

PRIVACY POLICY

(Date of Last Revision: August 13th, 2018)

TRAIN HEROIC LLC (“TrainHeroic,” “we,” or “us”) provides a training platform for coaches to manage and provide training programs, assess athlete performance, communicate and share data around training compliance and performance, and sell/purchase training content; TrainHeroic provides educational training content to subscribers via blog, email, and social media (collectively, the “Services”).

TrainHeroic is committed to protecting your privacy and utilizing technology that gives you a powerful and safe online experience. The website www.trainheroic.com and mobile applications, (hereinafter "the Site") are owned and operated by TrainHeroic and TrainHeroic is the controller of the personal data.

TrainHeroic recognizes the importance of protecting the privacy of our customers and the users of the Site. As such, we will always ensure that we have a lawful basis for processing your Personal Data.

Please read carefully through all sections of this Privacy Policy. This Privacy Policy covers our treatment of Personal Data that we collect through your use of the Site and when you use Services provided on the Site. This policy does not apply to the practices of companies that we do not own and/or control or to people that we do not employ or manage.

This Privacy Policy may be changed by us from time to time and the governing version will be posted on the Site. We will notify you if we make material changes to the Privacy Policy or we will provide notice to you of our changes on our website landing page. Please review this Privacy Policy on a regular basis as your use of the Site will be governed by the then-current Privacy Policy.

Notice to California residents

Except as expressly identified below, we do not disclose a user’s personal data to any third-party for such third-party’s direct marketing purposes. Thus, under California Civil Code Sections 1798.80-1798.84, TrainHeroic has no obligation to a California resident to provide further information regarding Owner’s use of the California resident’s personal data.

Notice to Utah residents

Except as expressly identified below, we do not disclose a user’s personal data to any third-party for such third-party’s direct marketing purposes.

Why We Collect and How We Use Personal Information. We collect and share information from the users of our Sites and Services to manage our contractual obligations to you, comply with legal obligations and/or because we have a legitimate business interest to do so. We collect and share information to: (a) provide our Sites and Services; (b) provide information about our products and Services; (c) provide information about data security and privacy; (d) learn more about our customer’s preferences; (e) enhance, personalize and support your experience on our Sites; (f) enhance and develop our products and Services based on your direct comments and/or on the pages or information you view on our Sites; and (g) analyze the traffic to our Sites.

Information Collection and Use

Information You Give Us	Information We Collect from You	Information we obtain from others.
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<p>Contact Information: You give us your Contact Information when you request information, register with or subscribe to the Site. “Contact Information” includes your name, email, organization, address and/or telephone number.</p> <p>We may use Contact Information and other Personal Data to:</p> <ul style="list-style-type: none"> • provide you the Services on the Site; • to fulfill your requests for information; and • to contact you about your account and your use of the Services[and those of our affiliates,] based on the preferences you have indicated. • request feedback from you regarding our services and how they can be improved 	<p>Analytical Information:We collect Analytical Information through automated means when use and navigate the Site. “Analytical Information” includes pages and products viewed, ads that you clicked on, emails from us that you opened, browser type, operating system, IP address and device information, your mobile operating system (OS), a mobile device identifier embedded by us, or other commonly used mobile device identifier if you access the Site on a mobile device.</p> <p>We use Analytical Information to further our legitimate business interest to:</p> <ul style="list-style-type: none"> • retain and evaluate information from your visits to the website and how you move around for analytics purposes to improve our website to make it more user friendly, or to improve the speed of the page loading or the website in general. • to review user preferences when navigating the site and to develop new services that may be able to better appeal to our customers based upon what information our customers view; and • better administer and troubleshoot our the operation of our systems. 	<p>We may also collect publicly available information about you from third-party sources, such as the postal service for shipping address verification.</p> <p>The Site may allow a user of the Service to enter the information of other persons into the Site to obtain full use of the Services for processing such information. In such cases, we rely upon such users having the necessary authority and permissions to use the information entered to provide the Services.</p>
<p>User Data: We may collect the following user data related to your use of the Site: profile data including photos, birthdate, geographic, and biometric data. We may also collect performance and training data including exercise progress, training notes, maxes,</p>		

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readiness information, training videos, and third party training

<p>device data uploads (collectively, the “User Data”)</p> <p>We use the User Data to meet our contractual obligations to you to provide the services you have paid for. Your profile data is used to schedule information presentation, photos may be used to visually evidence successes. We may use the other User Data to track your training progress and provide one or more reports and continue to guide your training using the Site.</p> <p>Financial Information – If you provide your credit card</p>		
<p>information to pay your Site subscription fee, we will use third-party payment processors to process the transaction. As such, the collection and use of your financial data is governed by the terms of use and privacy policies of the third-party payment processors Braintree and Quickbooks. You may find Braintree’s Privacy Policy here and there Terms of Service here. You may find QuickBooks’ Privacy Policy here and there Terms of Service here.</p> <p>We do not collect any more Personal Data from you than what we have determined is needed for us to provide the Services and comply with applicable laws.</p>		

What Happens If You Don’t Provide Your Personal Information?

Please be aware that, if you choose to limit the personal information you provide to us (or, in some circumstances, provide no personal information at all), then we may be unable to provide you with the products and services you have expressed an interest in, or which we have a contract to provide to you. We may also be unable to provide you with access to some or all of our Site (or its functionality).

Electronic Marketing

We provide you the opportunity to consent to receive commercial email from us related to the Services or information that we deem you may be interested in when you seek more information from us. We will give you the opportunity to "opt out" of receiving any unsolicited information from us or to limit the

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unsolicited information you receive from us to information regarding the Services or information you specifically request or information we determine you may find useful as a result of your use of the Site.

Information Sharing and Disclosure

Except as otherwise described in this Privacy Policy, we will not share your Personal Data with any other person or company. We will share your Personal Data to other companies or people when:

- We need to share your information to provide a product or service you have requested;
- We need to send the information to companies who work on behalf of TrainHeroic to provide a product or service to you. Unless we tell you differently, we only provide these companies the minimum amount of information that is necessary for them to assist us and these companies do not have any right to use the Personal Data we provide to them beyond what is necessary to assist us);
- We find that your actions on our website violate the Terms and Conditions of Use, any of our usage guidelines for specific services or any agreement; and
- As required to respond to or initiate subpoenas, court orders, or legal process.

Third Party Processors

To ensure that your Personal Data receives an adequate level of protection, we have put in place appropriate procedures with the third parties we share your Personal Data with to ensure that your Personal Data is treated by those third parties in a way that is consistent with and which respects the applicable laws on data security and privacy. For example, we use third-party client support contractors, accounting and payroll service providers, marketing services and analytics service providers.

How long do we keep your information?

We will store your information for as long as you are a customer and for up to five (5) years thereafter for use in case of a legal claim. We may keep records of transactions with you for a period of up to seven (7) years to comply with the IRS requirements.

Use of Cookies

We use “cookies,” a small text file transferred to your device, along with similar technologies (e.g., internet tag technologies, web beacons, embedded scripts) to help provide you a better, more personalized user experience. For a detailed description of the cookies we use and your ability to control the use of cookies while you navigate the internet, please see our **Cookies Policy** below.

Do Not Track

Some internet browsers incorporate a “Do Not Track” feature that signals to websites you visit that you do not want to have your online activity tracked. Given that there is not a uniform way that browsers communicate the “Do Not Track” signal, the Site does not currently interpret, respond to or alter its practices when it receives “Do Not Track” signals.

Notice to Residents of Europe and the U.K. Regarding Your Rights under the GDPR.

Under the GDPR, you have the following rights related to TrainHeroic’s use of your Personal Data.

Number	Description of your right
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Right 1 A right to access personal data held by us about you, as well as information about how we are using your data.

Right 2 A right to require us to rectify any inaccurate personal data held by us about you.

	<p>Right 3 A right to require us to erase personal data held by us about you, and where the personal data has been made public, for other controllers processing the personal data to also erase links to, or copy or replication of, such personal data. This right will only apply where (for example): we no longer need to use the personal data to achieve the purpose we collected it for; or where you withdraw your consent if we are using your personal data based on your consent; or where you object to the way we process your data (in line with Right 6 below).</p>
	<p>Right 4 A right to restrict our processing of personal data held by us about you. This right will only apply where (for example): you dispute the accuracy of the personal data held by us; or where you would have the right to require us to erase the personal data but would prefer that our processing is restricted instead; or where we no longer need to use the personal data to achieve the purpose we collected it for, but you require the data for the purposes of dealing with legal claims.</p>
	<p>Right 5 A right to receive personal data, which you have provided to us, in a structured, commonly used and machine readable format. You also have the right to require us to transfer this personal data to another organization, at your request.</p> <p>Right 6 A right to object to our processing of personal data held by us about you (including for the purposes of sending marketing materials to you).</p>
	<p>Right 7 A right to withdraw your consent, where we are relying on it to use your personal data (for example, to provide you with marketing information about our services or products).</p>
	<p>If you have consented to receive communications from us, you can contact us at any time to have your details removed from lists used by us or to update your marketing preferences. Please email info@trainheroic.com and quote your email/telephone number/account number in the body of the email, telling us what you would like us to do.</p>
	<p>You can also: click "unsubscribe" on any of our emails, and we will ensure we don't send you any communications of this nature in future.</p> <p>To exercise any of your rights above, please contact the Owner at info@TrainHeroic.com. If you choose to exercise any of your rights listed above, it may affect your ability to use the Site, as the operation and functionalities provided on the Site may require the use of your Personal Data.</p> <p>DEN-189942-3</p>

Security

We will take reasonable and appropriate measures to protect it from loss, misuse and unauthorized access, disclosure, alteration and destruction of your Personal Data, taking into due account the risks involved in the processing and the nature of the personal data. However, no electronic storage method or data transmission over the Internet can be guaranteed to be 100% secure.

Data Transfers Across Jurisdictional Boundaries.

Since our Services are based in the United States, your data will be transferred from your country of residence into the United States.

Commitment to Children's Privacy

In compliance with the Children's Online Privacy Protection Act, 15 U.S.C., §§ 6501-06 and 16 C.F.R., §§ 312.1-312.12, the Site does not collect information from users who are children under 13 years of age, and, in fact, we do not intentionally collect information from users of the Site who are under sixteen (16) years of age. Use of the Site is limited to users that are sixteen (16) years of age and older. By using the Site, you represent that you are sixteen (16) years of age or older.

Policies of Other Websites

The Site may contain links to third-party websites not owned or controlled by TrainHeroic. TrainHeroic is not responsible for the privacy policies of any third-party websites which user may access through a third-party link. Further, these third-party websites may have privacy policies that differ from this Privacy Policy. TrainHeroic disclaims all responsibility for the privacy practices of such other third-party websites. You should read the privacy policies of each third-party website you visit to determine what information each third-party website may be collecting about you and how they intend to use such information.

Questions

If you have any questions or comments about the Privacy Policy or this Site, please contact us by email at info@trainheroic.com. You also may write to us at:

TrainHeroic
Attn: Ben Crookston
7007 Winchester Circle
Boulder, CO 80301

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Cookies Policy.

TrainHeroic uses "cookies," a small text file transferred to your device, along with similar technologies (e.g., internet tag technologies, web beacons and embedded scripts) to help provide you a better, more personalized user experience. These technologies are used to:

- Make the user experience more efficient (e.g., maintaining items in your Shopping Cart between visits).
- Remember your preferences (e.g., browsing language, account login information)
- Help us understand and improve how visitors use our website, including which of our pages and products are viewed most frequently.

The Options/Settings section of most internet browsers will tell you how to manage the cookies and other technologies that may be transferred to your device, including how to disable such technologies.

You can disable our cookies or all cookies through your browser settings. Upon the commencement of each of your visits to our websites, the website also provides the ability to turn off all non-strictly-necessary cookies for the Emerson websites for that visit. Please be advised that disabling cookies through either method may impact many of our websites' features.

Instructions for blocking or allowing cookies in common web browsers are provided at the links below:

- [Internet Explorer 7 and 8](#)
- [Firefox](#)
- [Google Chrome](#)
- [Apple Safari](#)
- [AboutCookies.org](#)

We use the following cookies:

- **Strictly necessary cookies.**These are cookies that are required for the operation of our websites. They include, for example, cookies that enable you to log into secure areas of our websites, use a shopping cart or make use of e-billing services.
- **Analytical/performance cookies.**They allow us to recognize and count the number of visitors and to see how visitors move around our websites when they are using it. This helps us to improve the way our websites works, for example, by ensuring that users are finding what they are looking for easily.
- **Functionality cookies.**These are used to recognize you when you return to our websites. This enables us to personalize our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- **Targeting cookies.**These cookies record your visit to our websites, the pages you have visited and the links you have followed. We will use this information to make our websites and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

Cookie name	Cookie Category	Purpose
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Google Analytics	[Performance cookie / Functional cookie / Targeting cookie.]	To allow us to track how popular our websites are and to record visitor trends over time. The cookie helps track which pages are accessed. The cookie contains no personally-identifiable information, but it does use your computer's IP address to determine where in the world you are accessing our websites from, and to track your page visits within our websites.
Mode Analytics	Analytical/performance cookie	They allow us to recognize and count the number of visitors and to see how visitors move around our websites when they are using it. This helps us to improve the way our websites works, for example, by ensuring that users are finding what they are looking for easily.
Fabric	Analytical/performance	They allow us to recognize and count the number of visitors and to

Analytics	cookie	see how visitors move around our websites when they are using it. This helps us to improve the way our websites works, for example, by ensuring that users are finding what they are looking for easily.
Rollbar	Analytical/performance cookie	They allow us to track when users encounter site errors on our applications. This helps us to improve the way our websites works, for example, by ensuring bug free experiences.
New Relic	Analytical/performance cookie	They allow us to monitor the performance of our applications and ensure they're running smoothly.

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Facebook	Targeting cookie	These cookies record your visit to our websites, the pages you have visited and the links you have followed. We will use this information to make our websites and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.
Segment	Analytical/performance cookie	Cloud-based user analytics services

We also allow third parties to place cookies on your device through the Services to:

- Help us understand and improve how visitors use our websites, including which of our pages and products are viewed most frequently.
- More effectively market our products and services and advertise other products and services that may be of interest to you.
- Obtain your feedback on our products and the Services.
- Allow you to engage in our social media offerings (e.g., clicking the “Like” button on our website).

The use of third-party cookies is not covered by our Privacy Notice. We do not have access or control over these cookies. If you continue to use our websites, we will assume you agree to the use of these cookies. You may visit the following links from our third-party partners to opt-out of their tracking and learn about their privacy practices:

- Google Analytics:
 - To view Google’s privacy policy, please visit:
<http://www.google.com/policies/privacy/>.
 - To opt-out, please download and install the Google Analytics opt-out browser add-on by visiting: <https://tools.google.com/dlpage/gaoptout>.
- Fabric
 - To view Fabric’s privacy policy, please visit:
<https://policies.google.com/privacy?hl=en&gl=us>
- Mode Analytics
 - To view Mode’s privacy policy, please visit:
<https://about.modeanalytics.com/privacy/>
- Facebook

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- To view Facebook’s privacy policy, please visit:
https://www.facebook.com/full_data_use_policy
- New Relic
 - To view New Relic’s privacy policy, please visit:
<https://newrelic.com/termsandconditions/privacy>
- Rollbar
 - To view Rollbar’s privacy policy, please visit:
<https://docs.rollbar.com/docs/privacy-policy>
- Segment
 - To view Segments privacy policy, please visit: <https://segment.com/docs/legal/privacy/>

Although not all cookies and similar technologies that we use are required for you to use the Services, disabling these technologies altogether could prevent the Services from working properly

and disable features that allow you to take full advantage of the Services we offer.

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