short-term, transient use, including non-personalized advertising; (vi) performing or providing internal business services; (vii) verifying or maintaining the quality or safety of a service or device; or (viii) for purposes that do not infer characteristics about you.

8. Contact Information

If you have questions regarding this Privacy Notice or how we use your Personal Data, please contact us via legaldept@fitnessintl.com or by writing to us at:

Attn: Legal Department
P.O. Box 54170
Irvine, CA 92619-4170