

# TOCA FOOTBALL PRIVACY POLICY

**Last Updated: June 19, 2017**

This Privacy Policy explains how information about you is collected, used and disclosed by TOCA Football, Inc. and its subsidiaries and affiliated companies (“TOCA”). This Privacy Policy applies to information we collect when you use our websites, mobile applications, and other online products and services (collectively, the “Services”) or when you otherwise interact with us, including via on third party social media sites and through customer service communications.

We may change this Privacy Policy from time to time. If we make changes, we will notify you by revising the date at the top of the policy and, in some cases, we may provide you with additional notice (such as adding a statement to our homepage or sending you an email notification). We encourage you to review the Privacy Policy whenever you access the Services or otherwise interact with us to stay informed about our information practices and the choices available to you.

## **Collection of Information**

### **Information You Provide to Us**

We collect information you provide directly to us. For example, we collect information when you create an account, participate in any interactive features of the Services, fill out a form, participate in a contest or promotion, make a purchase, apply to become an affiliate, communicate with us via third party social media sites, request customer support or otherwise communicate with us. The types of information we may collect include your name and contact information, your gender, your position, your payment information, your business and financial information (including your social security number) if you are applying to be an affiliate, and any other information you choose to provide.

### **Information About Your Training Sessions**

When you use the Services to measure information about your training sessions, we will collect information about your session, such as the number and names of players, the time and date of the session, number of exercises, and the number and type of touches.

### **Information We Collect Automatically When You Use the Services**

When you access or use our Services, we automatically collect information about you, including:

- **Log Information:** We log information about your use of the Services, including the type of browser you use, access times, pages viewed, your IP address, internet service provider, and the page you visited before navigating to the Services.
- **Device Information:** We collect information about the computer or mobile device you use to access the Services, including the hardware model, operating system and version, unique device identifiers and mobile network information.
- **Location Information:** We may collect general information

about your location, such as when you search for or visit a location that uses TOCA technology or train with a coach that uses TOCA technology.

- **Information Collected by Cookies and Other Tracking Technologies:** We use various technologies to collect information, including cookies and web beacons. Cookies are small data files stored on your hard drive or in device memory that help us improve the Services and your experience, see which areas and features of our Services are popular and count visits. Web beacons are electronic images that may be used in the Services or emails and help deliver cookies, count visits and understand usage and campaign effectiveness. For more information about cookies, and how to disable them, please see "Your Choices" below.

### **Information We Collect From Other Sources**

We may obtain information from other sources and combine that with information we collect through our Services. For example, we may collect information about you from third parties, including but not limited to identity verification services and credit bureaus if you apply to become an affiliate, mailing list providers, and publicly available sources. If a friend refers you to the Services, we will collect information about you from your friend. If someone adds you to their account as a family member, we will collect information about you from that person. If you create or log into your account through a social media site, we will have access to certain information from that site, such as your name, account information and friends lists, in accordance with the authorization procedures determined by such social media site.

## **Use of Information**

We use the information we collect to provide and improve our Services such as by tracking your sessions and to communicate with you. We may also use the information for various other purposes, including to:

- Provide and deliver the products and services you request, process transactions and send you related information, including confirmations and invoices,
- Send you technical notices, updates, security alerts and support and administrative messages;
- Respond to your comments, questions, and requests and provide customer service;
- Communicate with you about products, services, offers, promotions, rewards, and events offered by TOCA and others, and provide news and information we think will be of interest to you;
- Monitor and analyze trends, usage, and activities in connection with our Services;

- Personalize and improve the Services and provide advertisements, content or features that match user profiles or interests;
- Process and deliver contest entries and rewards; and
- Carry out any other purpose for which the information was collected.

## **U.S.-EU Privacy Shield and U.S.-Swiss Privacy Shield**

TOCA complies with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States. TOCA has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

In compliance with the Privacy Shield Principles, TOCA commits to resolve complaints about our collection or use of your personal information. EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact TOCA at [appadmin@tocafootball.com](mailto:appadmin@tocafootball.com).

TOCA has further committed to refer unresolved Privacy Shield complaints to JAMS, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please contact or visit JAMS at <https://www.jamsadr.com/eu-us-privacy-shield> for more information or to file a complaint. The services of JAMS are provided at no cost to you.

Under certain conditions, you may be able to invoke binding arbitration to resolve your complaint. TOCA is subject to the investigatory and enforcement powers of the Federal Trade Commission.

If TOCA shares personal data transferred to the U.S. under the Privacy Shield with a third-party service provider that processes such data on TOCA's behalf, then TOCA will be liable for that third party's processing in violation of the U.S. Privacy Shield Principles, unless TOCA can prove that it is not responsible for the event giving rise to the damage.

## **Sharing of Information**

We may share information about you as follows or as otherwise described in this Privacy Policy:

- With the training center or coach who uses TOCA technology to measure your training sessions;

- With your consent or at your direction;
- With vendors, consultants and other service providers who need access to such information to carry out work on our behalf, including to send marketing communications on TOCA's behalf;
- In response to a request for information if we believe disclosure is in accordance with any applicable law, regulation or legal process, or as otherwise required by any applicable law, rule or regulation, including but not limited to meeting national security or law enforcement requirements;
- If we believe your actions are inconsistent with our user agreements or policies, or to protect the rights, property and safety of TOCA or others; and
- In connection with, or during negotiations of, any merger, sale of company assets, financing or acquisition of all or a portion of our business by another company.

We may also share aggregated or de-identified information, which cannot reasonably be used to identify you. We do not share information with third parties for purposes of allowing those third parties to market to you.

## **Social Sharing Features**

The Services may offer social sharing features, including the ability to post your training results with your friends or publicly on social media. For more information about the purpose and scope of data collection and processing in connection with social sharing features, please visit the privacy policies of the entities that provide these features.

## **Advertising and Analytics Services Provided by Others**

We may allow others to serve advertisements on our behalf across the Internet and to provide analytics services. These entities may use cookies, web beacons and other technologies to collect information about your use of the Services and other websites, including your IP address, web browser, pages viewed, time spent on pages, links clicked and conversion information. This information may be used by TOCA and others to, among other things, analyze and track data, determine the popularity of certain content, deliver advertising and content targeted to your interests on our Services and other websites and better understand your online activity. For more information about interest-based ads, or to opt out of having your web browsing information used for behavioral advertising purposes, please visit [www.aboutads.info/choices](http://www.aboutads.info/choices).

## **Security**

TOCA takes reasonable measures to help protect information about you from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction.

## **Children's Privacy**

Children can access many parts of the Services and use many of its features without providing us with personal information. However, some content and features of the Services are

available only to registered users or require us to collect certain information from them.

If a user has indicated that he or she is a child when trying to create a TOCA account, we will collect his or her parent's email address and obtain verifiable parental consent before collecting any personal information from or about the child by sending the parent an email notifying them that the child would like to register and ask the parent to create an account to grant consent for the child to register. If the parent ignores or refuses to register the child, we will delete all contact information from our database within 14 days of such notice. If the parent permits the registration, the child will be granted access to the features described in the notification email. TOCA uses the services of Veratad (a leading age and identity verification company) to verify the parent's identity by asking for pieces of information such as name, birth date, and physical address. Please note that this information is used solely for purposes of obtaining verifiable parental consent and we do not store this information in our records.

If a parent provides us with information indicating that their child is under the age of 13, we require the parent to create a member name and password on behalf of the child.

In either event, we will collect, use, and disclose information about children under 13 as outlined in this privacy policy.

At any time, you may review the child's personal information maintained by us, require us to change or delete the personal information, and/or refuse to permit us from further collecting or using the child's information by logging into your child's account and visiting his or her account profile page, or by sending us an email at [appadmin@tocafootball.com](mailto:appadmin@tocafootball.com). To protect your child's privacy and security, we may require you to take certain steps or provide additional information to verify your identity before we provide any information or make corrections.

## **Your Choices**

### **Account Information**

You may update, correct or delete information about you at any time by logging into your online account and visiting your account profile page, or by emailing us at [appadmin@tocafootball.com](mailto:appadmin@tocafootball.com). If you wish to delete or deactivate your account, please email us at [appadmin@tocafootball.com](mailto:appadmin@tocafootball.com), but note that we may retain certain information as required by law or for legitimate business purposes. We may also retain cached or archived copies of information about you for a certain period of time.

### **Cookies**

Most web browsers are set to accept cookies by default. If you prefer, you can usually choose to set your browser to remove or

reject browser cookies. Please note that if you choose to remove or reject cookies, this could affect the availability and functionality of our Services.

### **Promotional Communications**

You may opt out of receiving promotional messages from TOCA by following the instructions in those messages. If you opt out, we may still send you non-promotional communications, such as those about your account or our ongoing business relations.

## **Contact Us**

If you have any questions about this Privacy Policy, please contact us at:

Phone: 1.844.444.TOCA

Email: [appadmin@tocafootball.com](mailto:appadmin@tocafootball.com)

Mail: TOCA Privacy, 2777 Bristol Street, Suite D. Costa Mesa, CA 92626