#### PRIVACY POLICY

New Effective Date: January 22, 2020

MTKG Inc (hereinafter "MTKG Inc" "we," "our," or "us") is committed to safeguarding and handling your Personal Information in a responsible and secure manner.

This Privacy Policy ("Policy") describes how we process your Personal Information as you use our website located at <a href="https://www.mtkgym.com/">https://www.mtkgym.com/</a>, visit our studios, and use any of the services, tools, technology, products, features, events, webpages, and mobile apps (together, the "Services") provided, operated or owned by MTKG Inc. When we collect, access, use or do anything with your Personal Information, we are "processing" your Personal Information.

Please read our <u>Terms of Service</u> before accessing our Services. To the extent permitted under the applicable law, by accepting the Terms of Service, you agree with our privacy practices as described in this Policy. If you cannot agree with this Policy, Terms of Service, or other policies, please do not access or use our Services.

MTKG Inc reserves the right to update or modify this Policy, at any time and without prior notice, by posting the revised version of the Policy on this Site. These changes will only apply to the information we collect after we have posted the revised Policy on this Site.

Your use of this Site following any such change constitutes your agreement that all information collected from or about you after the revised Policy is posted will be subject to the terms of the revised Policy. You may access the current version of this Policy at any time by clicking on the link marked "Privacy" at the bottom of each page of the public areas of this Site. If you continue to access or use our Services after receiving the notice of changes, you acknowledge your acceptance of the updated Policy.

In addition, we may provide you with real time disclosures or additional information about the Personal Information handling practices of specific parts of our Services. Such notices may supplement this Policy or provide you with additional choices about how we process your Personal Information.

# 1. INFORMATION WE COLLECT THROUGH YOUR USE OF THE SERVICES

Personal Information is any information that is related to you, identifies you or makes you identifiable. We collect different types of Personal Information when you're accessing or using our Services, including:

**Information You Provide Us.** In connection with the Services, we may ask you to provide these categories of Personal Information:

- Account Information: Information you provide about yourself to access our Services, including name, email address, phone number, mailing address, and password, so that we may communicate with you and provide you with the Services.
- Scheduling Information: In order to sign up for a MTKG Inc class or to purchase Class Packs or memberships online through our Service, you must provide us with your name, physical address, email address, date of birth, phone number, and Payment Information (described below). If you complete a membership agreement or sign up for a fitness event, we also collect information about any health conditions that could affect your ability to participate in a workout. If you do not provide this information, you may not be able to participate in a MTKG Inc class or event.
- Payment Information: If and when you make an order through our Services (such as to purchase Class Packs or purchasing merchandise), you will need to provide us with a payment card, including billing information such as your billing address, phone number, and name on the payment card. A third-party service provider stores and processes this information securely and only for purposes of marking an order through our Services.
- Voluntary Information: Information you provide to us voluntarily by completing web forms, submitting a job application, signing up for our newsletter, participating in polls, or contributing to blogs, postings, contacting customer service, and other mediums constitutes Voluntary Information.

**Usage Information Automatically Collected.** When you use the Services online or through our mobile app, we automatically collect information about

the Services you use and how you use them ("Usage Information"), as described below.

- Service Data: We collect information about your interactions with the Services, such as the pages or other content you view, and other actions you perform while using the Services.
- Log Data: We automatically collect log information when you use the Services. This might include your IP address, access times, hardware and software information, device information, device event information (e.g. crashes, unsuccessful logins, browser type), the web page you've viewed or engaged with before or after using the Services, and other relevant information. We collect and monitor this data in order to keep track of the security and privacy of your account.
- Cookies and Similar Tracking Technologies: We may use cookies, embedded scripts and other tracking technologies to collect and store information about your use of our Services. We use these tools to ensure that you receive a personalized experience, to provide you with certain functions on our Services, to keep your account safe, and to improve and optimize our Services. Please refer to "Cookie Preferences" below for more information about how we use cookies and which cookies and how to update your cookie preferences.

Membership and Studio Usage Information. We will collect Personal Information about how you use and interact with MTKG Inc. studios and our online properties, including the studios and times you check in to, workouts you log, classes you book or add to your schedule, and information provided when you purchase or schedule private studio sessions.

**Information from Our Studio.** CCTV is installed at some of our studios, to monitor building security and assist in crime prevention and detection and to ensure the health and safety of our staff and visitors to our sites. We may collection some Personal Information about you through our CCTV systems, including your image or likeness.

Information from Third Party Applications or Platforms. From time to time, MTKG Inc may allow you to connect or transfer your information to or from a third-party application or platform. For example, you may book MTKG Inc classes through a third-party application such as ClassPass. If you choose to participate, we may collect Personal Information about you from the third

party. Once the Personal Information has been transferred to MTKG Inc. from a third party, you may or may not be able to rescind or remove the information and should check with the third-party application or service as to your options.

**Job Applicant Information.** If you apply for a job posting, we collect information necessary to process your application or to retain you as an employee, which may include education and job history information. Providing this information is required for us to consider you for employment.

**Public Health and Safety.** In certain situations where a serious public health threat has been identified, we may collect information from employees, guests, and other individuals accessing our facilities. This may include medical and health information, such as body temperature, symptoms, and underlying health conditions. We collect this information to protect the health and safety of our employees and guests. In some jurisdictions we may be required by law, regulation, or governmental order to collect and retain information related to issues of public health and safety.

## 2. HOW WE USE YOUR INFORMATION

Your Personal Information can be used for various purposes, including:

**To Provide Our Services.** When you access or use our Services, we process certain Personal Information about you to be able to provide you with our Services. Some examples of how we process your Personal Information in our Services include, but are not limited to:

- To allow you to view, book, and attend classes at our studios,
- To allow you to view, book and attend classes through our MTKG Inc Mobile Applications,
- To pay for the Services.
- To ensure a safe work-out environment, and
- To analyze your use and enjoyment of the Services

We cannot provide you with our Services without such processing of your Personal Information.

**To Communicate With You.** When you create an account for our Services, you will receive Service-related communications. Our Service-related

communications are transactional messages about your account, billing information, your attendance, surveys, support, customer service, discounts you've earned, policy changes, or other Service-related notifications.

**Marketing Communication.** We may also use your Personal Information for marketing, promotional, or sweepstakes related communications and initiatives. You can manage your email preferences and opt out of certain communications, such as by clicking the "unsubscribe" link found within non-transactional communications or by emailing us at the contact information listed at the end of this Policy.

**To Enforce our Terms, Agreements, or Policies.** To maintain a safe, secure, and trusted environment for you when you use the Services, we use your Personal Information to make sure our terms, policies, and agreements with you and any third parties are enforced. We actively monitor, investigate, prevent, and mitigate any suspected or actual prohibited activities on our Services. We are required to

For Research and Development. We want to ensure our Services are continually improving and expanding so that we meet and exceed your needs and expectations. To do so, we may process your Personal Information to improve, optimize, or expand our Services or features of our Services. We do so by processing information about your use of the Services, any information you provide to us, and by measuring, tracking, and analyzing trends and usage in connection to your use of our Services.

To Comply with Applicable Laws. We may be required to process your Personal Information under certain laws and regulations, such as tax laws. We will also process any and all information to law enforcement agencies or others if required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: (a) comply with legal or regulatory process (such as a judicial proceeding, court order, or government inquiry) or obligations that we may owe pursuant to ethical and other professional rules, laws, and regulations; (b) enforce the MTKG Inc Terms of Service and other policies; (c) respond to claims that any content violates the rights of third parties; or (d) protect the rights, property, or personal safety of MTKG Inc , its employees, its users, its clients, and the public. We cannot provide the Services to you without such processing.

**For Employment.** We collect information in connection with applications for positions at MTKG Inc to consider you for employment. If you are offered a position, the collection of your personal information will be subject to a separate employee-only privacy policy.

## 3. HOW WE SHARE YOUR INFORMATION

We may share your Personal Information as follows:

**Third-Party Service Providers.** We may use third parties to perform certain services on our behalf in connection with the Services such as:

- to process and store data, including your Personal Information;
- to track, analyze, and modify our Services;
- for marketing, advertising, and distribution;
- to assist us in providing you with customer support; and
- to support our IT and security efforts.
- Google Analytics. Google Analytics is one of our analytics service providers. Learn more about how Google collects and uses data here. To opt out of Google Analytics Advertising Features please use Google Ad Settings. To opt out of Google Analytics entirely please use this link. However, certain third-party service providers, such as payment transaction processors, have their own privacy policies in respect to the information we are required to provide to them for your purchaserelated transactions. For these providers, we recommend that you read their privacy policies so you can understand the manner in which your Personal Information will be handled by these providers. In particular, remember that certain providers may be located in or have facilities that are located in a different jurisdiction than either you or us. If you elect to proceed with a transaction that involves the services of a thirdparty service provider, then your information may become subject to the laws of the jurisdiction(s) in which that service provider or its facilities are located.

With Others Users Of The Site. You may be able to submit User-Generated Content on or through this Site. In this Policy, "User-Generated Content" or "UGC" refers to content that you post using the social networking tools we make available to you and that does not constitute "Feedback" (as that term is defined in our Terms of Use). Any personal information contained in UGC

can be read, collected, or used by others. In addition, we may use UGC you submit for advertising campaigns and other promotions. We may or may not use your name in connection with such use, and we may or may not seek your consent before using the content for such purposes. Therefore, you should have no expectation of privacy with respect to UGC you submit on or through this Site.

With Other, Carefully Selected Business Partners. From time to time, we may share your information with selected third parties for their own marketing purposes. For example, we may partner with third parties to sponsor contests or other promotions, and we may share with these third parties the information you submit to us to participate in the contest or take advantage of the promotion. Before doing so, however, we may offer you the opportunity to "opt out" or "opt in," as required by applicable law.

In Aggregate or De-Identified Form. We use information collected through this Site to create a compiled, aggregate view of usage patterns. We may share aggregate information with third parties so they can better understand our user base. We may also share with third parties information about how particular individuals use this Site, but only on a de-identified basis ("Individualized Data"). Individualized Data is not personally identifiable, but it does reflect the usage patterns of a particular Site user, as opposed to Site users collectively.

**CCTV.** CCTV is installed in our studios, in common spaces, to monitor building security and assist in crime prevention and detection.

We operate our CCTV in accordance with the guidance issued by the local data protection authority. MTKG Inc. uses this data as part of its role as a service provider to you, and to ensure the health and safety of our staff and visitors to our sites.

If authorities are called on-site, we refer back to the images requested, if they are available. We do not hold video data longer than necessary and wipe the images securely.

**Merger, Bankruptcy, or Corporate Reorganization.** We may disclose and transfer your Personal Information to a subsequent owner, co-owner, or operator of MTKG Inc. or the Services, or in connection with a merger, consolidation, restructuring, the sale of all or substantially all of our interests

and/or assets (i.e., a bankruptcy proceeding), or other corporate change. We will notify you with any choices you may have regarding your Personal Information when we are engaged in a merger, bankruptcy, or corporate reorganization.

**Legal Obligations and Safety.** We may share your Personal Information if it is reasonably necessary to: Comply with a valid legal process (e.g., subpoenas, warrants, court orders, etc.);

Comply with requests or investigations by public authorities;

Comply with applicable laws or regulations;

Enforce or apply the MTKG Inc policies or policies of our business partners;

Protect the security or integrity of the Services;

or Protect the rights, property, or safety of MTKG Inc, our employees or users, partners and affiliates, or other natural persons.

For Any Other Purpose, with Your Consent. We may share your Personal Information on your behalf or at your request. For example, we may share your information with other users where you direct us to do so or with third party fitness applications, trackers or devices (Integrated Devices), where you choose to configure the settings of the MTKG Inc. App and the Integrated Device to allow for such sharing. If you provide your consent to share your information, you may withdraw your consent at any time. Withdrawing your consent will not undo or reverse the lawfulness of any previous processing, and in some cases Personal Information may not be retrieved once shared. Contact us at info@hot8yoga..com if you would like to withdraw your consent.

## 4. YOUR CHOICES

**Your Account.** You may access your MTKG Inc Account Information by going to the "Your Account" page. You can edit your Account Information as necessary, such as your email address, name, phone number, and more. When you update your Account Information, we may keep a copy of your previous account details for our records and to prevent fraud or other activities that violate our terms, policies and agreements. However, if you do

not provide us with some of your Personal Information, such as your name or email, we will no longer be able to provide you with access to our Services.

**Self-Reported and Voluntary Information.** You may choose not to provide us with some of your Personal Information. For example, you are not required to complete any survey we send to you.

**Communication Preferences.** If you do not want to receive emails from us, please adjust your communication preferences or click the unsubscribe link within the email you received from us. You will not be able to unsubscribe from Service-related communications as they are necessary for us to continue offering you the Services.

**Account Deletion.** At any time, you can delete our App from your mobile device. Deleting our App does not delete your account or the related Personal Information. If you wish to delete your account completely, please email us at info@hot8yoga.com. Please note that MTKG Inc 's deletion of your Personal Information is subject to limitations, including any applicable legal retention requirements.

Cookies Preferences. You can exercise your preferences in relation to cookies served on our Services by adjusting your browser settings which provide you with the option to refuse or remove some or all browser cookies. First-Party Cookies. You can use the browser with which you are viewing our Services to enable, disable or delete cookies. To do this, follow the instructions provided by your browser (usually located within the "Help", "Tools" or "Edit" settings). Please note, if you set your browser to disable cookies, you may not be able to access secure areas of the Services. Also, if you disable cookies other parts of the Services may not work properly. You can find more information about how to change your browser cookie settings at http://www.allaboutcookies.org. Third-Party Cookies. To opt-out of third-party advertising networks and similar entities that use advertising cookies, please visit the Digital Advertising Alliance's self-regulatory opt-out tool at http://www.aboutads.info/choices or the Network Advertising Initiative's optout tool at https://optout.networkadvertising.org/?c=1. Once you click the link you may choose to opt-out of such advertising from all participating advertising companies or only advertising provided by specific advertising entities. For more information about third-party advertising networks and similar entities that use these technologies, please see

http://www.aboutads.info/consumers. We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. In addition, most web browsers provide help pages relating to setting cookie preferences. More information may be found for the following browsers here:

- Google Chrome
- Internet Explorer
- Mozilla Firefox
- Safari (Desktop)
- <u>Safari (Mobile)</u>
- Android Browser
- Opera
- Opera Mobile

If you are located in the State of California, please refer to the sections below for information about additional choices and rights to your Personal Information.

For instance, California consumers may use the Digital Advertising Alliance's tool to send requests under the California Consumer Privacy Act ("CCPA") for a web browser to opt out of the sale of personal information by some or all of that framework's participating companies by accessing the DAA's tool here: <a href="https://www.privacyrights.info/">https://www.privacyrights.info/</a>, or by downloading the DAA's AppChoices mobile application opt-out here: <a href="https://www.privacyrights.info/appchoices">https://www.privacyrights.info/appchoices</a>.

The AppChoices app is not limited to opt-outs for CCPA purposes and may be used by anyone to limit the collection of cross-app data for interest-based advertising purposes by participating DAA member companies. Do Not Track Signals. Currently, we do not monitor or take any action with respect to Do Not Track signals or other mechanisms, which means that we collect information about your online activity both while you are using the Services and after you leave our Services

**Third-Party Tracking.** Certain third-party cookies may collect your Personal Information over time and across different websites. For more information on

how you can control cookies and exercise your preferences regarding them please see the "Cookies Preferences" section above.

## 5. LINKS TO OTHER WEBSITES

This Policy applies only to this Site. This Site may contain links to websites that are not operated by MTKG Inc. These links are provided for your reference and convenience only and do not imply any endorsement of the products sold or information provided through these websites, nor any association with their operators. MTKG does not control these websites and is not responsible for their data practices. Any information you provide to third parties on their websites is covered under their privacy and data collection policies and is not covered by this Policy. We urge you to review the privacy policy posted on any site you visit before using the site or providing any personal information. Once you leave our Service or are redirected to a third-party website or application, you are no longer governed by this Privacy Policy or our website's Terms of Service.

## 6. SECURITY

To protect your Personal Information, we take reasonable precautions and follow industry standard practices to make sure it is not inappropriately lost, misused, accessed, disclosed, altered or destroyed.

You should be aware that, unfortunately, no system can be 100% secure. There will always be a risk that your Personal Information gets compromised. We also depend on you to keep your Account Information secure by keeping your password confidential and taking precautions to keep others from accessing your account. Please notify us immediately at info@mtkgym.com if you become aware of any unauthorized access to or use of your account.

# 7. CHILDREN'S PRIVACY

By using this site, you represent that you are at least the age of majority in your jurisdiction of residence, or that you are the age of majority in your jurisdiction of residence and you have given us your consent to allow any of your minor dependents to use this site. Please contact us if you believe we have collected Personal Information about a child without consent from their

parent or guardian so we can take action to prevent such access and to delete their Personal Information from our Services.

## 8. RETENTION

We generally retain your Personal Information as long as necessary to fulfill the purposes of collection, including for the purposes of satisfying any legal, accounting, or reporting obligations or to resolve disputes. Otherwise we will try to delete your Personal Information upon your request or when we no longer need it for the purposes it was originally collected. We will not delete any Personal Information that also relates to other individuals, unless such other individuals also wish to delete their Personal Information at the same time.

# 9. NOTICE TO CALIFORNIA RESIDENTS

This section only applies to individuals who are residents of California.

Pursuant to the California Consumer Privacy Act of 2018 ("CCPA"), below is a summary of the Personal Information that MTKG inc has collected in the preceding twelve months, the reason the information was collected, where we obtained the Personal Information we collected, and the third parties with whom we share the information, categorized as defined in the CCPA.

#### CATEGORY OF INFORMATION

#### SOURCES OF INFORMATION

#### PURPOSE OF INFORMATION COLLECTION

#### HOW WE SHARE THE INFORMATION

Identifiers

We collect identifiers from Your Use of the Services, Usage Information, Membership Information, and third parties, as outlined in Section 1 above. We collect identifiers to Provide Our Services, to Communicate with you, for Research and Development, and to Comply with Applicable Laws, as outlined in Section 2 above.

We share identifiers with our Service Providers, for our Legal Obligations, and for any other purpose with your consent, as outlined in Section 3 above. Personal information under California Civil Code section 1798.80

We collect Section 1798.80 information from Your Use of the Services, Usage Information, Membership Information, and third parties, as outlined in Section 1 above.

We collect Section 1798.80 information to Provide Our Services, to Communicate with you, for Research and Development, and to Comply with Applicable Law as outlined in Section 2 above.

We share Section 1798.80 information with our Service Providers, for our Legal Obligations, and for any other purpose with your consent, as outlined in Section 3 above.

Protected classifications under California and Federal Law

We collect protected classification data from Your Usage of the Services, as outlined in Section 1 above.

We collect protected classification data to Provide Our Services, as outlined in Section 2 above.

We share protected classification data with our Service Providers, as outlined in Section 3 above.

Commercial information

We collect commercial information from Your Use of the Services, Usage Information, Membership Information, and third parties, as outlined in Section 1 above.

We collect commercial information to Provide Our Services, for Research and Development, and to Comply with Applicable Laws, as outlined in Section 2 above.

We share commercial information with our Service Providers, as outlined in Section 3 above.

Biometric information

We collect biometric information through studio CCTV, as outlined in Section 1 above.

We collect biometric information to Provide Our Services, as outlined in Section 2 above.

We share biometric information with our Service Providers, as outlined in Section 3 above.

Electronic network activity information

We collect network information through Your Use of the Services, Usage Information, Membership Information, and third parties, as outlined in Section 1 above.

We collect network information to Provide Our Services, to Communicate with you, for Research and Development, and to Comply with Applicable Laws, as outlined in Section 2 above.

We share network information with our Service Providers, for our Legal Obligations, and for any other purpose with your consent, as outlined in Section 3 above.

Geolocation data

We collect geolocation data through Your Use of the Services, Usage Information, Membership Information, and third parties, as outlined in Section 1 above.

We collect geolocation data to Provide Our Services, to Communicate with you, for Research and Development, and to Comply with Applicable Laws, as outlined in Section 2 above.

We share geolocation data with our Service Providers, for our Legal Obligations, and for any other purpose with your consent, as outlined in Section 3 above.

Audio, electronic, visual, thermal, olfactory, or similar information We collect visual information through studio CCTV, as outlined in Section 1 above.

We collect visual information to Provide Our Services, as outlined in Section 2 above.

We share visual information with our Service Providers and for our Legal Obligations, as outlined in Section 3 above.

Inferences

We develop inference data through Your Use of the Services, Usage Information, Membership Information, and third parties, as outlined in Section 1 above.

We develop inference data to Provide Our Services, to Communicate with you, and for Research and Development, as outlined in Section 2 above. We share inference data with our Service Providers and for our Legal Obligations, as outlined in Section 3 above.

In addition to the information that we collect from you directly, we may also receive information about you from other sources, including third parties, business partners, our affiliates, or publicly available sources. For example, if you submit a job application, we may conduct a background check.

**Privacy Rights.** Under California Laws, California residents have the following rights listed below. Your Right to Access and Right to Deletion are not

absolute and are subject to certain exceptions. For instance, we cannot disclose specific pieces of Personal Information if the disclosure would create a substantial, articulable, and unreasonable risk to the security of the Personal Information, your account with us or the security of the business's systems of networks.

- Right Against Discrimination. You have the right not to be discriminated against for exercising any of the rights described in this section. We will not discriminate against you for exercising your right to know, delete or opt-out of sales.
- 2. Right to Know. You have the right to request in writing from a business, (i) a list of the categories of personal information, such as name, address, e-mail address, and the type of services provided to the customer, that a business has disclosed to third parties during the immediately preceding calendar year for the third parties' direct marketing purposes, and (ii) the names and addresses of all such third parties. In addition, California residents have the right to request that we disclose to them (i) the categories of personal information we have collected about them, (ii) the categories of sources from which personal information is collected, (iii) the business or commercial purpose for the information collection, (iv) the categories of third parties with whom we have shared personal information, and (v) the specific pieces of personal information we hold about an individual. You have the right to request a copy of the specific Personal Information we collected about you during the 12 months before your request.
- 3. Right to Delete. You have the right to have your Personal Information deleted, unless the Personal Information is necessary for the business or service provider to:
- complete a transaction for which the Personal Information was collected, provide a good or service requested by the consumer or otherwise perform a contract between the business and the consumer;
- detect security incidents;
- protect against malicious, deceptive, fraudulent or illegal activity (or prosecute those responsible);
- debug to identify and repair functionality errors;
- exercise or ensure the right of another to exercise free speech or another legal right;

- comply with the California Electronic Communications Privacy Act, which compels the production of or access to electronic communication information or electronic device information with a search warrant;
- engage in research in the public interest (if the consumer has provided informed consent);
- to enable solely internal uses aligned with the consumer's expectations given their relationship with the business;
- comply with a legal obligation; or
- otherwise use the information internally in a lawful manner compatible with the context in which the consumer provided it.
- 4. Right to Opt-Out of Selling: As described in this Privacy Policy, in certain situations we may share your Personal Information with our partners, third-parties or affiliates for marketing or other purposes. To the extent such sharing is considered a "sale" under the CCPA, as a California resident you have the right to opt-out of such sharing. If you would like us to no longer share your Personal Information in this way, please click:
- 5. Submitting a Rights Request. If you are a California resident and would like to submit a verifiable request to exercise your California privacy rights, please email your request to info@mtkgym.com or call us at +1 818-982-2790. In order for us to process requests to access or delete your Personal Information, we will need to verify your identity to confirm that the request came from you. We may contact you by phone or e-mail to verify your request. Depending on your request, we will ask for information such as your name, and an e-mail address that you have used with MTKG Inc, or a phone number you have used with MTKG Inc.

You may designate an authorized agent to submit a request on your behalf to access or delete your Personal Information. To do so, you must: (1) provide that authorized agent written and signed permission to submit such a request; and (2) verify your own identity directly with us. Please note, we may deny a request from an authorized agent that does not submit proof that they have been authorized by you to act on your behalf. If you have been designated as an authorized agent to submit a request on behalf of another MTKG Inc client, you must provide MTKG Inc with the user's signed permission noted above.

**Marketing.** California law permits California residents to ask MTKG Inc for a notice that identifies the categories of Personal Information that we share with our affiliates and/or third parties for marketing purposes, and that provides contact information for such affiliates and/or third parties. If you are a California resident and would like a copy of this notice, please submit a written request to us at the address provided under the "Contact Information" section below.

# 10. CONTACT INFORMATION

If you have question about this Privacy Policy, please contact our Privacy Compliance Administrator at info@mtkgym.com or by mail at:

MTKGym.com 818-982-2790 7405 bellaire ave North hollywood ca 91605