

# **Impact Fitness Coaching Academy**

## **Privacy Policy**

**Effective Date: 4/1/2020**

Impact Fitness Coaching Academy (“Company,” “we,” “us,” or “our”) respects your privacy and takes the responsibility of protecting the Personal Information that you provide to us via the Services (defined below) seriously. We encourage you to review this Privacy Policy carefully so that you have a clear understanding of our privacy practices. If you do not agree with our policies and practices, do not access, continue to access, or use the Services.

This Privacy Policy is intended to outline our practices regarding the collection, use, disclosure, and protection of information received from users of the Services, including users in the European Economic Area (“EEA”) and residents of the State of California (collectively, “you” or “user”). We adopt this Privacy Policy to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and the EU General Data Protection Regulation (“GDPR”).

For the purposes of compliance with the GDPR, we are the “Controller” of Personal Data (i.e., “Personal Information”) that we receive from you, if any. For the purposes of this Privacy Policy, as set forth in the GDPR, an identified or identifiable natural person in the EEA accessing the Services will be referred to as a “Data Subject.”

### **Scope**

The Privacy Policy applies to the “Services,” which include our website ([www.impactfitnesscoachingacademy.com](http://www.impactfitnesscoachingacademy.com)), its subdomains, and all of the websites and internet properties owned or operated by us, regardless of the medium in which the Services are accessed by a user (e.g., via a web or mobile browser), as well as our other in-person activities, services, features, or resources.

### **Information We Collect**

We collect several types of information from and about users of the Services.

**Personal Information:** We may collect Personal Information from you in order to provide you with the information or services you may request. “Personal Information” refers to information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or device. When you complete forms on, navigate, and/or use the Services, we may collect Personal Information about you.

The categories and types of Personal Information we may collect, along with the purposes for which we use your Personal Information and what third parties we share your Personal Information with, include:

Category	Type(s)	Purposes	Third Parties
Identifiers	Name, Instagram username, email address, IP address, phone number	<ul style="list-style-type: none"> <li>• Delivery of Services</li> <li>• Customer Services/User Communications</li> <li>• User Experience Personalization</li> <li>• Direct Marketing</li> <li>• Business Optimization</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Law Enforcement</li> <li>• Buyer or Acquirer of Company</li> </ul>
California Customer Records statutory categories of personal information	Name, phone number	<ul style="list-style-type: none"> <li>• Delivery of Services</li> <li>• Customer Services/User Communications</li> <li>• User Experience Personalization</li> <li>• Direct Marketing</li> <li>• Business Optimization</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Law Enforcement</li> <li>• Buyer or Acquirer of Company</li> </ul>
Internet or similar network activity	Browsing history, search history, information collected from cookies and web beacons, information on an individual's interactions with the Services	<ul style="list-style-type: none"> <li>• User Experience Personalization</li> <li>• Business Optimization</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Law Enforcement</li> <li>• Buyer or Acquirer of Company</li> </ul>

Personal Information does not include: information that is publicly available from government records; Deidentified (defined below), anonymized, or aggregated information; or certain personal information protected by other sector-specific federal or state statutes. Where required by applicable law, we may treat certain types of other information as Personal Information and will comply with all applicable data protection laws.

**Deidentified Information:** We may collect “Deidentified Information” when you use and navigate the Services. Deidentified Information is information that cannot reasonably identify, relate to, describe, be capable of being associated with, or be linked, directly or indirectly, to a particular individual. Deidentified Information may include, without limitation, information regarding your device, the type of internet browser you are using, the type of computer operating system you are using to access the Services, or the internet service provider utilized. As otherwise required by applicable law, we will take reasonable measures to ensure that Deidentified Information we collect does not personally identify you and may not later be easily used to identify you.

**Persons Under the Age of 18:** The Services are not intended for persons under 18 years of age. We do not market to and do not knowingly collect, disclose, or sell any Personal Information from or about persons under the age of 18. If we discover that we have inadvertently collected information from a person under 18 years of age, we will promptly take all reasonable measures to delete such information from our systems.

## **How We Collect Information**

We collect Personal Information and Deidentified Information (collectively, “Your Information”) from the following categories of sources:

Directly From You: We may collect Personal Information from you when you voluntarily provide Personal Information to us, for example, by completing forms.

Indirectly From You: We may collect Personal Information and Deidentified Information from you when you interact with the Services. We collect Personal Information (such as browsing history, search history, and information on your interactions with the Services) that your browser transmits when you use, access, interact with, or visit the Services. We may collect Personal Information and Deidentified Information about how you access and interact with the Services through the use of automated tracking technology, such as “cookies” and “web beacons.”

A cookie is a small data file that is transferred to a web browser that enables the Services to remember and customize your subsequent visits. Some internet browsers automatically accept cookies. You can instruct your browser to block the acceptance of cookies or to provide you with a warning prompt before you accept cookies from the Services. Please refer to your internet browser’s instructions to learn more about these functions. If you reject cookies, the functionality of the Services may be limited and you may not be able to participate in several of the Services’ features. Additionally, we may use web beacons, which are single-pixel, electronic images embedded in the Services that allow us to gather information about your browsing activities on the Services.

We will not collect additional categories of Personal Information without providing you notice.

## **How We Use Your Information**

We use Your Information for various business purposes to help enhance your experience. These purposes include but are not limited to:

Delivery of Services: We may use Your Information to deliver our services, products, and features to you. For example, we may send you emails about transactions and send you notices and information about updates to the Services.

Customer Service and User Communications: We may use your Personal Information to help us respond to your inquiries, questions, requests, and support needs more efficiently.

User Experience Personalization: We may use Your Information to analyze users’ browsing and usage activities and patterns in order to understand users’ interests and preferences with respect to the Services. This will help us optimize the users’ experience on the Services.

Direct Marketing: We may use your Personal Information to send you promotional materials. You have the option to opt-out of receiving direct marketing.

Business Optimization: We may use Your Information in managing our everyday business needs. We may also use your feedback to improve the Services.

We will not use the Personal Information we collect for materially different, unrelated, or incompatible purposes without providing you notice.

### **How We Disclose Information**

We may share and disclose Your Information to third parties for a business purpose or to fulfill legal obligations. When we disclose Personal Information for a business purpose, we enter into a contract that describes the business purpose and requires the recipient to keep that Personal Information confidential and not use it for any purpose except for performing the contract. We may share and disclose Your Information in the following circumstances:

To Service Providers: Your Information may be shared with third-party service providers that assist us in providing customer support, communicating with individuals, and promoting our services, as well as third-party service providers that provide other services to us relating to the Services.

Law Enforcement, Safety, and Legal Processes (collectively, “Law Enforcement”): Your Information may be shared with Law Enforcement or other government officials if it relates to a criminal investigation or alleged criminal activity. We may also share Your Information if required or permitted to do so by law, for fraud protection and credit risk reduction purposes, or if we have a good-faith belief that such action is necessary to protect and defend our property rights or the rights of the users of the Services. We may further share Your Information to protect the safety of our employees or a member of the public, or to comply with a judicial proceeding, court order, or legal process.

In a Sale or Acquisition of Assets (“Buyer or Acquirer of Company”): If we become involved in a transaction involving the sale of our assets, such as a merger or acquisition, or if we are transferred to another company, we may disclose and/or transfer Your Information as part of the transaction. If the surviving entity in that transaction is not us, the surviving entity may use Your Information pursuant to their privacy policies, and those policies may be different from this Privacy Policy.

We may disclose the following categories of Personal Information for a business purpose: Identifiers; California Customer Records Statute personal information categories; and Internet or similar network activity.

### **Sale of Personal Information**

We do not sell Personal Information to any third parties.

### **EEA Data Subject Rights and Choices**

Under certain circumstances, Data Subjects from the EEA may have the following rights under the GDPR:

- Right to access the Personal Information we maintain about you;
- Right to be provided with information about how we process your Personal Information;
- Right to correct your Personal Information;
- Right to have your Personal Information erased;
- Right to object to or restrict how we process your Personal Information; and
- Right to request your Personal Information to be transferred to a third-party.

To exercise the above rights, please contact us at the information provided below. We will consider and process your request within a reasonable period of time. Please be aware that under certain circumstances, the GDPR may limit your exercise of these rights.

How to Withdraw Consent. At any time, Data Subjects from the EEA may withdraw consent you have provided to us for using, disclosing, or otherwise processing your Personal Information. You may withdraw your consent by communicating your request at the information provided below.

Please note that your withdrawal of consent to process certain Personal Information about you (1) may limit our ability to deliver Services to you and (2) does not affect the lawfulness of our processing activities based on consent you gave prior to withdrawing it. Note that even after withdrawing consent, we may use, disclose, or otherwise process your Personal Information if required by law to do so.

How to File a Complaint. Data Subjects from the EEA may file a complaint with EU data protection authorities (“DPAs”). A list of DPAs from the European Commission may be found here: [http://ec.europa.eu/newsroom/article29/document.cfm?action=display&doc\\_id=50061](http://ec.europa.eu/newsroom/article29/document.cfm?action=display&doc_id=50061).

### **California Resident Rights and Choices**

Under certain circumstances, California residents may have specific rights regarding their Personal Information. California residents have the following rights under the CCPA:

- Right to Access Specific Information. You have the right to request that we disclose certain information to you about our data processing practices over the past 12 months.
- Right to Data Portability. You have the right to receive information you request in a portable and readily usable format that allows you to transmit the information to another entity without hindrance.
- Right to Deletion. You have the right to request that we delete any of your Personal Information that we collected from you and retained, subject to certain exceptions.
- Right to be Free from Discrimination. You have the right to be free from discrimination for exercising your rights under the CCPA.

Please be aware that under certain circumstances, the CCPA may limit your exercise of these rights.

## **Exercising Your Rights**

Verifiable Consumer Requests. To the extent permitted by applicable law, you may have the right to request that we disclose certain information to you about our collection and use of your Personal Information (for California residents, Personal Information from the past 12 months). To exercise your rights described above, please submit a verifiable consumer request to us by either:

- Visiting: [www.impactfitnesscoachingacademy.com](http://www.impactfitnesscoachingacademy.com)
- Emailing us at: [impactcoachacademy@gmail.com](mailto:impactcoachacademy@gmail.com)

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your Personal Information.

A requestor may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must: (1) provide sufficient information that allows us reasonably to verify that the requestor is the person about whom we collected Personal Information or is an authorized representative of such person; and (2) describe the request with sufficient detail to allow us properly to understand, evaluate, and respond to it. We cannot respond to a request if we cannot verify the requestor's identity or authority to make the request. Making a request does not require the requestor to create an account with us. We will only use Personal Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format. We endeavor to respond to verifiable consumer requests within 45 days of receipt. If we require more time, we may take up to an additional 45 days to respond. We will explain, in writing, the reason for the extension.

If a requestor has an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at our option. Any disclosures we provide will only cover the 12-month period preceding our receipt of the verifiable consumer request. If we cannot comply with a requestor's request, the response we provide will explain the reasons why we cannot comply.

Once we receive and confirm a requestor's verifiable consumer request, we will disclose to the requestor:

- The categories of Personal Information we collected about the subject of the request;
- The categories of sources for the Personal Information we collected about the subject of the request;
- Our business or commercial purpose for collecting that Personal Information;
- The categories of third parties with whom we shared that Personal Information;

- The specific pieces of Personal Information we collected about the subject of the request; and
- If we disclosed the subject of the request’s Personal Information for a business purpose, a separate list of disclosures for a business purpose, identifying the Personal Information categories that each category of recipient obtained.

For data portability requests, we will provide the responsive Personal Information in a format that is readily useable and that should allow the requester to transmit the information from one entity to another entity without hindrance.

For deletion requests, unless an exception applies, we will delete from our records (and will direct our service providers to delete from their records) Personal Information about the subject of the request. We may deny a deletion request if retaining the information is necessary for us or our service providers pursuant to enumerated exceptions detailed in the CCPA and GDPR.

We do not charge a fee to process a verifiable consumer request, unless it is excessive, repetitive, or manifestly unfounded. If a request warrants a fee, we will provide the requester with an explanation and a cost estimate for completing the request.

### **International Data Transfers**

For Data Subjects from the EEA, we may transfer your Personal Information outside the EEA for processing pursuant to the purposes outlined above. When you provide us Personal Information, you understand and agree that it may be transferred across national boundaries and processed outside the EEA, including by trusted third parties.

### **Retention Policy**

We will only retain your Personal Information for as long as necessary to fulfil the purposes for which we collected it, including the purposes of satisfying any legal, accounting, or reporting requirements.

### **Additional California Privacy Rights**

California’s “Shine the Light” law permits users of the Services who are California residents to request certain information regarding our disclosure of Personal Information to third parties for the third-parties direct marketing purposes. To make such a request, please contact us at the contact information provided below.

### **Data Security**

The Services use commercially reasonable security measures to protect your Personal Information. However, no data transmitted over, or accessible through, the internet can be guaranteed to be 100% secure. As a result, while we attempt to protect your Personal Information, we cannot ensure or warrant that your Personal Information will be completely

secure from misappropriation by hackers or from other nefarious or criminal activities, or in the event of a failure of computer hardware, software, or a telecommunications network.

## **Spam**

We do not participate in bulk email solicitations that you have not consented to receive (i.e., “spam”). We do not sell or disclose customer lists or email address lists to unrelated third parties. Except as otherwise provided herein, we do not share Personal Information with any third-party advertisers.

## **Modifications**

This Privacy Policy was last reviewed and modified as of the Effective Date first printed above. Please note that we may update this Privacy Policy at any time, in our sole discretion. It is your responsibility to review this Privacy Policy for any changes each time that you use the Services.

## **External Links**

The Services may contain links to other websites. We do not endorse or make any representations or warranties concerning, and will not in any way be liable for, any informational content, products, services, software, or other materials available on external websites, even if one or more pages of the external websites are framed within a page of the Services. Please be aware that we are not responsible for the privacy practices or policies of such other websites.

## **Accessing and Updating Information**

If you ever wish to access your Personal Information or have your Personal Information deleted, updated, changed, or modified, you may do so by contacting us at the contact information provided below. We will make commercially reasonable efforts to handle requests to update or modify your Personal Information, including modifications to direct marketing communications, within 30 days.

## **Managing Direct Marketing and Notification Preferences**

If you would like to opt-out of receiving direct marketing communications from us, you may do so by following any instructions included in the communication or by contacting us at the contact information provided below.

## **Contact for More Information**

If you would like to contact us with questions or comments concerning the accuracy and/or privacy of your Personal Information, or if you believe that we have not adhered to this Privacy Policy, please notify us by contacting the following:

Attn: Erin Dimond  
6596 Mahogany Drive  
Galena, OH 43021

Website: [www.impactfitnesscoachingacademy.com](http://www.impactfitnesscoachingacademy.com)

Phone: 414-837-8079

Email: [impactcoachacademy@gmail.com](mailto:impactcoachacademy@gmail.com)

We welcome your questions and comments.