

# Privacy Policy

Updated September 1, 2023

IDEAFit Inc. d/b/a IDEA Health & Fitness Association (“IDEA”) understands how important privacy is to our users. We are committed to protecting your privacy and want to make sure that you understand how your information is used. We also want you to be aware that you have choices about how we use this information. By visiting [www.ideafit.com](http://www.ideafit.com) (“Site”) you consent to the collection, use and transfer of your personal data and information for processing in the United States as described in this Privacy Policy.

This Privacy Policy applies in addition to the Terms and Conditions of this website. The European Union’s General Data Protection Regulation (“GDPR”) provide protections for consumers in its jurisdiction. If you are not a resident or user in the European Union then you may not have rights under the GDPR. Even if the GDPR may not apply to you, we respect and protect users’ privacy. However, nothing herein should be taken as an agreement that the GDPR’s protections/remedies apply to non-European Union residents.

## **GENERAL TERMS ON PRIVACY**

Except as otherwise mandated by law in the applicable jurisdiction, the following General Terms on Privacy shall apply. Please note that if you follow hyperlinks from our Site to another website (including social mediate networks), we are not responsible for and have no control over their privacy policies and practices.

### *Third Party Vendors*

We may use third party vendors to perform certain functions, e.g., e-mail services, cloud/data storage providers. Such vendors shall only have access to personal information needed to perform their functions and shall not have authority to use any personal information for any other purpose.

### *Business Transfers*

In the event we sell or transfer some or all of our business or assets, the consumer information and user submissions we obtain may be part of such sale or transfer.

### *Legal Compliance*

We may disclose personal or consumer information on a good faith belief that the disclosure is appropriate to comply with the law or protect the user, us, the site or the public.

## **Children**

We do not knowingly collect or use personal data from children under 18 years of age. Children under the age of 18 are not permitted to use our site. If we learn that we have collected personal data from a child under 18 years of age, the personal data will be deleted as soon as possible. If a child under 18 years of age has provided us with personal data, their parent or guardian may contact our Privacy Officer.

### **Types of Information Collected**

In order to better provide you with our services, we collect two types of information about our users: Personally Identifiable Information and Non-Personally Identifiable Information. Our primary goal in collecting information from you is to provide you with a smooth, efficient, and customized experience while using our Site.

*Personally Identifiable Information:* This refers to information that lets us know the specifics of who you are. When you engage in certain activities on this Site, such as setting up an account, posting in a forum, posting or responding to a job ad, we may ask you to provide certain information about yourself by filling out and submitting an online form. It is completely optional for you to engage in these activities. If you elect to engage in these activities, however, we may ask that you provide us personal information, such as your first and last name, mailing address (including zip code), e-mail address, employer, job title and department, telephone number, and other personal identifying information. When ordering services on the Site, you may be asked to provide a credit card number. Depending upon the activity, some of the information we ask you to provide is identified as mandatory and some as voluntary. If you do not provide the mandatory data with respect to a particular activity, you will not be able to engage in that activity.

*Non-Personally Identifiable Information:* This refers to information that does not by itself identify a specific individual. We gather certain information about you based upon where you visit on our Site in several ways. This information is compiled and analyzed on both a personal and an aggregated basis. This information may include the Web Site's Uniform Resource Locator ("URL") that you just came from, which URL you go to next, what browser you are using, and your Internet Protocol ("IP") address. A URL is the global address of documents and other resources on the World Wide Web. An IP address is an identifier for a computer or device on a Transmission Control Protocol/Internet Protocol ("TCP/IP") network, such as the World Wide Web. Networks like the Web use the TCP/IP protocol to route information based on the IP address of the destination. In other words, an IP address is a number that is automatically assigned to your computer whenever you are surfing the web, allowing web servers to locate and identify your computer.

### **Collection of Data**

We do not collect any Personally Identifiable Information about you unless you voluntarily

provide it to us. You provide certain Personally Identifiable Information to us when you:

- (a) set up an account;
- (b) register for an event;
- (c) Submit information for use on the Site (such as articles, advertisements, conference presenter applications, events, and profile information);
- (d) post user content;
- (e) send e-mail messages, submit forms or transmit other information by telephone or letter; or
- (f) submit your credit card or other payment information when ordering and purchasing products and services on our Site.

We may also collect information from you at other points on our Site that state that such information is being collected.

In addition, we may also collect, or our third-party ad server and/or content server may collect, certain Non-Personally Identifiable Information by you simply by using or viewing our Site (such as through cookies). This information is ultimately stored in the form of store categories, and, in some cases, specific URLs. We use your IP address to diagnose problems with our servers, software, to administer our Site and to gather demographic information. Our third-party ad servers will also provide us with summary, but not individual, reports that will tell us how many ads were presented and clicked upon at our Site.

### **Use of Data**

We will primarily use your Personally Identifiable Information to provide our services to you, as required by our agreements with you. We will also use Personally Identifiable Information to enhance the operation of our Site, fill orders, improve our marketing and promotional efforts, statistically analyze Site use, improve our product and service offerings, and customize our Site's content, layout, and services. We may use Personally Identifiable Information to deliver information to you and to contact you regarding administrative notices. We may also use Personally Identifiable Information to resolve disputes, troubleshoot problems and enforce our agreements with you, including our Site Terms of Use, Sales Terms and Conditions, and this Private Policy.

### **Information Shared**

We do not sell, trade, or rent your Personally Identifiable Information to others. We do provide some of our services through contractual arrangements with affiliates, services providers, partners and other third parties. We and our service partners use your Personally Identifiable Information to operate our Sites and to deliver their services. For example, we must release your credit card information to the card-issuing bank to confirm payment for products and services purchased on this Site; and provide order information to third parties that help us provide customer service.

We will encourage our service partners to adopt and post privacy policies. However, the use of your Personally Identifiable Information by our service partners is governed by the privacy policies of those service partners and is not subject to our control.

Occasionally we may be required by law enforcement or judicial authorities to provide Personally Identifiable Information to the appropriate governmental authorities. We will disclose Personally Identifiable Information upon receipt of a court order, subpoena, or to cooperate with a law enforcement investigation. We fully cooperate with law enforcement agencies in identifying those who use our services for illegal activities. We reserve the right to report to law enforcement agencies any activities that we in good faith believe to be unlawful.

We may also provide Non-Personally Identifiable Information about our customers' sales, traffic patterns, and related Site information to third party advertisers, but these statistics do not include any Personally Identifiable Information.

### **How to Access, Modify, Delete, or Challenge the Data Collected**

If you would like to know if we have collected your personal data, how we have used your personal data, if we have disclosed your personal data and to who we disclosed your personal data, if you would like your data to be deleted or modified in any way, or if you would like to exercise any of your other rights under applicable law, please contact our Privacy Officer, at [contact@ideafit.com](mailto:contact@ideafit.com) or:

IDEA Health & Fitness Association

Attn: Privacy Officer  
9863 Pacific Heights Blvd. Suite E  
San Diego, California 92121

We encourage you to promptly update your Personally Identifiable Information if it changes. You may ask to have the information on your account deleted or removed; however, because we keep track of past transactions, you cannot delete information associated with past transactions on this Site. In addition, it may be impossible to completely delete your information without some residual information because of backups.

### **Do Not Track Notice**

Do Not Track ("DNT") is a privacy preference that you can set in certain web browsers. We do not track the users of our Site over time and across third party websites and therefore do not respond to browser initiated DNT signals. We are not responsible for and cannot guarantee how any third parties who interact with our Site and your data will respond to DNT signals.

### **Cookie Policy**

A cookie is a small file, stored on a user's hard drive by a website. Its purpose is to collect data relating to the user's browsing habits. You can choose to be notified each time a cookie is transmitted. You can also choose to disable cookies entirely in your internet browser, but this may decrease the quality of your user experience.

We use the following types of cookies on our Site:

1. Functional cookies  
Functional cookies are used to remember the selections you make on our Site so that your selections are saved for your next visits;
2. Analytical cookies  
Analytical cookies allow us to improve the design and functionality of our Site by collecting data on how you access our Site, for example data on the content you access, how long you stay on our Site, etc.; and
3. Third-Party Cookies  
Third-party cookies are created by a website other than ours. We may use third-party cookies to achieve the following purpose: Monitor user preferences to tailor settings around their interests.

### **Security Precautions**

At our Site you can be assured that your Personally Identifiable Information is secure, consistent with current industry standards. The importance of security for all Personally Identifiable Information associated with our user is of utmost concern to us. Your Personally Identifiable Information is protected in several ways. Your Personally Identifiable Information resides on a secure server that only selected IDEA personnel and contractors have access to via password. We encrypt your Personally Identifiable Information and thereby prevent unauthorized parties from viewing such information when it is transmitted to us.

Personal information that you provide that is not Personally Identifiable Information also resides on a secure server and is only accessible via password.

In order to most efficiently serve you, credit card transactions and order fulfillment are handled by established third party banking, processing agents and distribution institutions. They receive the information needed to verify and authorize your credit card or other payment information and to process and ship your order. We use standard industry technology to encrypt and securely transmit your credit card and other payment information.

Unfortunately, no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect your Personally Identifiable Information, you acknowledge that: (a) there are security and privacy limitations of the Internet which are beyond our control; (b) the security, integrity and privacy of any and all information and data exchanged between you and us through this Site cannot be guaranteed; and (c) any such information and data may be viewed or tampered with in transit by a third party.

## **Modifications**

This Privacy Policy may be amended from time to time in order to maintain compliance with the law and to reflect any changes to our data collection process. When we amend this Privacy Policy we will update the "Effective Date" at the top of this Privacy Policy. We recommend that our users periodically review our Privacy Policy to ensure that they are notified of any updates. If necessary, we may notify users by email of changes to this Privacy Policy.

## **GENERAL DATA PROTECTION REGULATION (EUROPEAN UNION)**

The above General Terms on Privacy shall apply to users in the European Union except to the extent they conflict with the terms of the General Data Protection Regulation ("GDPR"). For users in the European Union, the GDPR. For users in the United Kingdom, we adhere to the GDPR as enshrined in the Data Protection Act 2018.

## **Your Rights as a User Under the GDPR**

Under the GDPR, you have the following rights:

1. *Right of access*: you have the right to request information about your personal data held by us at any time. You can contact IDEA at [contact@ideafit.com](mailto:contact@ideafit.com) to request such information.
2. *Right to rectification*: you have the right to request the correction of inaccurate personal information we hold about you. If you have an IDEA account, you can update or edit your personal information through your account settings.
3. *Right to erasure*: you have the right to request that we delete your data.
4. *Right to restrict processing*: You have the right to object to the processing of your personal information that is based on IDEA's legitimate interest. We will discontinue processing such personal information unless we are able to demonstrate legitimate grounds for the processing that overrides your interest and rights or due to legal claims.
5. *Right to data portability*: you have the right to request that we transfer or port elements of your personal data either to you or another service provider.
6. *Right to object*: you have the right stop direct marketing messaging and to withdraw consent for other content-based processing at any time. You can opt out of direct marketing by following the instructions in each marketing e-mail, or by contacting us.

Please contact us with any complaints, questions or if you want to exercise any of your rights at [contact@ideafit.com](mailto:contact@ideafit.com). If you make a request, we have one month to respond to you.

We have not appointed a Data Protection Officer as we do not fall within the categories of controllers and processors required to appoint a Data Protection Officer under the GDPR.

## **Consent**

By using our Site users agree that they consent to:

1. The conditions set out in this Privacy Policy.

When the legal basis for us processing your personal data is that you have provided your consent to that processing, you may withdraw your consent at any time. If you withdraw your consent, it will not make processing which we completed before you withdrew your consent unlawful.

You can withdraw your consent by contacting [contact@ideafit.com](mailto:contact@ideafit.com).

## **Legal Basis for Processing**

We collect and process personal data about users in the EU only when we have a legal basis for doing so under Article 6 of the GDPR.

We rely on the following legal bases to collect and process the personal data of users in the EU:

1. Users have provided their consent to the processing of their data for one or more specific purposes; and
2. Processing user personal data is necessary to a task carried out in the public interest or in the exercise of our official authority.

### *Information We Collect and How We Use It*

#### ***Personal Data We Collect***

We only collect data that helps us achieve the purpose set out in this Privacy Policy. We will not collect any additional data beyond the data listed herein without notifying you first.

#### ***Data Collected Automatically***

When you visit and use our Site, we may automatically collect and store the following information:

1. Your name or initials that you provide to us;
2. Location;
3. Hardware and software details;
4. Clicked links; and
5. Content viewed.

#### ***How We Use Personal Data***

Data collected on our Site will only be used for the purposes specified in this Privacy Policy or indicated on the relevant pages of our Site. We will not use your data beyond what we disclose in this Privacy Policy.

The data we collect automatically is used for the following purposes:

1. Statistics.

### ***Marketing***

IDEA would like to send you information about our service that we think you might like. If you have agreed to receive marketing, you may always opt out at a later date. You have the right at any time to stop IDEA from contacting you for marketing purposes. If you no longer wish to be contacted for marketing purposes please email your request to [contact@ideafit.com](mailto:contact@ideafit.com).

### ***Who We Share Personal Data With***

#### Employees

We may disclose user data to any member of our organization who reasonably needs access to user data to achieve the purposes set out in this Privacy Policy.

#### Third Parties

We may share user data with the following third parties:

1. Google Analytics.

We may share the following user data with third parties:

1. Links clicked while using site.

We may share user data with third parties for the following purposes:

1. Statistics.

Third parties will not be able to access user data beyond what is reasonably necessary to achieve the given purpose.

#### Other Disclosures

We will not sell or share your data with other third parties, except in the following cases:

1. If the law requires it;
2. If it is required for any legal proceeding;
3. To prove or protect our legal rights; and
4. To buyers or potential buyers of this company in the event that we seek to sell the company.

### **How Long We Store Personal Data**

User data will be stored until the purpose the data was collected for has been achieved.

You will be notified if your data is kept for longer than this period.



## **How We Protect Your Personal Data**

In order to protect your security, we use the strongest available browser encryption and store all of our data on servers in secure facilities. All data is only accessible to our employees.

While we take all reasonable precautions to ensure that user data is secure and that users are protected, there always remains the risk of harm. The Internet as a whole can be insecure at times and therefore we are unable to guarantee the security of user data beyond what is reasonably practical.

## **International Data Transfers**

We transfer user personal data to the following countries:

1. United States.

When we transfer user personal data we will protect that data as described in this Privacy Policy and comply with applicable legal requirements for transferring personal data internationally.

If you are located in the United Kingdom or the European Union, we will only transfer your personal data if:

1. The country your personal data is being transferred to has been deemed to have adequate data protection by the European Commission or, if you are in the United Kingdom, by the United Kingdom adequacy regulations; or

We have implemented appropriate safeguards in respect of the transfer. For example, the recipient is a party to binding corporate rules, or we have entered into standard EU or United Kingdom data protection contractual clauses with the recipient.

## **How to contact the appropriate authority**

Should you wish to report a complaint or if you feel that IDEA has not addressed your concern in a satisfactory manner within the United Kingdom, you may contact the Information Commissioner's Office at: [ico.org.uk](http://ico.org.uk).

## **CALIFORNIA CONSUMER PRIVACY ACT**

The above General Terms on Privacy shall apply to users who are California residents. The California Consumer Privacy Act of 2018 does not apply to IDEA. Although IDEA may comply with some or all of the CCPA, since the CCPA does not apply to IDEA, you do not have any rights or remedies under the CCPA. Please be assured that IDEA strives to protect your data even though the CCPA does not apply.

The CCPA applies to:

- Companies that serve California residents that have at least \$25 million in annual revenue;
- Companies of any size that have personal data of at least 50,000 California residents; and/or
- Companies that obtain more than half their revenue from the sale of personal data of California residents.

For your information, IDEA does not meet the annual revenue threshold, it does not have the personal data of at least 50,000 California residents, and it does not sell our users' personal data for monetary consideration. The CCPA does not currently apply to us; however, we will look to the CCPA for guidance for ways to protect your privacy.

### **TERMS SPECIFIC TO USER ACCOUNTS**

**What Information We Collect:** When you create a user account, we ask for basic information such as your name, address, e-mail address, and other contact information. We keep track of your participation in IDEA events and member services (like liability insurance, etc.) so we can understand our users' interests and evaluate the effectiveness of our offerings. Similarly, we keep track of your usage of IDEA's website and services, as well as your comments and feedback, in order to continually improve the quality of IDEA's website and services. To that end, we also reserve the right to collect and associate with our users any information that they disclose while using our website. We also collect demographic information from other sources to help us learn more about member characteristics and needs. In addition, we may ask for additional information in your visits to [www.ideafit.com](http://www.ideafit.com). All of this information helps us better serve our users and improve our programs. In the event you want to change any of your personal information with IDEA, simply contact us at the address listed below.

**We are an Amazon Associate Partner:** As an Amazon Associate we earn from qualifying purchases.

As a way of providing additional user value, we ask for your e-mail address so that you may receive the IDEA Newsletters and other e-mail communications on a regular basis. This helps the Association control our mailing expenses and communicate with users. We do not support e-mail SPAM in any form and provide an easy subscriber "opt-out" on every e-mail we send.

When you sign up for one of our mailing lists we collect your email address or postal address. We share information about our products and services with individuals that consent to receive such information. We also use this information to share information about our products or services.

**Information Sharing:** We share your mailing list information (name & address) only with companies that we believe are reputable and have beneficial products or services that are of value to IDEA members. Some of the providers of IDEA member services, including some of those listed on our Member Services and Discounts area, pay a fee for access to our mailing list. Our contracts with these companies require them to keep the mailing list information strictly confidential. We do not sell or rent the mailing list to

telemarketers or mailing list brokers. Finally, we may release personal member information on the rare occasions when we are required to do so by law, or when necessary or appropriate to comply with legal process or to protect or defend IDEA and its members.

We may offer joint promotions or programs that, in order for your participation, will require us to share your information with third parties. We may collect a share of sales or other compensation from third-party links (via e-commerce affiliate linking) on our websites or digital entities. In fulfilling these types of promotions, we may share your name and other information in connection with fulfilling the incentive. These third-party sites/companies have separate and independent privacy policies. We therefore have no responsibility or liability for the content and activities of these sites/companies. Nonetheless, we seek to protect the integrity of IDEA and welcome any feedback about these sites/companies.

We respect your choices. If you do not want us to share your name and address information with providers of IDEA member services, you can contact us as specified below.

**Contact Us:**

IDEA Health & Fitness Association  
9863 Pacific Heights Blvd. Suite E  
San Diego, California 92121

**E-mail:** [contact@ideafit.com](mailto:contact@ideafit.com)

IDEA reserves the right to change its privacy policy at any time. In the event the privacy policy is changed, the most recent version of the privacy policy will be posted on [ideafit.com](http://ideafit.com).