

## **PRIVACY POLICY**

### **SCOPE OF THIS POLICY**

This Privacy Policy applies to all users of this Site. By using this Site you are agreeing to comply with and be bound by this Privacy Policy with Top-Tier Performance Training LLC (“the Company”). If you do not agree to this Privacy Policy, you may not access or use this Site.

This online privacy policy (this “Policy”) applies only to information collected through this website on which it is posted. It does not apply to information collected through other channels, such as over the phone or in person.

Some of the information we collect through this Site may be “personal information”—information that identifies you personally, alone or in combination with other information available to us. Other information may be non-personally identifiable, such as information collected by cookies.

### **YOUR CONSENT**

By using this Site, you are consenting to the collection, use, disclosure, and transfer of your information as described in this Policy (and any Privacy Notices that apply to you). If you do not consent to the collection, use, disclosure and transfer of your information as described in this Policy (and any Privacy Notices that apply to you), you may not use this Site. If you have questions about this Policy, or any Privacy Notice, please contact us using the information provided below.

### **OUR TERMS OF USE**

This Policy is part of the Terms of Use that govern your use of this Site. A link to our Terms of Use is provided at the bottom of each page of this Site.

### **YOUR CHOICES**

We respect your right to make choices about the ways we collect, use, and disclose your information. This Policy describes some of your choices, such as your choice to opt out of receiving “cookies.” We may ask you to indicate your choices at the time and on the page where you provide your information.

You may change previously expressed preferences regarding how we use your information. If at any time you wish to be taken off our mailing lists, please contact us using the information provided below.

## **PERSONAL INFORMATION**

The Site must collect some information from you (“Identifier Information”) to allow you to use and access services, products and materials. Identifier information is information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, or an online identifier.

### *Types of Information*

- Identifying information such as your name, addresses, telephone numbers or email addresses when you register for an account with us
- Financial information (such as credit card or bank account numbers) in connection with a transaction
- Postage, billing and other information used to purchase an item
- Additional information we are required or authorized by applicable national laws to collect and process in order to authenticate or identify you or to verify the information we have collected
- Computer and connection information such as statistics on your page views, traffic to and from the sites, referral URL, ad data, your IP address, your browsing history, and your web log information

### *What do we use it for?*

Generally, we use the information we collect through this Site:

- to provide the information, products and services you request;
- to provide you with effective customer service;
- to provide you with a personalized experience when you use this Site;
- to contact you with information and notices related to your use of this Site;
- to contact you with special offers and other information we believe will be of interest to you (in accordance with any privacy preferences you have expressed to us);
- to invite you to participate in surveys and provide feedback to us (in accordance with any privacy preferences you have expressed to us);
- to improve the content, functionality and usability of this Site;
- to better understand your needs and interests;

- to improve our products and services;
- to improve our marketing and promotional efforts;
- for security, credit or fraud prevention purposes;
- for any other purpose identified in an applicable Privacy Notice, click-through agreement or other agreement between you and us; and
- for good faith compliance with the law, a court order or a subpoena.

*How long is information retained?*

We generally retain your information only as long as reasonably necessary to provide you the Services or to comply with applicable law.

*How is information collected?*

- *Information You Manually Provide.* The Site collects the information you manually provide (using your keyboard, mouse, or touchpad) when you use this Site, for example, we collect the information you provide when you request service, send us questions, or otherwise interact with this Site. Some of the information you manually provide may be personal information, such as your name and contact information.
- *Information from your browser or device.* The Site collects information that is sent to us automatically by your web browser or mobile device. This information typically includes your IP address, the name of your operating system, the name and version of your browser, the date and time of your visit, and the pages you visit. The information we receive may depend on your browser or device settings. The information we receive from your web browser and device typically is not, in and of itself, personally identifiable. However, we may combine it with other information in an attempt to identify you or we may combine it with information that does identify you.
- *Information Collected by Cookies and Other Technologies.* We use “cookies” and other technologies to collect information and support certain features of this Site.
  - Cookies (a) Collect data about the way you interact with our Site (e.g., when you use certain features or upload attachments), (b) Collect data to assess and improve our advertising campaigns, (c) Allow our business partners (including third-parties) to use these tracking technologies to track your behavior on our behalf on our Site (including when you use multiple devices) and on partner websites, (d) Enable third-parties to collect data about the way you interact across sites outside of our Site; and (e) Collect anonymous statistical information about how you use the Services (including the length of your web or application session) and the location from which you access the Services, so that we can improve the Services and learn which elements and

functions of the Services are most popular with our users. You can manage your cookie's data through your web browser's settings.

- *Web beacons or pixels:* These are tiny graphics with a unique identifier that are used to understand browsing activity. In contrast to cookies, these are rendered invisibly on web pages when you open a page.
- *Social widgets:* These are buttons or icons provided by third-party social media providers that allow you to interact with those social media services when you view a web page or a mobile app screen. These social widgets may collect browsing data, which may be received by the third-party that provided the widget and are controlled by the third parties.
- *UTM Source codes:* These are strings that can appear in a URL (the "Uniform Resource Locator," which is typically the http or https address entered to go to a web page) when a user moves from one web page or website to another, where the string can represent information about browsing, such as which advertisement, page, or publisher sent the user to the receiving website.

Keep in mind, we do not sell, license, or otherwise disclose your personal information to third-parties for their marketing purposes without your consent.

## **Your Rights**

We respect your right to access, correct, request restriction or deletion or request of our usage of your personal information and data collected as required by applicable law. We also take steps to ensure that the personal information we collect is accurate, up to date and in accordance with our Data Protection Policy. After verification of identity you have the right to:

- know what personal information and data we maintain about you
- request a copy of your personal information in a structured, commonly used and machine-readable format
- request update to your personal information if it is incorrect or incomplete
- request we cease our processing of your personal information and data
- request us to delete or restrict how we use your personal information, but this right is determined by applicable law and may impact your access to some of our Services

In order to exercise any of these rights within this Policy, please contact the Data Protection Officer listed in this Policy.

## *California Users*

California law requires us to let you know how we respond to web browser Do Not Track (DNT) signals. At this time, we do not have a DNT signal policy. Until further privacy regulations and guidelines are published, we will adhere to this policy.

### **Third-Party Cookies**

In addition to the cookie we deliver to your computer or mobile device through this Site, certain third-parties may deliver cookies to you for a variety of reasons. For example, we use Google Analytics, a web analytics tool that helps us understand how visitors engage with our Sites.

Other third-parties may deliver cookies to your computer or mobile device for the purpose of tracking your online behaviors over time and across nonaffiliated websites and/or delivering targeted advertisements either on this Site or on other websites.

### **Data Protection Plan**

*We take a number of steps to protect your data, but no security is guaranteed.*

We take precautions to protect your information. When you submit sensitive information via the Site, your information is protected both online and offline. Wherever we collect sensitive information, that information is encrypted and transmitted to us by secure servers. We have included common indications of such secured features when appropriate such as a closed lock icon in your web browser. While we use encryption to protect sensitive information transmitted online, we also protect your information offline. Only employees who need the information to perform a specific job (for example, billing or customer service) are granted access to personally identifiable information. The computers/servers in which we store personally identifiable information are kept in a secure environment.

### **Opting Out of Communications**

If you do not wish to receive marketing communications from us, you can unsubscribe via the link in an email you have received.

### **Children's Privacy**

You must be at least 13 years old to have our permission to use this Site. We do not knowingly collect, use or disclose personal information about visitors under 13 years of age. If you are under the age of 13, please do not use this Site.

### **Testimonials**

The Site may display personal testimonials of yours from time to time received via email or as otherwise received from you by the Site. If you would like the Site to remove your testimonial or customer review at any time, please simply contact us at the information included within this Policy, and we will promptly do so.

### **Surveys & Contests**

From time-to-time our site requests information via surveys or contests. Participation in these surveys or contests is completely voluntary and you may choose whether or not to participate and therefore whether or not to disclose information sought by such surveys or contests. Information requested may include contact information (such as name and shipping address), and demographic information (such as zip code, age level). Contact information will be used to notify the winners and award prizes. Survey information will be used for purposes of monitoring or improving the use and satisfaction of this site.

### **Updates and Changes to Privacy Policy**

We reserve the right, at any time and without notice, to add to, change, update or modify this Privacy Policy, by posting such change, update or modification on the Site. Any such change, update or modification will be effective immediately upon posting.

### **Governing Law**

This Policy shall be governed under the laws of the Commonwealth of Virginia, United States of America without regard to its conflicts of law provisions.

### **Data Protection Inquiries**

If you have any questions or concerns regarding our notice or if you believe our notice or applicable laws relating to the protection of your personal information have not been respected, you can file a complaint with our Data Protection Officer listed below and we will respond to let you know who will be handling your matter and when you can expect a further response. We may request additional details from you regarding your concerns and may need to engage or consult with other parties in order to investigate and address your issue(s). Records will be kept of any requests.

Please contact our Privacy Department with any questions or concerns regarding this Privacy Notice. Please mark your questions or concerns; ATTN Data Protection Officer.

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