

AquilaFit Privacy Policy

EFFECTIVE DATE: April 14th, 2020

AquilaFit Inc. (“Company”) values your privacy. In this Privacy Policy (“Policy”), we describe how we collect, use, and disclose information we obtain about visitors to our website, www.aquila-fit.com (the “Site”), users of our mobile applications (the “App” or “Apps”), visitors to Gyms or any Fitness studios (“Partners”) we provide our service to, and the services available through our Site and App, and how we use and disclose that information. This Policy does not apply to Gyms and any Fitness studios, we are providing service to, collection, use, and disclosure of your information, except as described in this policy with regard to data sharing and change of a company we provide our service to.

By visiting the Site, using or downloading the App, or using any of our services, you acknowledge that your personal information will be handled as described in this Policy. Your use of our Site, App, or services, and any dispute over privacy, is subject to this Policy and our Terms of Use, including its applicable limitations on damages and the resolution of disputes. The Terms of Use are incorporated by reference into this Policy.

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1. THE INFORMATION WE COLLECT ABOUT YOU

We collect information about you directly from you and from other parties, as well as automatically through your use of our Site and App.

Information We Collect Directly From You. The information we collect from you depends on how you use our Site, App, and Services.

- **To Purchase our Service Online.** To create an account to sign up for our service online through our Site or our App, you must provide us with your name, physical address, email address, date of birth, phone number, height and weight, payment and billing information, and username and password. If you complete a membership agreement, we also collect (not obligatorily) information about your gender, ethnicity and civil status for aggregate statistical purposes. If you do not provide this information, you will not be able to create an online account, complete a membership agreement, or make a purchase.
- We will also collect information about the workouts you schedule and information about your purchases. You may also provide information about your preferences, such as your favorite gyms and coaches.
- **When You Visit our partners.** If you become an AquilaFit member by registering at an Aquila-Fit website, you must provide us with your name, physical address, email address, date of birth, phone number, height and weight, marital status, and payment and billing information. We also may collect information about any health conditions that could affect your ability to participate in a workout. If you do not provide this information, we may not be able to offer our services to you.
- We also will collect information about the workout sessions you schedule, details about your exercise frequency and goals, and information about your in-studio purchases. We will also collect information when you check in for a workout, such as your name, address, email address, member number, and location. If you provide your information to a gym or any fitness studio that we provide service to in any matter related to your membership with our company, this gym or a fitness studio may share this

information to us — please see the Information We Collect from our partners section below.

- At certain locations you have the option of voluntarily participating in a body scanning program. This scan will measure your body's muscle mass, fat percentage, and total body water, and will report your overall body composition and body mass index (based on your height, weight, gender, and age). These scans help you understand the effects of your workouts.
- **Information We Collect from our Partners.** As described above, if you visit our Partner, you will be providing your information directly to the them. When you provide your information to a partner (including your in-studio sign up information, purchases you make at partner's facility, and your workout information), the Partner will make this information available to AquilaFit. The Partner, however, handles all billing and account administration, including determining how your information is used for the Partner's own marketing purposes. If you register for a workout at a different Partner from your home Partner, then both Partners — the one at which you completed your workout and your home partner — will have access to information about your workout registration and participation. Information from your
- **Information We Collect from Social Networking Sites.** You may log into your online account or our Apps through Facebook. If you log in to your account or link your account to your Facebook profile, you must enter your Facebook email address and password. We will ask that you grant us permission to: (i) access your Facebook basic profile information (this includes your name, profile picture, gender, networks, user IDs, list of friends, date of birth, email address, and any other information you have set to public on your Facebook account); (ii) post to your wall; and (iii) access posts in your newsfeed. If you allow us to have access to this information, then we will have access to this information even if you have chosen not to make that information public through Facebook.
- We store the information we receive from Facebook with other information that we collect from you or receive about you. Any social networking site controls the information it collects from you. For information about how a

social networking site may use and disclose your information, including any information you make public, please consult the social network's privacy policy. We have no control over how any unaffiliated site uses or discloses the personal information it collects about you.

- We also collect information about you when you interact with us on social networking platforms. If you message us or tag us in a social network post, we will collect information about your message or the post we are tagged in.

Information We Collect Automatically. We automatically collect information about your use of our Site and Apps through cookies, web beacons, and other technologies, including technologies designed for mobile apps. To the extent permitted by applicable law, we combine this information with other information we collect about you, including your personal information. Please see the section "Cookies and Other Tracking Mechanisms" below for more information.

Site:

- domain name;
- your browser type and operating system;
- web pages you view on the Site; links you click on the Site; your IP address;
- the length of time you visit our Site and or use our Services; and
- the referring URL, or the webpage that led you to our Site.

App:

- mobile device ID; device name and model; operating system type, name, and version;
- language information;
- activities within the App; and the length of time that you are logged into our App;
- location information. With your permission, we will collect location information from your mobile device to help you identify Our Partners located in your area and to help us market AquilaFit services. You may turn off this feature through the location settings on your mobile device.

2. HOW WE USE YOUR INFORMATION

We use your information, including your personal information, for the following purposes:

- To provide our services to you, to communicate with you about your use of our services, to respond to your inquiries, to fulfill your orders, and for other customer service purposes.
- To tailor the content and information we may send or display to you, to offer location customization, to offer personalized help and instructions, and to otherwise personalize your experiences while using the Site and App. For example, we may use your location information to show you our Partners in your area. We also use information collected through our service to customize workout programs and classes and to conduct workout challenges.
- For marketing and promotional purposes. For example, we use your information, such as your email address, to send you news and newsletters, special offers and promotions, or to otherwise contact you about products, services, workout sessions, or other information we think may interest you.
- We use your information (in the aggregate) to assist us in advertising the AquilaFit brand on unaffiliated websites and in evaluating the success of our advertising campaigns (including our online targeted advertising and offline promotional campaigns).
- To better understand how users access and use our Site and Apps, both on an aggregated and individualized basis, in order to improve our Site and Apps and respond to user desires and preferences, and for other research and analytical purposes.
- To administer our membership reward program.
- To administer surveys and questionnaires, such as for market research or member satisfaction purposes.

- To expand our reach by enrolling new Partners to our system. For example, if you inquire about Partnering with us, we will use your information to assess your suitability for providing our services.
- To enable our Partners to provide services to you in their independently owned and operated studios. In addition, if a Partner leaves our service system, we will assist with facilitating the transition to a new owner, including ensuring that the respective partners's members' personal information is transitioned to the new owner to ensure the members continue to receive services.
- To comply with legal obligations, as part of our general business operations, and for other business administration purposes.
- Where we believe necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, or violations of our Terms of Use or this Privacy Policy.

3. HOW WE SHARE YOUR INFORMATION

We may share your information, including personal information, as follows:

- **Workout Sessions and Challenges.** During a workout session, participants may share their name and workout information with other session participants with our Partner's coaches. If you participate in a workout challenge, you may share your name and workout information with other challenge participants. You may also share information about your workouts and challenges you participate in with your social media accounts.
- **AquilaFit Partners.** If you complete a workout at a Partner's facility different from your home Partner, then your data will be available to the owners of both Partners. If a Partner sells or otherwise transfers their facility, we will transfer member information along with their whole exercise history controlled by the outgoing Partner to the successor Partner.

- **Health-focused Apps and Websites.** With your consent, we may share your personal information, including workout and health data, with unaffiliated health-focused mobile applications and websites to help you track your health and wellness information. If you choose to share your information with these apps, your personal information, including your health information, will be used in accordance with those apps' and websites' own privacy policies, not this one.
- **Affiliates.** We may disclose the information we collect from you to our affiliates or subsidiaries; however, if we do so, their use and disclosure of your personally identifiable information will be subject to this Policy.
- **Service Providers.** We do not disclose individual information we collect from you to our vendors, service providers, or contractors. We may share aggregate information with them.

We also disclose information in the following circumstances:

- **Business Transfers.** If (i) we or our affiliates are or may be acquired by, merged with, or invested in by another company, or (ii) if any of our assets are or may be transferred to another company, whether as part of a bankruptcy or insolvency proceeding or otherwise, we may transfer the information we have collected from you to the other company. As part of the business transfer process, we will share certain of your personal information with lenders, auditors, and advisors, including attorneys and consultants.
- **In Response to Legal Process.** We also may disclose the information we collect from you in order to comply with the law, a judicial proceeding, or other legal process, such as in response to a court order or a subpoena.
- **To Protect Us and Others.** We also may disclose the information we collect from you where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Use or this Policy, or as evidence in litigation in which AquilaFit is involved.

- **Aggregate and De-Identified Information.** We may share aggregate, de-identified, or anonymized information about users and members with others for marketing, advertising, research, or similar purposes.

4. OUR USE OF COOKIES AND OTHER TRACKING MECHANISMS

We and our service providers use cookies and other tracking mechanisms to track information about your use of our Site and App. We may combine this information with other personal information we collect from you (and our service providers may do so on our behalf).

Cookies. Cookies are alphanumeric identifiers that we transfer to your computer's hard drive through your web browser for record-keeping purposes. Some cookies allow us to make it easier for you to navigate our Site and App, while others are used to enable a faster log-in process or to allow us to track your activities at our Site and App.

Disabling Cookies. Most web browsers automatically accept cookies, but if you prefer, you can edit your browser options to block them in the future. The Help portion of the toolbar on most browsers will tell you how to prevent your computer from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Visitors to our Site who disable cookies will be able to browse certain areas of the Site, but some features may not function.

Clear GIFs, pixel tags and other technologies. Clear GIFs are tiny graphics with a unique identifier, similar in function to cookies. In contrast to cookies, which are stored on your computer's hard drive, clear GIFs are embedded invisibly on web or mobile application pages. We may use clear GIFs (aka web beacons, web bugs or pixel tags), in connection with our Site and App to, among other things, track the activities of Site visitors and App users, help us manage content, and compile statistics about usage of our Site and Apps. We and our service providers also use clear GIFs in HTML emails to our customers to help us track email response rates, identify when our emails are viewed, and track whether our emails are forwarded.

Analytics. We use automated devices and applications, such as Google Analytics, to evaluate usage of our Site, and to the extent permitted, our Apps. We also may use other analytic means to evaluate our Site and Apps. We use these tools to help us improve our Site's and Apps' performance and user experiences. These entities may use cookies and other tracking technologies,

such as web beacons or local storage objects (LSOs), to perform their services. To learn more about Google’s privacy practices, please review the Google Privacy Policy at <https://www.google.com/policies/privacy/>. You can also download the Google Analytics Opt-out Browser Add-on to prevent your data from being used by Google Analytics at <https://tools.google.com/dlpage/gaoptout>.

Do Not Track. Currently, our systems do not recognize browser “do-not-track” requests. You may, however, disable certain tracking as discussed in this section (e.g., by disabling cookies);

Ad Networks. We use network advertisers to serve advertisements on unaffiliated websites or other media (e.g., social networking platforms). This enables us and network advertisers to target advertisements to you for products and services in which you might be interested. Ad network providers, advertisers, sponsors, and/or traffic measurement services may use cookies, JavaScript, web beacons (including clear GIFs), Flash LSOs, and other tracking technologies to measure the effectiveness of their ads and to personalize advertising content to you. These cookies and other technologies are governed by each entity’s specific privacy policy, not this one. We may provide these advertisers with information, including personal information, about you. Users in the United States may opt out of many ad networks. For example, you may go to the Digital Advertising Alliance (“DAA”) [Consumer Choice Page](#) for information about opting out of interest-based advertising and their choices regarding having information used by [DAA companies](#). You may also go to the Network Advertising Initiative (“NAI”) [Consumer Opt-Out Page](#) for information about opting out of interest-based advertising and their choices regarding having information used by [NAI members](#).

Opting out from one or more companies listed on the DAA [Consumer Choice Page](#) or the NAI [Consumer Opt-Out Page](#) will opt you out from those companies’ delivery of interest-based content or ads to you, but it does not mean you will no longer receive any advertising through our Site or on other websites. You may continue to receive advertisements, for example, based on the particular website that you are viewing (i.e., contextually based ads). Also, if your browsers are configured to reject cookies when you opt out on the DAA or NAI websites, your opt out may not be effective. Additional information is available on the DAA’s website at www.aboutads.info or the NAI’s website at www.networkadvertising.org.

5. LINKS

Our Site and Apps may contain links to unaffiliated entities' websites. Any access to and use of such linked websites is not governed by this Policy, but instead is governed by the privacy policies of those websites. We are not responsible for the information practices of such websites.

6. SECURITY OF YOUR PERSONAL INFORMATION

We have implemented reasonable precautions to protect the information we collect from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please be aware that despite our efforts, no data security measures can guarantee security.

You should take steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen, or compromised passwords or for any activity on your account via unauthorized password activity.

7. ACCESS TO YOUR PERSONAL INFORMATION

You may modify personal information that you have submitted by logging into your account and updating your profile information. You may also update your information by visiting your Partners. Please note that copies of information that you have updated, modified, or deleted may remain viewable in cached and archived pages of the Site or App for a period of time.

8. WHAT CHOICES DO I HAVE REGARDING PROMOTIONAL EMAILS?

In accordance with applicable law, we will send periodic promotional emails to you. You may opt-out of promotional communications by following the opt-out instructions contained in the email. Please note that it may take up to 10 business days for us to process opt-out requests. If you opt-out of receiving promotional emails about recommendations or other information we think may

interest you, we may still send you emails about your account or any services you have requested or received from us.

Our Partners also send their own marketing emails in accordance with applicable law. If you no longer wish to receive marketing emails from our Partners, you will need to separately opt-out of the respective Partner's marketing emails. We do not control, and are not responsible for, the promotional emails sent by our Partners.

9. CHILDREN UNDER 13

Our Site, Apps, and services are fully adapted to children under the age of 13. Our Partners can have a separate policies in accepting memberships with children under 13. Please, confirm with the Partner you want to enroll your child with.

10. CONTACT US

If you have questions about the privacy aspects of our Services or would like to make a complaint, please contact us at privacy@aquila-fit.com.

11. CHANGES TO THIS POLICY

This Policy is current as of the Effective Date set forth above. We may change this Policy from time to time, so please be sure to check back periodically. We will post any changes to this Policy on our Site and App. If we make any changes to this Policy that materially affect our practices with regard to the personal information we have previously collected from you, we will endeavor to provide you with notice in advance of such change by highlighting the change on our Site and App.

12. ADDITIONAL INFORMATION FOR CALIFORNIA RESIDENTS

This section of our Privacy Policy along with [California Privacy Notice](#) provides information for California residents, as required under California privacy laws, including the California Consumer Privacy Act ("CCPA"). California privacy laws require that we provide California residents information about how we use their

personal information, whether collected online or offline, and this section is intended to satisfy that requirement.

Under the CCPA, “personal information” is any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California resident or household.

Categories of Personal Information that We Collect, Disclose, and Sell

Below we identify the categories of personal information that we collect about California consumers and households, the purposes for which we use each category, and whether we disclose or sell information within each category.

Please note our data collection practices set forth below are not different than those described above; the CCPA specifies particular information that we need to discuss in our privacy policy, and, in this section, we have reorganized the discussion above into the categories as outlined by the CCPA.

Categories of personal information	Do we collect?	Do we disclose for business purposes?	Do we sell or may we sell?
<p>NAME, CONTACT INFORMATION AND IDENTIFIERS: Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol (IP) address, email address, account name, or other similar identifiers. For example, the information you provide us when you become an AQUILAFIT member.</p>	<p>YES</p>	<p>YES - only in our immediate business needs</p>	<p>NO</p>

CUSTOMER RECORDS: Paper and electronic customer records containing personal information, such as name, signature, physical characteristics or description, address, telephone number, employment information, bank account number, credit card number, debit card number, or any other financial information, or medical information.

YES

YES - only in our immediate business needs

NO

<p>PROTECTED CLASSIFICATIONS: Characteristics of protected classifications under California or federal law such as sex, age, and disability. For example, we collect sex and age information from members.</p>	<p>YES</p>	<p>YES - only in our immediate business needs</p>	<p>YES - Not individual. Only in aggregate form.</p>
<p>PURCHASE HISTORY AND TENDENCIES: Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies. For example, we collect information about your preferred studios and your workout routine.</p>	<p>YES</p>	<p>YES - only in our immediate business needs</p>	<p>YES - Not individual. Only in aggregate form.</p>

BIOMETRIC INFORMATION:

Physiological, biological or behavioral characteristics that can be used alone or in combination with each other to establish individual identity, including gait patterns or rhythms, and sleep, health, or exercise data that contain identifying information.

YES

YES - only in our immediate business needs

NO

USAGE DATA:

Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a resident's interaction with an internet website, application, or advertisement. For example, we automatically collect information when you visit our Site or use our Apps, such as the pages you view.

YES

YES

NO

GEOLOCATION DATA:

Precise geographic location information about a particular individual or device. For example, we collect your mobile device's location information to

YES

YES

NO

<p>help you find nearby studios.</p>			
<p>AUDIO/VISUAL: Audio, electronic, visual, or similar information. For example, we may video record studio activity for our own marketing and social media content.</p>	<p>YES/NO</p>	<p>YES/NO</p>	<p>NO</p>
<p>EMPLOYMENT HISTORY: Professional or employment-related information. For example, we may collect your business contact information if you join through a corporate membership.</p>	<p>YES</p>	<p>YES</p>	<p>NO</p>

<p>PROFILES AND INFERENCES: Inferences drawn from any of the information identified above to create a profile about a resident reflecting the resident’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.</p>	<p>YES</p>	<p>YES</p>	<p>YES - Not individual. Only in aggregate form.</p>
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California Residents’ Rights

California law grants California residents certain rights and imposes restrictions on particular business practices as set forth below.

Right to Opt-out. California residents have the right to opt-out of our “Sale” of their personal information. California defines the term “Sale” broadly, and includes, our selling, renting, releasing, disclosing, disseminating, making available, transferring or otherwise communicating (collectively a “Sale”) California residents’ personal information to another business or third party for monetary or other valuable consideration. California residents may exercise their right to opt-out the Sale of their personal information by contacting us at privacy@aquila-fit.com.

Right to Opt-In. We do not sell personal information about residents who we know are younger than 16 years old without opt-in consent.

Notice at Collection. We are required to notify California residents, at or before the point of collection of their personal information, the categories of personal information collected and the purposes for which such information is used.

Verifiable Requests to Delete, and Requests to Know. Subject to certain exceptions, California residents have the right to make the following requests, at no charge, up to twice every 12 months:

Right of Deletion: California residents have the right to request deletion of their personal information that we have collected about them, subject to certain exemptions, and to have such personal information deleted, except where necessary for any of a list of exempt purposes.

Right to Know – Right to a Copy: California residents have the right to request a copy of the specific pieces of personal information that we have collected about them in the prior 12 months and to have this delivered, free of charge, either (a) by mail or (b) electronically in a portable and, to the extent technically feasible, readily useable format that allows the individual to transmit this information to another entity without hindrance.

Right to Know – Right to Information: California residents have the right to request that we provide them certain information about how we have handled their personal information in the prior 12 months, including the:

- categories of personal information collected;
- categories of sources of personal information;
- business and/or commercial purposes for collecting or selling their personal information;
- categories of third parties/with whom we have disclosed or shared their personal information;
- categories of personal information that we have disclosed or shared with a third party for a business purpose;
- categories of personal information collected; and
- categories of third parties to whom the residents' personal information has been sold and the specific categories of personal information sold to each category of third party.

Submitting Requests. Requests to exercise the Right of Deletion, Right to a Copy, and / or the Right to Information may be submitted by California residents by contacting us at privacy@aquila-fit.com. We will respond to verifiable requests received from California consumers as required by law.

Right to Non-Discrimination, and Incentives. The CCPA prohibits discrimination against California residents for exercising their rights under the

CCPA and imposes requirements on any financial incentives offered to California residents related to their personal information.

Discrimination: Businesses may not discriminate against residents who exercise their rights under CCPA. Discrimination may exist where a business denies or provides a different level or quality of goods or services, or charges (or suggests that it will charge) different prices or rates or impose penalties on residents who exercise their CCPA rights, unless doing so is reasonably related to the value provided to the business by the residents' data.

Disclosure of Incentives: If businesses offer any financial incentives for the collection, sale or deletion of California residents' personal information, residents have the right to be notified of any financial incentives offers and their material terms, the right not be included in such offers without prior informed opt-in consent, and the right to be able to opt-out of such offers at any time. Businesses may not offer unjust, unreasonable, coercive or usurious financial incentives. We do not offer any financial incentives at this time.