

Fused, LLC., Privacy Policy

Introduction - Using Fused is a platform for Coaches and Athletes to connect and communicate to help facilitate an Athlete's training. The Fused services include providing a platform, through its phone application and website, for Coaches to connect with Athletes, send Athletes workouts, Athletes inputting their workout results, and Coaches monitoring an Athlete's training progress. Fused is not a provider of the training material. Using Fused involves sharing information with Fused and which will be stored to assist in providing the services of Fused.

This policy describes the information we collect, how it is used and shared, and your choices regarding this information. Effective Date: March 1, 2019

- 1) Scope - This policy applies to users of Fused's services anywhere in the world, including users of Fused's apps, websites, features or other services.
 - a) This policy describes how Fused and its affiliates collect and use personal information to provide our services. This policy applies to all users of our apps, websites, features or other services anywhere in the world. This policy specifically applies to:
 - i) **Athletes:** users who connect with Coaches, receive workouts from Coaches, track one's progress using the Fused app
 - ii) **Coaches:** users who connect with Athletes, send Athletes workouts, and monitor Athletes' progress
 - b) All those subject to this policy are referred to as "users" for purposes of this policy.
 - c) The practices described in this policy are subject to applicable laws in the places in which we operate. This means that we only engage in the practices described in this policy in a particular country or region if permitted under the laws of those places. Please contact us if you have questions on our practices in your country or region.

- 2) The Information We Collect
 - a) Fused collects:
 - i) Information that you provide to Fused, such as when you create your Fused account.
 - ii) Information created when you use our services.
 - iii) Information from other sources, such as Fused partners and third parties that use Fused APIs.

 - b) The following information is collected by or on behalf of Fused:
 - i) Information you provide. This may include:
 - (1) User profile: We collect information when you create or update your Fused account. This may include your name, email, phone number, login name and password, address, payment or banking information (including related payment verification information), government identification numbers such

as Social Security number, birth date, photo. This also includes the preferences and settings that you enable for your Fused account.

- (2) Information Entered Regarding Workouts: We collect information that a user enters, including but not limited to: creating a workout, entering progress of a workout, creating new exercises, connecting with other users, creating teams, historical progress of an exercise. The purpose of storing this information is to provide the service of allowing users to track their athletic training progress and connect with other users to communicate and allow other users to monitor their progress.
 - (3) User content: We may collect information that you submit when you contact Fused customer support, provide ratings or compliments for other users, or otherwise contact Fused.
- ii) Information created when you use our services. This may include:
- (1) Transaction Information: We collect transaction details related to your use of our services, including the type of services you enrolled in or provided, your order details, delivery information, date and time the service was provided, amount charged, and payment method. Note: We do not retain your credit card or banking information. A third party financial transaction provider, Stripe, retains all credit card and banking information that is entered on Fused. Stripe's retention of said information is in conformance with applicable law. See Stripe's terms of service and privacy policy for further information.
 - (2) Communications data: We enable users to communicate with each other and Fused through the Fused apps, websites, and other services. For example, we enable Coaches and Athletes to communicate with each other regarding a workout. To provide this service, Fused receives some information regarding the communication including the date and time of the communication, and the content of the communications. Fused may also use this information for customer support services (including to resolve disputes between users), for safety and security purposes, to improve our products and services and for analytics.
- iii) Information from other sources. These may include:
- (1) User feedback, such as as ratings or compliments.
 - (2) Users or others providing information in connection with claims or disputes.
 - (3) Publicly available sources.
 - (4) Marketing service providers. Fused may combine the information collected from these sources with other information in its possession.

3) How We Use Your Information

- a) Fused collects and uses information to enable reliable and convenient connection between Coach and Athlete, so Coaches can effectively and successfully provide Coaching services to Athletes. We also use the information we collect:
 - i) To enhance the safety and security of our users and services
 - ii) For customer support
 - iii) For research and development

- iv) To enable communications to or between users
 - v) To provide promotions or contests
 - vi) In connection with legal proceedings
 - vii) Fused does not sell or share your personal information to third parties for third party direct marketing purposes.
- b) Fused uses the information it collects for purposes including:
- i) Providing services and features
 - (1) Fused uses the information we collect to provide, personalize, maintain and improve our products and services. This includes using the information to:
 - (2) Create and update your account.
 - (3) Verify your identity.
 - (4) Enable connection amongst users so Coaching services can be provided and received
 - (5) Process or facilitate payments for those services.
 - (6) Offer, obtain, provide or facilitate insurance or financing solutions in connection with our services.
 - (7) To track the progress of your offering or receipt of Coaching services.
 - (8) Enable features that allow you to share information with other people, such as when you submit a compliment about a Coach or refer a friend to Fused.
 - (9) Enable features to personalize your Fused account, such as creating bookmarks for your favorite Coaches, and to enable quick access to previous Coaching services.
 - (10) Perform internal operations necessary to provide our services, including to troubleshoot software bugs and operational problems, to conduct data analysis, testing, and research, and to monitor and analyze usage and activity trends.
 - ii) Safety and security
 - (1) We use your data to help maintain the safety, security and integrity of our services and users. This includes, for example:
 - (2) Using user ratings to encourage improvement by affected users, and as grounds for deactivating users with ratings below a certain minimum as may be required in their region. Calculation and deactivation may be done through an automated decision making process.
 - iii) Customer support
 - (1) Fused uses the information we collect to assist you when you contact our customer support services, including to:
 - (2) Direct your questions to the appropriate customer support person
 - (3) Investigate and address your concerns
 - (4) Monitor and improve our customer support responses
 - iv) Research and development
 - (1) We may use the information we collect for testing, research, analysis and product development. This allows us to improve and enhance the safety and security of our services, develop new features and products.
 - v) Communications among users
 - (1) Fused uses the information we collect to enable communications between

our users. For example, a Coach contacts a Athlete regarding the status of a workout and things to consider when completing the workout.

vi) Communications from Fused

(1) Fused may use the information we collect to communicate with you about products, services, promotions, studies, surveys, news, updates and events

vii) Legal proceedings and requirements

(1) We may use the information we collect to investigate or address claims or disputes relating to your use of Fused's services, or as otherwise allowed by applicable law, or as requested by regulators, government entities, and official inquiries.

4) Cookies And Third Party Technologies

a) Fused and its partners use cookies and other identification technologies on our apps, websites, emails, and online ads for purposes described in this policy.

b) Cookies are small text files that are stored on your browser or device by websites, apps, online media, and advertisements.

c) Fused uses cookies and similar technologies for purposes such as:

i) Authenticating users

ii) Remembering user preferences and settings

iii) Determining the popularity of content

iv) Delivering and measuring the effectiveness of advertising campaigns

v) Analyzing site traffic and trends, and generally understanding the online behaviors and interests of people who interact with our services. We may also allow others to provide audience measurement and analytics services for us, to serve advertisements on our behalf across the Internet, and to track and report on the performance of those advertisements. These entities may use cookies, web beacons, SDKs, and other technologies to identify your device when you visit our site and use our services, as well as when you visit other online sites and services.

5) Information Sharing And Disclosure

a) Some of Fused's products, services and features require that we share information with other users or at your request. We may also share your information with our affiliates, subsidiaries and business partners, for legal reasons or in connection with claims or disputes.

b) Fused may share the information we collect:

i) With other users

(1) If you are a Coach, we may share information with your Athlete's including name and photo; average rating provided by Athletes. If you choose to complete a Coach profile, we may also share any information associated with that profile, school of gym affiliation, including information that you submit and compliments that past Athletes have submitted about you.

(2) If you are an Athlete and you connect with another Coach user, the Coach will be allowed to view your calendar and see what workouts you have done, the workout results, the progress and historical data of specific exercises. A Coach will not be allowed to edit this data, only view it.

Additionally, other users may be able to see your profile and the information that is listed as public: name, photo, school or gym affiliation, and what sports you may be associated with.

- ii) With Fused service providers and business partners
 - (1) Fused may provide information to its vendors, consultants, marketing partners, research firms, and other service providers or business partners. This may include, for example:
 - (2) Payment processors and facilitators.
 - (3) Cloud storage providers.
 - (4) Marketing partners and marketing platform providers.
 - (5) Data analytics providers.
 - (6) Research partners, including those performing surveys or research projects in partnership with Fused or on Fused's behalf.
 - (7) Vendors that assist Fused to enhance the safety and security of its apps.
 - (8) Consultants, lawyers, accountants and other professional service providers.
 - (9) Insurance and financing partners.
- iii) For legal reasons or in the event of a dispute
 - (1) Fused may share your information if we believe it is required by applicable law, regulation, operating agreement, legal process or governmental request, or where the disclosure is otherwise appropriate due to safety or similar concerns.
 - (2) This includes sharing your information with law enforcement officials, government authorities, or other third parties as necessary to enforce our Terms of Service, user agreements, or other policies, to protect Fused's rights or property or the rights, safety or property of others, or in the event of a claim or dispute relating to your use of our services. This also includes sharing your information with others in connection with, or during negotiations of, any merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or into another company.
- iv) With your consent
 - (1) Fused may share your information other than as described in this policy if we notify you and you consent to the sharing.

6) Information Retention And Deletion

- a) Fused retains user profile and other information for as long as you maintain your Fused account. Fused retains transaction, usage and other information in connection with regulatory, tax, insurance or other requirements in the places in which it operates. Users may request deletion of their accounts at any time. Following such request, Fused deletes the information that it is not required to retain, and restricts access to or use of any information it is required to retain.
 - i) Fused retains user profile information in order to provide its services, and retains such information for as long you maintain your Fused account. Fused retains certain information, including transaction, device and usage information in connection with regulatory, tax, insurance and other requirements in the places in which it operates. You may request deletion of

your account at any time. Following such request, Fused deletes the information that it is not required to retain. In certain circumstances, Fused may be unable to delete your account, such as if there is an outstanding credit on your account or an unresolved claim or dispute. Upon resolution of the issue preventing deletion, Fused will delete your account as described above.

- ii) Fused may also retain certain information if necessary for its legitimate business interests, such as fraud prevention and enhancing users' safety and security. For example, if Fused shuts down a user's account because of unsafe behavior or security incidents, Fused may retain certain information about that account to prevent that user from opening a new Fused account in the future.

7) Updates To This Policy

- a) We may occasionally update this policy. If we make significant changes, we will notify you of the changes through the Fused apps or through other means, such as email. To the extent permitted under applicable law, by using our services after such notice, you consent to our updates to this policy. We encourage you to periodically review this policy for the latest information on our privacy practices. We will also make prior versions of our privacy policies available for review.

8) About Fused

- a) Your access to the Fused services, as well as this Privacy Policy are governed and interpreted by the laws of the State of California, other than such laws, rules, regulations and case law that would result in the application of the laws of a jurisdiction other than the State of California. By using the Fused services, you are consenting to the exclusive jurisdiction of the courts of the United States and the State of California. You agree that such courts shall have in personam jurisdiction and venue and waive any objection based on inconvenient forum. You agree that you will not file or participate in a class action against us. In the event there is a discrepancy between this English language version and any translated copies of the Policy, the English version shall prevail.