

ChallengeRunner LLC

Privacy Policy

Last modified: 11/15/2022

Introduction

ChallengeRunner, LLC ("**Company**" or "**We**") respects your privacy and is committed to protecting it through our compliance with this policy.

This policy describes the types of information we may collect from you or that you may provide when you visit the website challengerunner.com (our "**Website**"), any mobile application, desktop application, or other application provided by Company and relating to the purpose of the Website (the "**Applications**", or collectively with the **Website**, the "**Software**" and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect:

- On this Website.
- In email, text, and other electronic messages between you and the Software.
- Through the Applications.

It does not apply to information collected by:

- us offline or through any other means, including on any other website operated by Company or any third party (including our affiliates and subsidiaries); or
- any third party (including our affiliates and subsidiaries), including through any application or content (including advertising) that may link to or be accessible from or on the Software.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Software. By accessing or using the Software, you agree to this privacy policy. This policy may change from time to time (see Changes to Our Privacy Policy). Your continued use of this Software after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

Children Under the Age of 13

Our Software is not intended for children under 13 years of age. No one under age 13 may provide any information to the Software. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this Software or on or through any of its features. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at support@challengerunner.com.

Information We Collect About You and How We Collect It

We collect several types of information from and about users of our Software, including information:

- by which you may be personally identified, such as name, postal address, e-mail address, telephone number, or any other identifier by which you may be contacted online or offline ("**personal information**");

- that is about you but individually does not identify you, such as information that is aggregated and deidentified; and/or
- about your internet connection, the equipment you use to access our Software and usage details.

We collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through cookies.
- From third parties, for example, our business partners or customers.

Information You Provide to Us. The information we collect on or through our Software may include:

- Information that you provide by filling in forms on our Software. This includes information provided at the time of registering to use our Software, subscribing to our service, posting material, or requesting further services. We may also ask you for information when you report a problem with our Software.
- Records and copies of your correspondence (including email addresses), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Details of transactions you carry out through our Software and of the fulfillment of your orders. You may be required to provide financial information before placing an order through our Software.
- Your interactions with the Software, including features used, pages or screens visited, and other activities.

You also may provide information to be published or displayed (hereinafter, "**posted**") on public areas of the Software, or transmitted to other users of the Software or third parties (collectively, "**User Contributions**"). Your User Contributions are posted on and transmitted to others at your own risk. Although, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Software with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

Information We Collect Through Automatic Data Collection Technologies. As you navigate through and interact with our Software, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to or uses of our Software, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Software.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

The information we collect automatically may include personal information, or we may maintain it or associate it with personal information we collect in other ways or receive from third parties. It helps us to improve our Software and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our Software according to your individual interests.
- Speed up your searches.

- Recognize you when you return to our Software.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.
- **Web Beacons.** Pages of our the Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

We do not collect personal information automatically, but we may tie this information to personal information about you that we collect from other sources or you provide to us.

Third-Party Use of Cookies and Other Tracking Technologies.

Some content or applications, including advertisements, displayed by the Software are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our website. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see Choices About How We Use and Disclose Your Information.

How We Use Your Information

We use information that we collect about you or that you provide to us, including any personal information:

- To present our Software and its contents to you.
- To provide you with information, products, or services that you request from us.
- To fulfill any other purpose for which you provide it.
- To provide you with notices about your account, including expiration and renewal notices.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To notify you about changes to our Software or any products or services we offer or provide though it.
- To allow you to participate in interactive features on our Software.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

- If you are a user that has registered as a challenge administrator (an “**Administrator**”), to provide access to the Software to any users participating in your challenge (the “**Participant(s)**”).
- If you are a Participant, to provide information about your activities and status to an Administrator of a challenge you are participating in.

As an Administrator, we may also use your information to contact you about goods and services that may be of interest to you. If you do not want us to use your information in this way, please adjust your user preferences in your account profile. For more information, see Choices About How We Use and Disclose Your Information.

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

Additional Limits on Use of Your Google User Data

Notwithstanding anything else in this Privacy Policy, if you provide the App access to the following types of your Google data, the App's use of that data will be subject to these additional restrictions:

- *The App will only use access to read Google Fit activity, location, and sleep data to seamlessly include your data in the wellness challenges you are enrolled and will not transfer this data to others unless doing so is necessary to provide and improve these features, comply with applicable law, or as part of a merger, acquisition, or sale of assets.*
- *The App will not use Google Fit data for serving advertisements.*

Disclosure of Your Information

We may disclose aggregated information about our users without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of ChallengeRunner LLC's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by ChallengeRunner, LLC about our Software users is among the assets transferred.
- To fulfill the purpose for which you provide it. For example, if you give us an email address to use the "email a friend" feature of our Software, we will transmit the contents of that email and your email address to the recipients. As another example, if you use features of the Software as a Participant, we may transmit personal information and usage information to any Administrator you are associated with.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.

- To enforce or apply our terms of use Terms of Use, any invoices for services or goods, and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of ChallengeRunner, LLC, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- **Promotional Offers from the Company.** As an Administrator, if you do not wish to have your contact information used by the Company to promote our own products or services, you can opt-out by logging into the Software and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email stating your request to support@challengerunner.com. If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions.

We do not control third parties' collection or use of your information to serve interest-based advertising. However these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website.

Accessing and Correcting Your Information

You can review and change your personal information by logging into the Software and visiting your account profile page.

You may also send us an email at support@challengerunner.com to request access to, correct or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

If you delete your User Contributions from the Software, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Software users. Proper access and use of information provided on the Software, including User Contributions, is governed by our Terms of Use.

Your California Privacy Rights

California Civil Code Section § 1798.83 permits users of our Software that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to support@challengerunner.com.

Data Security

We have implemented measures intended to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Software, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Software like message boards. The information you share in public areas may be viewed by any user of the Software.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Software. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Software.

Data Retention

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you, or if required by laws.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting, or other requirements.

As a ChallengeRunner user, you may delete your own account and related data at any time. If challenge data is not being retained for one of the reasons stated above, it will automatically be purged after 18 months. In some circumstances we will anonymize your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

Changes to Our Privacy Policy

We may revise and update this Privacy Policy from time to time in our sole discretion. All changes are effective immediately when we post them, and apply to all access to and use of the Software thereafter. If you do not wish to accept the updated Privacy Policy, you must contact us and request that your account be canceled.

Your continued use of the Software following the posting of revised Privacy Policy means that you accept and agree to the changes. You are expected to check this page from time to time so you are aware of any changes, as they are binding on you. Additionally, we will provide notice of any material changes to the Privacy Policy via the Website, via an email you provide when registering, or both.

Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at support@challengerunner.com.