

PRIVACY NOTICE

Last Updated: 12.23.18

This Privacy Notice (the “Privacy Notice”) is intended to describe how **Loud & Live, WZA LLC**. (“Wodapalooza,” “we,” or “us”) collects, uses, and shares information that you submit to us and that we collect through our website, www.wodapalooza.com (the “Site”), and our **WZA 2019** mobile application (“App”).

INFORMATION WE COLLECT

“Personal Data,” for purposes of this Privacy Notice, means information relating to an identified or identifiable natural person. As described in detail below, we may collect certain Personal Data from or about you in connection with your use of, or your submissions to, the Site or App, which may include your name, company, address, telephone number, email address, location, photographs, Fitness Data, and payment information.

You are not required to provide all Personal Data identified in this Privacy Notice; however, please note that if you do not provide the Personal Data requested, we may be unable to provide some or all of the services to you.

We may collect Personal Data as follows:

- **When you make purchases or utilize our products or services.** We may collect Personal Data, such as your name, address, phone number, address, email address, and payment data, when you make purchases or use or interact with our Site, App, or services.
- **When you communicate with us or sign up for materials.** We may collect Personal Data, such as your name, email address, and other contact information, when you communicate with us, including when you submit information through the Site or App, submit inquiries or invitation requests, utilize our chat functions, or request information from us, and when you sign up to join our email list or receive our publications, promotional materials, or other information.
- **When you register for or participate in events or programs.** We may request or otherwise collect Personal Data, such as your name, email address, address, phone number, and other contact information, when you register for or participate in surveys, contests, events, or other programs, such as our online challenges, qualifier events, and the Wodapalooza festival. We may also collect videos and photographs, such as before and after photos, and certain fitness- or competition-related information, such as dietary restrictions, fitness goals, height, weight, measurements, fitness level, and other

similar information (“Fitness Data”), that you submit to us when you participate in certain events or programs.

- **When you apply to be a volunteer or partner.** We may request or otherwise collect Personal Data, such as your name, email address, phone number, and company information, when you apply to be a volunteer, partner, or exhibitor with us.
- **When you engage with our online communities and forums.** We may collect Personal Data when you engage with our online communities and forums. Please note that online forums may be publicly accessible and other users may view information you post in the forums. We recommend that you exercise care in deciding what information and content you wish to disclose on the areas of the Site or App that are accessible to the general public.
- **Location Data.** We may collect approximate or, with your consent, precise location data through our App or when you access our Site or Services from a mobile device as part of the functionality of our Services, such as to provide points of interest recommendations and information regarding our events and programs. We do not collect precise location data unless you have consented to its collection.
- **When we collect data from third parties or publicly-available sources.** We may obtain certain data about you from third-party sources to help us provide and improve the services and for marketing and advertising. For example, we utilize third parties to manage and administer the registration process for certain events and programs. We may combine your Personal Data with data we obtain from our services, other users, or third parties to enhance your experience and improve the services.
- **When we leverage and/or collect cookies, device IDs, location, data from the environment, and other tracking technologies.** We may collect certain Personal Data using cookies and other technologies, such as web beacons, device IDs, geolocation, HTML5 local storage, Flash cookies, and IP addresses. We specifically use browser cookies for different purposes, including cookies that are strictly necessary for functionality and cookies that are used for personalization, performance/analytics, and advertising. When you visit the Site or App, we may also automatically collect certain data about your device, including information about your web browser, IP address, and time zone. Additionally, as you browse the Site, we may collect information about the individual web pages or products that you view, what websites or search terms referred you to the Site, and information about how you interact with the Site. Our **<<Use of Cookies and Similar Technologies>>** section contains more information and options to control or opt-out of certain data collection or uses related to cookies and similar technologies.

USE OF COOKIES AND SIMILAR TECHNOLOGIES

The Site and App use cookies and similar technologies to improve user experience, for performance and analytics, and to improve our content, products, and services. We also use cookies and similar technologies for purposes of marketing and advertising, including interest-based advertising. For more information on interest-based advertising, see the **<<Interest-Based Advertising>>** section. In those jurisdictions that require it, we allow the data subject to give explicit permission or to deny the use of certain categories of cookies.

A “cookie” is a small text file that a web server stores in browser software. A browser sends cookies to a server when the browser makes a connection to the server (for example, when requesting a web page from the same domain that created the cookie). The purpose of cookies is to remember the browser over time and distinguish one browser instance (or user) from all others. Some cookies and other technologies may serve to track Personal Data previously entered by a web user on our site. Most browsers allow you to control cookies, including whether or not to accept them, and how to remove them. Cookies can remember login information, preferences, and similar information.

Cookies, as well as other tracking technologies, such as HTML5 local storage, and Local Shared Objects (such as “Flash” cookies), and similar mechanisms, may record information such as a unique identifier, information you enter in a form, IP address, and other categories of data.

We may also use web beacons or “pixels,” and in certain circumstances may collect IP address, screen resolution and browser software and operating system types, clickstream patterns, dates and times that our site is accessed, and other categories of data.

If you want to block the use and saving of cookies from the Site on to the computer’s hard drive, you should take the necessary steps within your web browser’s settings to block all cookies from the Site and its external serving vendors, or use the cookie control system, if available upon first visit, which is available [here](#). Please note that if you choose to erase or block your cookies, certain parts of our Site or App may not function correctly. For information on how to disable cookies, refer to your browser’s documentation.

ADDITIONAL INFORMATION RELATED TO MOBILE DEVICES

If you use our App or access the Site from a mobile device, we may collect additional information, such as device information (such as your mobile device ID, model and manufacturer), operating system, version information, IP address, carrier-related information, including the name of your wireless carrier, and IDs related to the cell phone hardware in your phone as well as the network to which the device is connected, mobile phone number, application-specific and instance-specific identifiers, and location information, as further described in this Privacy Notice.

DE-IDENTIFIED OR ANONYMOUS DATA

We may create de-identified or anonymous data from Personal Data by removing data components (such as your name, email address, or linkable tracking ID) that makes the data personally identifiable to you or through obfuscation or through other means. Our use of anonymized data is not subject to this Privacy Notice.

HOW WE USE THE INFORMATION WE COLLECT

We may use Personal Data for a variety of different purposes as set out in further detail below. In some cases, we will ask for your consent so that we may process your Personal Data. However, in certain circumstances, applicable data protection laws allow us to process your Personal Data without needing to obtain your consent. Subject to applicable law, the purposes for which we use and process your Personal Data, and the legal basis for such processing, are set forth below.

In certain cases, subject to applicable law, separate consent is not required, including:

- **For the performance of a contract.** To perform our contractual obligations to you, including to fulfil your request for our products, programs, services, orders, or purchases you have made, to contact you in relation to any issues with an order or our services, events, and programs, in relation to the provision of the services and the administration of our events and programs, where we need to provide your Personal Data to our service providers, or to take steps in response to information or inquiries you may submit prior to entering into a contract with us, such as to fulfil your request to volunteer or become a partner with us.
- **To comply with legal obligations.** To comply with laws, regulators, court orders, or other legal obligations, or pursuant to legal process.
- **Legitimate Interests.** To operate our organization and provide our events and services, other than in performing our contractual obligations to you, for our “legitimate interests” for the purposes of applicable law, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of Personal Data. Legitimate interests may include:
 - To maintain the Site and App and provide the products, events, and services, including for technical support;
 - To administer our events and programs, verify your age, identity, and/or payment details, and to authenticate and authorize access to the Site, App, and our products and services;
 - To communicate with you regarding the services or your participation in our events and programs, including to provide you important notices regarding your participation as a volunteer, partner, exhibitor, or competitor, or changes to our Terms and Conditions;
 - To address and respond to your requests, inquiries, and complaints;

- To protect the confidentiality or security of information;
 - To develop, provide, and improve the Site, App, and services, including to better tailor the features, performance, and support of our products, services, and the Site and App, and for statistical and analytics purposes;
 - For our direct marketing purposes;
 - To send surveys in connection with our services;
 - For fraud, loss, and other crime prevention purposes, to assist in the investigation of suspected illegal or wrongful activity, and to protect and defend our rights and property, or the rights or safety of third parties;
 - To enforce our Terms and Conditions, this Privacy Notice, volunteer or partnership agreements, or agreements with third parties;
 - To comply with laws, regulators, court orders, or other legal obligations, or pursuant to legal process.
- **To protect data subjects' vital interests.** To protect the vital interests of you or of another person.

In some cases where we are not already authorized to process the Personal Data under applicable law, we may ask for your consent to process your Personal Data, including:

- **Marketing.** Where we are not relying on our legitimate interests or another legal basis for processing Personal Data, we may ask for your consent to contact you by telephone, SMS, post and/or email about other offers, products, promotions, developments, or services which we think may be of interest to you and for other marketing purposes.
- **Special Categories of Personal Data.** We generally do not collect or require special categories of Personal Data (such as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health information, biometric data, or sexual orientation) in order to access our Site or App. When you participate in certain events or programs, you may choose to submit certain Fitness Data. In the event we may need to collect or you choose to submit data that would constitute special categories of Personal Data in order to provide a specific service to you, we will obtain your consent as required by law. In certain circumstances, subject to applicable law, we may process or otherwise disclose special categories of Personal Data without your consent, such as to protect the vital interests of you or of another person.
- **Cookies.** We may also request consent for some cookies in accordance with our cookie policy.

HOW WE MAY DISCLOSE INFORMATION

We may share your Personal Data as described in this Privacy Notice, including:

- **Affiliates.** We may disclose some or all of your Personal Data to our subsidiaries, joint ventures, and other companies under our common control (collectively, "Affiliates"), for

the purposes described in this Privacy Notice. Where we share Personal Data with our Affiliates, we will require our Affiliates to honor this Privacy Notice.

- **Service Providers and Business Partners.** We may disclose Personal Data to business partners, distributors, service providers, marketing partners, and vendors in order to maintain the Site and App and provide, improve, and personalize the products and Services, including to fulfill a request for our products, programs, or services, and to administer our events and programs. We may also share Personal Data for other technical and processing functions, such as sending e-mails on our behalf, fulfilling orders, technical support, or otherwise operating the Site and App, for analytics, and for marketing and advertising purposes. Additional information regarding the types of third parties with whom we share Personal Data is available [«here»](#).
- **Pursuant to Legal Process.** We may also disclose Personal Data to comply with applicable laws and regulations, to respond to a subpoena, search warrant, or other lawful request for information we receive, or as otherwise pursuant to legal process.
- **Protection of Rights and Interests.** We may also use and disclose Personal Data to establish or exercise our legal rights, to enforce our Terms and Conditions, this Privacy Notice, or agreements related to our events and programs, to assert and defend against legal claims, or if we believe such disclosure is necessary to investigate, prevent, or take other action regarding actual or suspected illegal or fraudulent activities or potential threats to the physical safety or well-being of any person.
- **Business Transactions.** Subject to applicable law, we reserve the right to transfer some or all Personal Data in our possession to a successor organization in the event of a merger, acquisition, bankruptcy or other sale or transfer of all or a portion of our assets. If any such transaction occurs, the purchaser will be entitled to use and disclose the Personal Data collected by us in the same manner that we are able to, and the purchaser will assume the rights and obligations regarding Personal Data as described in this Privacy Notice.

INTEREST-BASED ADVERTISING

Interest-based advertising is advertising that is targeted to you based on your web browsing and app usage over time and across websites or apps. You have the option to restrict the use of information for interest-based advertising and to opt-out of receiving interest-based ads. Depending on from where you access our Site or App, you may also be asked to consent to our use of cookies, including advertising cookies.

The opt-outs for interest-based advertising require that strictly necessary cookies are not blocked by the settings in your web browser. We support the Self-Regulatory Principles for Online Behavioral Advertising of the [Digital Advertising Alliance](#) in the U.S., the [Canadian Digital Advertising Alliance](#) in Canada, and the [European Digital Advertising Alliance](#) in the EU. If you

live in the United States, Canada, or the European Union, you can visit [Ad Choices](#) (US), [Your Ad Choices](#) (Canada), or [Your Online Choices](#) (EU) to find a convenient place to opt-out of interest-based advertising with participating entities for each region. These websites also provide detailed information about how interest-based advertising works. Opting out does not mean that you will no longer receive advertising from us, or when you use the Internet. It just means that the data collected from our website will not be used for interest-based advertising and that the advertising you see displayed on websites will not be customized to your interests.

DO-NOT-TRACK

Do-Not-Track is a public-private initiative that has developed a “flag” or signal that an Internet user may activate in the user’s browser software to notify websites that the user does not wish to be “tracked” by third-parties as defined by the initiative. The online community has not agreed on what actions, if any, should be taken by the websites that receive the “do not track” signal, and therefore Do-Not-Track is not yet standardized. Please note that the Site does not alter its behavior or use practices when we receive a Do Not Track signal from your browser.

SOCIAL NETWORK WIDGETS

Our Site or App may include social network sharing widgets that may provide information to their associated social networks or third-parties about your interactions with our web pages that you visit, even if you do not click on or otherwise interact with the plug-in or widget. Information is transmitted from your browser and may include an identifier assigned by the social network or third party, information about your browser type, operating system, device type, IP address, and the URL of the web page where widget appears. If you use social network tools or visit social networking sites, you should read their privacy disclosures, to learn what information they collect, use, and share.

LINKS TO OTHER SITES

Our Site or App may contain links or otherwise provide access to another website, mobile application, or Internet location (collectively “Third-Party Sites”). For example, when you register for an event or program or apply to be a volunteer or partner, we may utilize a third-party site to manage and administer the registration process. Please note that we have no control over and are not responsible for Third-Party Sites, their content, or any goods or services available through the Third-Party Sites. Our Privacy Notice does not apply to Third-Party Sites. We encourage you to read the privacy policies of any Third-Party Site with which you choose to interact, including any Third-Party Sites utilized for the registration process.

DATA SUBJECT RIGHTS

Data subjects in the European Economic Area and certain other jurisdictions may have certain rights under applicable data protection law, including the right to request confirmation from us as to whether or not we are processing your Personal Data. Where we are processing your Personal Data, subject to applicable law, you also have the right to:

- **Request access to, modification or rectification, or deletion.** You have the right to request access to, modification of, or deletion of your Personal Data we maintain. You can also make changes to your Personal Data by logging into your account and updating your profile.
- **Request restriction of processing.** You have the right to request that we restrict processing of your Personal Data in certain circumstances, such as where you believe that the Personal Data we hold about you is inaccurate or our processing is unlawful.
- **Object to processing.** In certain circumstances, you may have the right to request that we stop processing your Personal Data, such as a request to stop sending you direct marketing communications. To opt-out of direct marketing communications, please see the instructions in the <<WITHDRAWING YOUR CONSENT>> section of this Privacy Notice.
- **Data portability.** In certain circumstances, you may have the right to receive the Personal Data concerning you that you provided to us or to request that we transmit your Personal Data to another data controller.
- **Lodge a Complaint.** You have the right to lodge a complaint with a supervisory authority.

To exercise your rights, you may contact us as at info@thewodapalooza.com. As permitted by law, certain data elements may not be subject to access, modification, portability, restriction, and/or deletion. Furthermore, where permissible, we may charge for this service. We will respond to reasonable requests as soon as practicable and as required by law. To protect your privacy and security, we may take steps to verify your identity in order to respond to your request.

WITHDRAWING YOUR CONSENT

In most cases, we need to process certain of your Personal Data in order to fulfil our contractual obligations to you and for our legitimate interests. Where the basis of processing is legitimate interests, you have a right to object to the processing of your Personal Data. Please note that, subject to applicable law, we may continue to process your Personal Data even where you object if there are compelling legitimate grounds for processing that override your interests and rights, or where processing is necessary to establish, exercise, or defend legal claims.

Where consent is the basis of processing, you may at any time withdraw the consent you provided for the processing of your Personal Data for the purposes set forth in this Privacy

Notice by contacting us at info@thewodapalooza.com provided that we are not required by applicable law or professional standards to retain such information.

If you would like to stop receiving newsletters or other marketing or promotional messages, notifications, or updates, you may do so by following the unsubscribe instructions that appear in these e-mail communications, or you may contact us at info@thewodapalooza.com to opt-out of direct marketing. Please be advised that you may not be able to opt-out of receiving certain service or transactional messages from us, including legal notices.

Please note that if you do not provide consent, if you withdraw your consent or object to processing, or if you choose not to provide certain Personal Data, we may be unable to provide you certain products or services.

INFORMATION FROM CHILDREN UNDER 13 YEARS OF AGE

We do not knowingly collect information from individuals under the age of 13 years without parental consent. If you become aware that an individual under 13 years of age has provided us with Personal Data without parental consent, please contact us at info@thewodapalooza.com. If we become aware that an individual under 13 years has provided us with Personal Data without parental consent, we will take steps to remove the data as permitted by law.

TRANSFER OF DATA

Please note that if you are visiting the Site or App from outside of the United States, your information may be transferred to, stored, and/or processed in the United States. The data protection and other laws of the United States and other countries might not be as comprehensive as those in your country. If you are located outside of the United States, the transfer of Personal Data is necessary to provide you with the requested information, products, and services and/or to perform any requested transaction. By using any portion of the Site or App, you acknowledge and consent to the transfer of your information to our facilities in the United States.

DATA RETENTION

We will retain your Personal Data for as long as you maintain an account, serve as a volunteer or partner, for as long as is necessary to provide the products or services, or for such longer period as may be required or permitted by applicable law. We will also retain your Personal Data as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

DATA SECURITY

We implement technical and organizational security measures designed to secure and protect Personal Data. Please note, however, we cannot fully eliminate security risks associated with the storage and transmission of Personal Data.

CALIFORNIA PRIVACY RIGHTS

Under Section 1798.83 of the California Civil Code, residents of California have the right to request from a business, with whom the California resident has an established business relationship, certain information with respect to the types of Personal Data (as defined by California law) the business shares with third parties for those third parties' direct marketing purposes, and the identities of the third parties with whom the business has shared such information during the immediately preceding calendar year. To exercise your rights, you may make one request each year by emailing us at info@thewodapalooza.com with "Request for California Privacy Information" in the subject line and in the body of your message. Be sure to provide in the request sufficient information to properly identify you and/or the members of your family.

CHANGES TO THIS POLICY

We may update this Privacy Notice from time to time. The most recent version of the Privacy Notice is reflected by the version date located at the top of this Privacy Notice. We encourage you to review this Privacy Notice often to stay informed of how we may process your information.

CONTACT US

For more information about our privacy practices, if you have questions, or if you would like to make a complaint, please contact us by e-mail at info@thewodapalooza.com or by mail using the details provided below:

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