

Effective Date: November 14, 2016

## ACTIVE CLUB SOLUTIONS PRIVACY POLICY

This Privacy Policy describes how Active Club Solutions Inc. collects and uses personal information that (a) we receive through the use of our products and services and (b) you provide to us by using our website or contacting us. Personal information means any information that would enable us to contact you or determine your identity.

**Information Collection.** We collect personal information when you:

- Visit and use our website
- Order and use our products or services
- Set up an account on our website
- Contact us for technical support or other services
- Attend events that we host or sponsor

We may also collect your information from third parties:

*Our Customers.* If you are one of our customers, you may submit to us (or third parties acting on our behalf) the personal information of your customers, employees and other individuals who access, use and administer our products and services. By using our products and services, you represent that you have the authority (a) to share with us the personal information of those customers, employees and others and (b) to permit us to process and use that personal information in accordance with this Privacy Policy. Our customers are responsible for ensuring that the personal information it uploads to our products and services can be lawfully collected, transmitted, stored and maintained by us.

*Google Analytics.* On our website, we use a tool called “Google Analytics.” This tool collects the IP address of every visitor to our website, including yours, on the date you visit our website. The tool does not capture your name or any other identifying information.

The Google Analytics tool also plants a permanent cookie, a special text file, on the web browser of every visitor to our website to identify each visitor as a unique user the next time the visitor accesses our website. Through the use of cookies, Google Analytics provides with information about how often users visit our website, what pages they visit, when they visit, what other sites they accessed prior to coming to our website and other related information.

We use the information we receive through Google Analytics to improve our website. We do not combine the information we receive from our use of Google Analytics with other personal information. Google’s ability to use and share information collected by Google Analytics about your visits to this website is restricted by the Google Analytics Terms of Use available at <https://www.google.com/analytics/terms/us.html> and the Google Privacy Policy available at <http://www.google.com/policies/privacy>.

You can prevent Google Analytics tool from recognizing you on return visits to this site by disabling cookies on your browser.

*Other Third Parties.* We may also collect your personal information from other third parties, when we receive your personal information from our marketing partners, social media platforms or purchased or publicly available databases.

**Information Use.** We use the personal information we collect from you and third parties to:

- Send you information about our products and services
- Fulfill orders for our products and services
- Administer customer accounts
- Invite you to attend marketing events or participate in promotional activities
- Personalize your experience with our products and services by tailoring offerings and services to your interests
- Provide technical support for our products and services
- Monitor the security of our technology environments
- Research and analyze how our product and services are used
- Improve our products and services, including our website

*Usage and Analytics Data.* We also collect and analyze data about your use and configuration of our products and services and the operating environments in which our products and services are used. We collect and analyze this data in order to (a) provide and maintain our products and services, (b) anticipate and address future customer needs and (c) ensure that our products are not being misused.

**Information Sharing.** We may share personal information with third parties in the following ways:

- *Technical Service Providers.* We may disclose your information to our third-party service providers and vendors to provide you with products and services and to offer and provide you with an integrated suite of related services. Third party service providers and suppliers include providers of card processing services, data and information technology services and professional services.
- *Marketing Service Providers.* We may disclose your personal information to third-parties, including sales representatives and marketing service providers, to permit them to assess your interest in our products and services, conduct user research and surveys or send you marketing communications, subject to the terms of their privacy policies.
- *Compliance and Safety.* We may disclose personal information as necessary or appropriate to (a) comply with laws, legal process and legal proceedings, (b) respond to requests from public and government authorities within and outside your

jurisdiction, (c) enforce our terms and conditions and other legal rights and (d) protect the rights, safety and security of our operations and the operations of our service providers.

- *Organizational Changes.* We may disclose personal information in the event the legal structure of the company or the nature of our business changes, including, without limitation, by means of an acquisition, merger, joint venture or asset sale.
- *Anonymized Uses.* We may disclose personal information to third parties in aggregated, de-identified form as long as that information cannot be used to derive the identify of an individual. Aggregated and de-identified information includes information such as “best practices” for using our products and services and usage and benchmark data derived from customer sets.

## **Information Security**

Active Club Solutions takes reasonable administrative, technical and physical measures to safeguard personal information against unauthorized access and disclosure, alteration, loss, misuse or destruction. Active Club Solutions is compliant with the Payment Card Industry Data Security Standard (PCI-DSS). Our hosted services support credit card tokenization, a process that is designed to prevent our customers from having to store sensitive credit card information in their implementations of our hosted services. We encrypt customer data in transit and at rest. We also have safeguards in place to protect your offline information.

## **How You Can Access and Correct Your Information**

If you wish to review, update or correct your personal information, contact us at: [marketing@activeclubsolutions.com](mailto:marketing@activeclubsolutions.com). Your email should clearly state whether you want to review or change your personal information and, if you are requesting changes, state what information you want to change and the changes you would like us to make. We will comply with your request as soon as reasonably practicable in accordance with applicable law. We may charge an administrative fee to process some access requests.

If you want to stop receiving marketing-related communications from Active Club Solutions, you may also email us at [info@activeclubsolutions.com](mailto:info@activeclubsolutions.com) and request that we remove your personal information from our mailing lists.

## **Other Information Practices**

*Retention Period.* We will retain your personal information only for as long as necessary to fulfill the uses of your personal information set forth in this Privacy Policy, unless a longer retention period is required or not prohibited by applicable law.

*Sensitive Information.* You agree not to share or send us any sensitive personal information – information related racial or ethnic origin, political affiliation, religion or other beliefs, criminal

background, trade union membership or any health or protected health information as defined and covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Standards for Privacy of Individually Identifiable Health Information, as amended.

*Links to Other Sites.* Our products and services, including our website, may contain links and information that direct you to third-party websites or online services. This Privacy Policy only applies to the collection and use of your personal information by Active Club Solutions.

The collection and use of your personal information on these websites or online services is governed by the privacy and security practices of those third parties. Active Club Solutions is not responsible for the collection or use of personal information that you or others share with third parties. The fact that we may host links to third party websites or online services does not mean that we endorse those websites or online services. We encourage you to review the privacy policies and practices of the companies whose websites you choose to visit.

*Updates to this Privacy Policy.* We may change this Privacy Policy from time to time. If we change our Privacy Policy, we will post an updated privacy policy on our website. The updated Privacy Policy will become effective on the date that it is posted. Your continued use of our products and services, including our website, means that you accept our updated Privacy Policy.

*Consent.* By using our products and services, including our website, you accept and agree to be bound by the terms and conditions of this Privacy Policy.

If you have any questions or comments about this Privacy Policy or information handling practices, contact us at:

Active Club Solutions, Inc.  
1530 Finley Road  
Pleasanton, CA 94588  
Email: [info@activeclubsolutions.com](mailto:info@activeclubsolutions.com)  
Facsimile: 1-925-248-4194

Note that email communications are not always secure, so please do not include credit card information or other sensitive information in your emails to us.