

# Privacy Policy

*Last Updated: May 1, 2026*

FitKind respects your privacy and is committed to protecting your personal information. This Privacy Policy explains who we are, how we collect, use, disclose, and safeguard personal information about you, and the rights and choices you have with respect to your personal information.

This Privacy Policy applies to FitKind’s websites, mobile applications, and related services (collectively, the “**Platform**”). If you have any questions or concerns about our privacy practices, please see the “**How to Contact Us**” section below.

The Platform is not intended for individuals under the age of 18, and FitKind does not knowingly collect personal information from individuals under 18. By using the Platform, you represent that you are at least 18 years of age.

Residents of certain U.S. states, including California, and residents of other jurisdictions may have additional rights described in the “**Additional Privacy Rights**” section below.

## 1. What Does FitKind Do?

FitKind is a technology platform designed to support inclusive, trauma-aware wellness experiences. Through the Platform, users can access on-demand wellness content, participate in community features, and connect with independent third-party instructors, coaches, trainers, and other wellness providers (collectively, “**Providers**”).

FitKind does not provide medical care, mental health treatment, therapy, counseling, or healthcare services, and does not act as a healthcare provider or business associate under the Health Insurance Portability and Accountability Act (“HIPAA”). Any services, sessions, content, or recommendations made available through the Platform are provided by independent Providers or are for general informational and wellness purposes only.

## 2. What Personal Information Does FitKind Collect?

FitKind collects or receives personal information in several ways, including when you create an account, use the Platform, interact with Providers or other users, or communicate with us. The types of personal information we may collect include:

### Information You Provide Directly

- **Account information**, such as your name, email address, username, password, and profile details
- **Payment information**, such as billing details and transaction records (processed by third-party payment processors; FitKind does not store full payment card numbers)
- **Communications**, including messages you send to us, feedback, customer support inquiries, or responses to surveys
- **Community content**, such as posts, comments, or messages you choose to share within community features

### Information Collected Automatically

- **Device and usage information**, including IP address, browser type, operating system, device identifiers, and usage activity
- **Log data**, such as access times, pages viewed, features used, and referring URLs
- **Cookies and similar technologies**, as described in our Cookies Policy

### Information from Third Parties

- Information received from **Providers**, payment processors, analytics providers, or other service providers in connection with your use of the Platform.
- Information from third-party integrations or services if you choose to connect them to your FitKind account.

## Wellness-Related Information

FitKind may allow you to voluntarily input or track certain general wellness information, such as workout preferences, energy check-ins, or self-reported reflections. This information is not medical data, is not used for diagnosis or treatment, and is not regulated health information under HIPAA. You are not required to provide wellness-related information to use the Platform.

## Personal Information You Provide to Us

There are several ways in which you may provide personal information to FitKind, including the following:

- **Account Creation and Profile Information.** When you create a FitKind account, we may collect personal information such as your name, email address, phone number, username, password, and general location (such as city or region). You may also choose to provide additional profile information, such as a profile photo, pronouns, or other optional details. If you purchase a subscription or other paid services, you will be required to provide payment and billing information, which is processed by our third-party payment processors. FitKind does not store full payment card numbers but may retain transaction records and billing history.
- **Wellness Preferences and Voluntary Inputs.** You may choose to provide certain non-medical, self-reported wellness information through the Platform, such as workout preferences, energy check-ins, reflections, or feedback related to your experience. This information is provided voluntarily, is not required to use the Platform, and is used to support general wellness features and personalization. This information is not medical data and is not used for diagnosis or treatment.
- **Community Content and User Submissions.** We collect personal information when you post, upload, or otherwise submit content through the Platform, including comments, reviews, ratings, survey responses, community posts, or messages you choose to share with other users or Providers.
- **Communications with FitKind.** If you contact us directly, we may collect personal information contained in your communications, such as your name, email address, phone number, and the content of your message. We may also send you service-related communications, updates, or administrative messages related to your account or use of the Platform.
- **Communications with Providers and Other Users.** The Platform may allow you to communicate with independent Providers or other users, including through in-app messaging or notifications related to sessions, content, or community features. FitKind may collect and store information about these communications, such as the date, time, participants, and content of messages, to operate the Platform, facilitate communications, and enforce our policies.
- **Provider and Creator Information.** If you are a Provider, instructor, coach, content creator, or other individual offering services or content through FitKind, we may collect personal and business information such as your name, contact details, payment information, tax or compliance information (where required), profile details, and information related to the services or content you offer. Providers are responsible for ensuring that any information they submit about other individuals is shared lawfully and with appropriate authorization.
- **Information About Other Individuals.** You should not provide personal information about another individual through the Platform unless you have obtained all necessary permissions or consents to do so. For example, if you choose to share referral information or invite another person to the Platform, you represent that you have the authority to share such information.

## Personal Information Collected Automatically Through Your Use of the Platform

When you access or use the Platform, FitKind automatically collects certain information about your device and usage activity, including the following:

- **Usage and Log Data.** We collect information about how you interact with the Platform, such as the pages or content you view, features you use, searches you perform, sessions you access, community interactions, and the dates and times of your activity. This information helps us understand how the Platform is used, improve functionality, and enhance user experience.

- Device and Technical Information. We may collect technical information including your internet protocol (IP) address, device type, operating system, browser type, device identifiers, language preferences, and general location information (such as city, state, or country). This information is used for platform functionality, analytics, security, and fraud prevention.

- Cookies and Similar Technologies. We use cookies, pixels, SDKs, and similar technologies to collect information about your interactions with the Platform. These technologies help us operate the Platform, remember your preferences, understand usage patterns, and support analytics and marketing efforts. You can control cookies through your browser settings and, where applicable, through in-app settings. Additional details are provided in our Cookies Policy. This includes session replay technologies that record user interactions such as mouse movements, clicks, scrolling, and navigation patterns for internal analysis, troubleshooting, and product improvement. Sensitive information such as passwords and payment details is not intentionally captured.

- Community Group Participation. Community Group participation data, such as group membership and activity, where you voluntarily join affinity-based Community Groups on the Platform. This data is used solely to operate community features and is not shared with employer clients or used for advertising targeting. Participation in Community Groups is entirely voluntary.

- Geolocation Information. With your consent, we may collect precise geolocation information from your mobile device through device-level permissions. We use this information to support certain location-based features, such as surfacing relevant content or Providers near you, improving Platform performance, and supporting security and fraud prevention. If you do not enable precise geolocation, certain features may be limited, but you may continue to use the Platform.

#### **Personal Information Collected from Other Sources**

In limited circumstances, FitKind may receive personal information about you from third-party sources, including the following:

- Third-Party Integrations You Choose to Use. If you choose to connect your FitKind account with a third-party service or platform (such as a social media account), we may receive certain information from that service, depending on your privacy settings and the permissions you grant. This may include basic profile information such as your name, username, email address, profile photo, or other information made available by the third party. FitKind does not control the privacy practices of third-party platforms, and we encourage you to review their privacy policies.

- Providers. If you are a Provider, instructor, coach, or content creator using the Platform, we may receive personal or business information from you or from entities you are affiliated with in connection with onboarding, payments, compliance, or content delivery. Providers are responsible for ensuring that any information they share with FitKind is provided lawfully and with appropriate authorization.

- Referrals and Invitations. If another user invites you to join FitKind or shares referral information, we may receive limited personal information about you, such as your name or contact details, for the purpose of facilitating the invitation or referral. Users who provide referral information represent that they have obtained the necessary permissions to share such information.

#### **Personal Information About Users Collected from Providers**

Independent Providers may choose to submit feedback or information related to a user's participation in sessions, content, or other experiences offered through the Platform, such as attendance confirmation, completion status, or general engagement feedback. Providers are responsible for ensuring that any information they share with FitKind is provided lawfully and in accordance with applicable privacy obligations.

FitKind does not require Providers to submit sensitive personal information about users and does not use Provider feedback for medical diagnosis, treatment, or clinical decision-making.

### **3. How FitKind Uses Personal Information**

FitKind uses personal information it collects or receives for the following purposes:

- Platform Operation and Functionality. To operate, maintain, and improve the Platform and its features; to enable account creation and management; to facilitate access to content, sessions, community features, and Provider interactions; to process transactions and payments; and to administer subscriptions, cancellations, and related activities. We also use personal information as necessary to enforce our Terms of Use and other applicable policies.
- Personalization and User Experience. To personalize your experience on the Platform, including tailoring content, recommendations, features, and communications based on your preferences, activity, and interactions. Any personalization is intended to support general wellness experiences and user engagement.
- Communications. To communicate with you regarding your account, Platform functionality, updates, administrative notices, security alerts, customer support responses, and other service-related matters. With your consent or as otherwise permitted by law, we may also send you promotional messages, newsletters, reminders, or updates about new features or offerings. You may adjust your communication preferences at any time; however, you may not opt out of essential service or legal communications.
- Customer Support and User Requests. To respond to inquiries, provide customer support, troubleshoot issues, resolve disputes, and improve our support processes and quality of service.
- Community and Social Features. To enable community features that allow users to connect, interact, and engage with one another, subject to applicable settings and controls.
- Community Groups. To operate affinity-based Community Groups and facilitate connections between users who share common identities, experiences, or interests. Community Group membership data is used only to provide this feature; it is not used for advertising targeting and is not shared with employer clients. Employer clients of FitKind do not have visibility into any individual user's Community Group participation, membership, or communications.
- Marketing and Promotions. To conduct marketing and promotional activities, including sending marketing communications, administering promotions, referrals, contests, or sweepstakes, and measuring the effectiveness of marketing campaigns. You may opt out of marketing communications as described in the "Your Privacy Rights and Choices" section below.
- Research, Analytics, and Product Development. To conduct analytics, research, testing, and development activities; to understand how users interact with the Platform; to develop new features or services; and to improve the Platform's performance, usability, and safety.
- Security, Fraud Prevention, and Compliance. To protect the security and integrity of the Platform; to detect, investigate, and prevent fraud, misuse, unauthorized access, or violations of our Terms or applicable law; and to verify eligibility for trials, promotions, or other programs.
- Business Operations and Transactions. To administer FitKind's business operations, including accounting, auditing, compliance, recordkeeping, legal matters, and planning. We may also use personal information in connection with actual or contemplated business transactions such as mergers, acquisitions, financings, restructurings, or asset sales, subject to appropriate confidentiality protections.
- Other Purposes with Notice or Consent. For any other purpose disclosed at the time of collection or otherwise with your consent, as permitted by applicable law.

#### **4. Who Does FitKind Share Personal Information With?**

FitKind may disclose personal information to the following categories of recipients and in the circumstances described below:

- Service Providers and Vendors. We share personal information with third-party service providers that perform services on our behalf, such as cloud hosting, data storage, analytics, payment processing, customer support, email and communications delivery, security monitoring, fraud prevention, marketing support, and research services. These service providers are authorized to use personal information only as necessary to provide services to FitKind and are contractually obligated to protect personal information. Some service

providers may use automated tools or artificial intelligence systems to support these services, subject to applicable safeguards.

- Independent Providers. We may share limited personal information with independent Providers with whom you choose to interact through the Platform, such as instructors, coaches, trainers, or content creators. This may include information necessary to facilitate sessions, content access, communications, scheduling, or participation confirmation. Providers receive and process personal information as independent third parties and are responsible for their own privacy practices.

- Community and Social Features. Certain profile information, such as your name, profile photo, and other information you choose to make visible, may be shared with other users through community features, subject to your privacy settings. You may control the visibility of your profile and community interactions through your account settings.

- Community Groups; No Employer Visibility. Employer clients of FitKind do not receive information about individual users' participation in, membership of, or communications within Community Groups, unless the user expressly chooses to disclose such information. FitKind is not responsible for employment-related outcomes, disputes, or claims arising from user interactions within Community Groups.

- Third-Party Integrations You Choose to Use. If you choose to connect your FitKind account with third-party platforms or services (such as social media integrations), we may share or receive personal information with those third parties consistent with your permissions and settings. FitKind does not control the privacy practices of third-party platforms.

- Marketing and Advertising Partners. With your consent or as otherwise permitted by law, we may share limited personal information with marketing and advertising partners to help deliver relevant promotions, measure campaign effectiveness, or provide offers that may be of interest to you. You may opt out of certain marketing-related data sharing as described in the "Your Privacy Rights and Choices" section below.

- Public and User-Generated Content. Any content or information you choose to make public through the Platform—such as reviews, ratings, comments, or community posts—may be visible to other users and, in some cases, the general public. Please exercise caution when deciding what information to share publicly.

- Legal, Compliance, and Safety Purposes. We may disclose personal information to law enforcement, regulators, courts, or other third parties where we believe disclosure is necessary to comply with applicable law, legal process, or regulatory obligations; to enforce our Terms of Use or policies; to protect the rights, safety, or property of FitKind, our users, Providers, or others; or to prevent fraud or security issues. Where FitKind receives a legally binding government or law enforcement request for personal information, FitKind will notify the affected individual where reasonably practicable and legally permitted prior to disclosure. Where the applicable legal process is accompanied by a non-disclosure or gag order prohibiting FitKind from disclosing the existence of such request, FitKind will be unable to provide such notice and will be legally prohibited from doing so. FitKind will produce only the minimum information legally required.

- Business Transfers and Corporate Transactions. We may share personal information in connection with an actual or contemplated business transaction, such as a merger, acquisition, financing, reorganization, sale of assets, or bankruptcy, subject to appropriate confidentiality and data protection safeguards.

- With Your Consent or at Your Direction. We may share personal information with other third parties when you expressly consent to the disclosure or direct us to do so, or as otherwise permitted by applicable law.

## **5. How Does FitKind Keep My Personal Information Secure?**

FitKind uses reasonable administrative, technical, and organizational safeguards designed to protect personal information against unauthorized access, loss, misuse, alteration, or disclosure. These measures include access controls, encryption where appropriate, monitoring of systems for potential vulnerabilities and attacks, and internal policies governing data handling and security practices.

However, no method of transmission over the internet or method of electronic storage is completely secure. While we strive to protect your personal information, we cannot guarantee absolute security. You are responsible for maintaining the confidentiality of your account credentials and for any activity that occurs under your account.

## 6. International Data Transfers

FitKind is based in the United States, and the personal information we collect may be transferred to, stored in, and processed in the United States and other countries where our service providers or partners operate. These jurisdictions may have data protection laws that differ from, and may be less protective than, the laws of your country of residence.

If you are located in the European Economic Area (“EEA”), the United Kingdom, Switzerland, Canada (including Quebec), or another jurisdiction with data protection laws governing international transfers, we take appropriate safeguards to ensure that your personal information remains protected in accordance with applicable law. These safeguards may include the use of standard contractual clauses approved by relevant authorities (such as the EU Standard Contractual Clauses and the UK International Data Transfer Addendum), or reliance on other lawful transfer mechanisms recognized under applicable data protection laws.

You may request additional information about the safeguards we use for international data transfers by contacting us as described in the “**How to Contact Us**” section below.

## 7. Data Retention

FitKind retains personal information for as long as reasonably necessary to fulfill the purposes for which it was collected, including to provide and operate the Platform and Services, comply with legal, tax, accounting, or regulatory requirements, resolve disputes, enforce our agreements, and protect our legal rights.

When we no longer have a legitimate business or legal need to process your personal information, we will either delete or anonymize it. Where deletion is not immediately possible (for example, because the personal information is stored in secure backup systems), we will isolate such information from further processing and retain it only for as long as necessary to comply with applicable legal or operational requirements, after which it will be securely deleted.

## 8. Your Data Protection Rights

Subject to applicable law, you may have the following rights with respect to your personal information. The availability of these rights may depend on your location and the laws that apply to you.

- **Marketing Communications.** You have the right to opt out of receiving direct marketing communications from FitKind at any time.
  - To opt out of email marketing, click the “unsubscribe” link included in our marketing emails.
  - To opt out of SMS marketing, reply **STOP** to any marketing text message.
  - To opt out of other forms of marketing (such as postal mail, telemarketing, or targeted digital advertising), you may contact us as described in the **How to Contact Us** section below. Please note that even if you opt out of marketing communications, we may continue to send you non-promotional messages related to your account, transactions, security, or legal obligations, which you cannot opt out of. We may retain limited information as necessary to record and honor your opt-out preferences.
- **Access, Correction, and Updates.** You may access, correct, or update certain personal information by logging into your account and editing your profile or by contacting us as described in the **How to Contact Us** section below.
- **Deletion.** You may request deletion of your personal information by contacting us as described below. Please note that we may retain certain information as required or permitted by law, including for legal, accounting, dispute resolution, or security purposes.

- **Objection, Restriction, and Portability.** Where permitted by law, you may object to or request that we restrict certain processing of your personal information, request access to the personal information we hold about you, or request a copy of your personal information in a portable format.

- **Withdrawal of Consent.** If we process your personal information based on your consent, you may withdraw that consent at any time by contacting us. Withdrawal of consent will not affect the lawfulness of processing conducted prior to the withdrawal, nor will it affect processing based on other lawful grounds.

- **Mobile Applications and Device Permissions.** Our mobile applications may send push notifications to your device if you have consented to receive them. You may disable push notifications at any time through your device settings. Our applications may also request access to certain device features (such as calendar, storage, Bluetooth, camera, or microphone). You may manage or revoke these permissions through your device settings.

- **Tracking and Advertising Technologies.** FitKind and our service providers may use cookies, web beacons, analytics tools, and similar technologies to operate, improve, and personalize our Platform and marketing. At this time, the Platform does not respond to browser “Do Not Track” signals. For more information about our use of cookies and similar technologies, and how to manage your preferences, please review our **Cookies Policy**.

Residents of certain countries and U.S. states (including California) may have additional rights regarding personal information that is collected, “sold,” or “shared” (as those terms are defined under applicable law). Please review the additional disclosures in the **Special Terms** section below for more information.

If you have questions or wish to exercise any of the rights described in this section, please contact us as explained in the **How to Contact Us** section below.

## 9. Third-Party Sites.

The Platform may contain links to third-party websites, applications, or services, including social sharing features and other tools operated by third parties. Please note that FitKind does not control and is not responsible for the privacy practices, content, or security of such third-party websites or services. This Privacy Policy does not apply to any information you provide directly to third parties.

We encourage you to review the privacy policies and terms of use of any third-party websites or services before providing them with your personal information.

## 10. Updates to This Privacy Policy.

By using the Platform, you acknowledge and agree to this Privacy Policy. We may update this Privacy Policy from time to time to reflect changes in our practices, technologies, legal requirements, or other factors. Any updates will become effective when we post the revised Privacy Policy on the Platform. If we make material changes, we will take reasonable steps to notify you in a manner consistent with the significance of the changes and as required by applicable law (for example, by posting a notice on the Platform or sending an email notification).

Your continued use of the Platform after the effective date of any updated Privacy Policy constitutes your acceptance of the revised Privacy Policy. If you do not agree to the updated Privacy Policy, you must stop using the Platform. The “Last Updated” date at the top of this Privacy Policy indicates when it was most recently revised.

## 11. How to Contact Us

If you have any questions, concerns, or requests regarding this Privacy Policy or our processing of your personal information, please contact us using the details below:

### FitKind LLC

Attn: Privacy Team / Legal

6801 N Buckeye Drive, Edwards, IL 61528

Email: [nisha@joinfitkind.com](mailto:nisha@joinfitkind.com)

Website contact form: <https://www.joinfitkind.com/contact>

If you are contacting us to exercise your data protection rights, please include sufficient information for us to verify your identity and process your request.

## **12. Special Terms for U.S. Residents**

Last Updated: May 1, 2026

If you are a resident of a U.S. state with a comprehensive privacy law, including but not limited to California, Colorado, Connecticut, Delaware, Indiana, Iowa, Montana, New Jersey, Oregon, Tennessee, Texas, Utah, or Virginia, this section provides additional information about how FitKind processes your personal information and explains certain rights available to you under applicable state privacy laws.

### **Categories of Personal Information Collected and Disclosed**

Depending on how you interact with FitKind, in the preceding twelve (12) months we may have collected the categories of personal information described in Section 2 of this Privacy Policy from the sources described therein. We collect and use this information for the purposes described in Section 3, including to operate the Platform, provide services, communicate with users, conduct analytics and research, maintain security and integrity, debug and improve functionality, and comply with legal and operational obligations.

We may disclose these categories of personal information to the categories of third parties described in Section 4 for those purposes. For additional details, you may contact us as described in the “How to Contact Us” section.

### **Sensitive Personal Information**

FitKind does not seek to collect sensitive personal information except where permitted or required to provide the Platform or services (for example, precise geolocation data where enabled through your device settings). We ask that you do not submit sensitive personal information to us unless specifically requested or enabled through the Platform. In addition, if you choose to join affinity-based Community Groups on the Platform (such as groups organized around shared identity, experience, or interest), your membership and participation in such groups may involve information that qualifies as sensitive personal information under applicable state privacy laws. Participation in Community Groups is entirely voluntary and self-directed. FitKind does not use Community Group membership data for profiling, advertising targeting, or sale, and does not share such data with employer clients.

### **Sale or Sharing of Personal Information / Targeted Advertising**

FitKind may “sell” or “share” personal information as those terms are defined under applicable U.S. state privacy laws, including through the use of cookies, pixels, and similar technologies for analytics or targeted advertising purposes.

The categories of personal information that may be sold or shared include:

- Personal information you provide to us,
- Personal information collected automatically through your use of the Platform, and
- Personal information collected from other sources, excluding precise geolocation data.

If you are a resident of a state that provides the right to opt out of the sale or sharing of personal information or the use of personal information for targeted advertising, you may exercise that right at any time by following the instructions available through our Platform or by contacting us as described in the “How to Contact Us” section. Where required by law (including in California and Colorado), we recognize and honor browser-based opt-out preference signals such as the Global Privacy Control (GPC). If you access the Platform from a different browser or device, you may need to update your preferences for that browser or device.

### **De-Identified Data**

To the extent we maintain de-identified data, we commit to maintaining and using such data in de-identified form and will not attempt to re-identify it, except as permitted by law.

## **Data Retention**

We retain personal information as described in Section 7 (Data Retention) of this Privacy Policy.

## **Do Not Track**

At this time, the Platform does not respond to “Do Not Track” signals.

## **Your State Privacy Rights**

Subject to certain limitations and exceptions under applicable law, residents of the states listed above may have the right to:

- Request access to the personal information we collect, use, disclose, sell, or share about you;
- Request correction of inaccurate personal information;
- Request deletion of personal information we maintain about you;
- Request information about the categories of personal information disclosed to third parties for business or commercial purposes;
- Opt out of the sale or sharing of personal information or the use of personal information for targeted advertising;
- Limit the use and disclosure of sensitive personal information (where applicable);
- Appeal our decision if we deny your request; and
- Not be discriminated against for exercising your privacy rights.

## **Authorized Agents**

You may designate an authorized agent to submit a request on your behalf. We may require proof of authorization and verification of your identity before processing the request. Identity verification typically requires your name, email address, and other information reasonably necessary to confirm your identity. If we are unable to verify your identity after a good-faith effort, we may deny the request and will explain the basis for the denial.

## **California “Shine the Light”**

Under California Civil Code § 1798.83 (“Shine the Light”), California residents with an established business relationship with FitKind may request information about our disclosures of personal information to third parties for their own direct marketing purposes during the preceding calendar year. You may submit a Shine the Light request by contacting us as described in the “How to Contact Us” section and identifying your request as a “Shine the Light” request. We may also satisfy this requirement by offering the ability to opt out of such disclosures.