

# Privacy Policy

Moodie, Inc. (“Moodie,” “us,” “we,” or “our”) is committed to protecting and respecting your privacy in connection with your use of our website, [www.FEELINGmoodie.com](http://www.FEELINGmoodie.com) (the “Website(s)”), applications (“Apps”) and other products, services and features thereof (the Website, the Apps and such other products, services and features are collectively referred to herein as the “Product” or “Products”, which may be updated from time-to-time at the sole discretion of Moodie). This privacy policy (“Privacy Policy”) and any other documents referred to herein set forth the basis on which any personal information we collect from you, or that you provide to us, in connection with the Products will be processed by us. Please read the following carefully to understand our practices regarding your personal information and how we will collect, use and disclose your personal information. If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our Canada-based third party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>.

## 1. INFORMATION WE MAY COLLECT FROM YOU

We may collect and process the following information about you:

Personal information including, for example, your name, e-mail address, telephone, information about your Canada ge of the Products and information collected by tracking technologies as further described below that may identify you as an individual or allow online or offline contact with you as an individual.

For individuals who participate in a Moodie Family plan, we may collect additional personal information, for example, home address in order to verify family member status.

If, as a primary account holder of a Moodie Family plan, you choose to invite additional family members to become subsidiary account holders, we will ask you for their name and email address. We will use this information to invite him or her to join the Products. We store this information for the sole purpose of sending invitations and confirming family member status. If your subsidiary account holder(s) would like us to delete their information, they can do so by contacting the primary account holder of their family plan to be removed.

Moodie does not collect or process credit or debit card (“Payment Card”) information. Apple and Google collect Payment Card information with respect to in-app purchases made through the Apps, and our payment processor collects Payment Card information with respect to purchases made through the Websites. Such payment processors generally provide us with some limited information related to you, such as a unique token that enables you to make additional purchases using the information they’ve - stored, and your card’s type, expiration date, billing address, and the last four digits of your card number.

For individuals using the Products in connection with a Community client account as described in section 6, business information such as your company name, and company email address to the extent that you provide such information

Facebook profile information, such as name, email address, and Facebook ID, if you choose to log in to the Products through Facebook.

Device Information such as operating system version, device type, and system performance information.

Information collected via tracking technologies, as fully described in section 4

If you choose to invite a “Buddy” to use the Products using our Buddy system, we will ask you for their name and email address. We will use this information to invite him or her to join the Products. We store this information for the sole purpose of sending invitations and tracking the success of our Buddy program. If your Buddy would like us to delete his or her information, they can do so by opting-out as described in each invitation or by contacting us at [help@feelingmoodie.com](mailto:help@feelingmoodie.com).

If you choose to have your account verified to confirm your status as a student, we may allow a third party platform to access the specific personal information you provide in order to perform the verification.

## 2. CONFIDENTIALITY AND SECURITY

The security of your personal information is important to us. We follow generally accepted standards to protect the personal information submitted to us, both during transmission and once it is received. If you have any questions about the security of your personal information, you can contact us at [help@feelingmoodie.com](mailto:help@feelingmoodie.com). Except as described under the “Disclosure of Your Information” section below, we do not provide your personal information to any third party without your specific consent, as defined by applicable law.

## 3. NEWSLETTERS OR OTHER ELECTRONIC COMMUNICATIONS

If you sign up to receive promotional materials from us via email we will use the information you give us to provide the communications you have requested.

If you inform us that you wish to cancel email promotional materials by selecting “unsubscribe” at the bottom of such communication or by emailing us at [help@feelingmoodie.com](mailto:help@feelingmoodie.com), we will remove you from our mailing list. If you no longer wish to receive push notifications, you may turn them off at the device level.

If you provide your phone number to us directly or through a third-party for the specific purpose of receiving an SMS message with a link to our Apps, you will receive such SMS message (the “SMS Service”). Standard text message rates will apply.

## 4. TRACKING TECHNOLOGIES

Moodie and our analytics partners use technologies such as cookies, beacons, tags, and scripts to enable a service to recognize your device so you don't have to provide the same information several times during one task, recognize that you may have already given a password so you don't need to do it for every web page requested, and to measure how people are using the Products.

We use local storage, such as HTML5, to store content information and preferences. Third parties with whom we partner to provide certain features on the Products also use HTML5 to

collect and store information. Various browsers may offer their own management tools for removing HTML5.

We partner with third parties, such as Facebook and Google, to manage our advertising of the Products on other sites or platforms as well as across your other devices based on your past visits to our website. Our third party partners may use technologies such as cookies to gather information about your activities within the Products to deliver such advertising to you, such as retargeting ads. We will acquire consent from you in order to use such trackers for advertising purposes to the extent required by applicable law. We currently do not respond to do-not-track signals. For more information about interest-based ads, including how 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). Please note that this does not opt you out of being served ads. You may continue to receive generic ads on these third party platforms. You may also opt out of receiving ads across devices by adjusting your ad preference in your Google account.

We use third party trackers to let us know when users have visited the Products by “clicking-through” our sponsored advertising or content hosted on third party platforms. The Products use Google Analytics code to gather statistical information. Google Analytics sets cookies to help us accurately estimate the number of visitors to the Products and the volumes of Canada ge of the Products. This is done to ensure that the Products are available when you want them and are fast. For more information on how Google Analytics processes this information, visit [www.google.com/analytics](http://www.google.com/analytics).

#### MOBILE ANALYTICS

We use mobile analytics software to allow us to better understand the functionality of our mobile software on your phone. This software may record information such as how often you engage with the Products, the events that occur within the Products, aggregated Canada ge and performance data, and where the Applications were downloaded from. We may link the information we store within the analytics software to any personal information you submit within the mobile application.

#### LOG FILES

As true of most websites, we gather certain information and automatically and store it in log files. This information may include Internet Protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data.

If you receive the HTML-formatted version of our email newsletter, your opening of the newsletter is notified to us and saved. Your clicks on links in the newsletter are also saved. These and the open statistics are used in aggregate form to give us an indication of the popularity of the content and to help us make decisions about future content and formatting.

#### 5. WHERE WE STORE YOUR PERSONAL INFORMATION

All information you provide to us through the Products is stored on our secure servers located in the US. Any payment transactions will be encrypted using SSL technology; all payment information is stored with our payment processor and is never stored on Moodie’s

servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of the Products, you are responsible for keeping this password confidential. We ask you not to share a password with anyone, and suggest that you change your password frequently.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we will do our best to protect your personal information, we cannot guarantee the security of your information transmitted to the Products; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorized access.

## 6. CORPORATE AND OTHER COMMUNITY SHARING

There is interest by large consumer communities (companies, universities, hospitals, etc.) (“Communities”) to introduce the Products to their employees and members. If you have registered to use the Products through a code or other registration credential furnished by a Community (a “Community Subscription”), the Community will have access to your email address, and the date you registered to use the Products, and the date on which you last used the Products. The Community will also have access to general Canada ge information on an anonymized and aggregated basis with all other members of the Community that are using the Products.

Your Community may also have access to your Canada ge information on an individual basis if you have provided appropriate consent under applicable law for such sharing. For example, many employers are offering incentive programs based on employee participation in health & wellness programs and desire to better understand how each of their individual employees is using the Products.

## 7. SINGLE SIGN-ON

You can log into our Products using sign-in services such as Facebook Connect or an Open ID provider. These services will authenticate your identity, provide you the option to share certain personal information (such as your name and email address) with us, and to pre-populate our sign-up form. Services like Facebook Connect give you the option to post information about your activities on our Products or to your profile page to share with others within your network.

## 8. ACCESS TO AND DELETION OF PERSONAL INFORMATION

Upon request, Moodie will provide you with information about whether we hold, or process on behalf of a third party, any of your personal information. To request this information, please email [help@feelingmoodie.com](mailto:help@feelingmoodie.com).

You may access your personal information to modify or update at any time via an online account, or by emailing [help@feelingmoodie.com](mailto:help@feelingmoodie.com).

To request the deletion of your personal data that we have on file please email us at [help@feelingmoodie.com](mailto:help@feelingmoodie.com). Upon request, Moodie will permanently and irrevocably anonymize your data such that it can never be reconstructed to identify you as an individual.

We will respond to your request in a reasonable timeframe.

## 9. USES MADE OF THE INFORMATION

We use information held about you in the following ways:

To ensure that content provided by the Products is presented in the most effective manner for you and for your computer or other device.

To provide you with information, products or services related to Moodie that you will facilitate your engagement with the Products.

To provide you with promotional communications, such as email, to the extent that you have provided consent to receive such communications under applicable law.

To provide you with customer service communications.

To carry out our obligations arising from any agreements entered into between you and us.

To allow you to participate in interactive features of the Products, when you choose to do so.

To notify you about changes to the Products.

To understand your broad, non-specific geographic location to help us identify groups of users by general geographic market (such as zip code, state or country).

To account for applicable sales taxes based on zip codes provided to our payment processors for purchases made through the Websites.

To inform your Community about your registration and use of the Products as described under Corporate and Other Community Sharing in section 6 above.

To serve our advertisements to you through third party platforms, such as Facebook or Google, on other sites and apps or across your devices, to the extent that you have provided consent for such uses under applicable law

To provide you with the SMS Service to the extent that you have provided consent for such practices under applicable law.

We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them.

Details of transactions you carry out through the Products and of the fulfillment of your Product orders.

Details of your visits to and interactions with the Products including, but not limited to, traffic data, location data, weblogs and other communication data, whether this is required for our own billing purposes or otherwise and the resources that you access.

If you are an existing customer, we will only contact you by electronic means (e-mail or in-

Product communication) with information about products and services similar to those which were the subject of a previous sale to you.

If you choose to become a primary account holder of a Moodie Family plan, we may cross reference the address you've provided with that of any subsidiary account holder seeking to join your Moodie Family plan.

If you choose to become a subsidiary account holder of a Moodie Family plan, we may cross reference the address you've provided with that of any primary account holder administering your Moodie Family plan.

If you choose to have your account verified to confirm your status as a student, we may allow a third party platform to access the specific personal information you provide in order to perform the verification.

We do not disclose information about identifiable individuals to companies that host advertisements on our behalf, but we may provide them with aggregate information about our users (for example, we may inform them that 500 men aged under 30 have clicked on their advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target.

## 10. DISCLOSURE OF YOUR INFORMATION

We may disclose your personal information to any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries.

We may also disclose your personal information to third parties as follows:

In some circumstances, based on your specific requests, we may need to disclose your personal information to a third party so that they can provide a service you have requested from such party, or fulfill a request for information from such party. An example of this is the SMS Service.

In some circumstances, we may disclose the personal information that you have provided to Moodie to a third party that offers and/or provides goods or services complementary to our own for the purpose of enhancing our users' experiences by offering you integrated or complementary functionality, complementary services or bundled pricing options.

If Moodie's service providers (like hosting, market analytics, and payment service providers) require this information to provide services to Moodie. Moodie requires each of its service providers to agree to maintain the confidentiality and security of your personal information.

In the event that we sell or buy any business or assets, in which case we may disclose your personal information to the prospective seller or buyer of such business or assets.

If Moodie or substantially all of our assets are acquired by a third party, in which case personal information held by us about our customers will be one of the transferred assets.

If we are under a duty to disclose or share your personal information in order to comply with any legal obligation such as to comply with a subpoena, bankruptcy proceedings, similar

legal process, or in order to enforce or apply our agreements with you; or to protect the rights, property, or safety of Moodie, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

With your Community, if your subscription is a Community Subscription, as described under Corporate and Other Community Sharing above.

With third parties, such as Facebook, in order to serve Moodie advertisements on such third party platforms, to the extent that you have consented to such practices under applicable law.

If you choose to have your account verified to confirm your status as a student, we may allow a third party platform to access the specific personal information you provide in order to perform the verification.

#### 11. WITHDRAWAL OF CONSENT FOR PROCESSING ACTIVITIES

To the extent that you have provided appropriate consent under applicable law to certain processing activities, such as use of trackers for the purpose of retargeting activities, such consent can be withdrawn at any time by emailing [help@feelingmoodie.com](mailto:help@feelingmoodie.com).

#### 12. LINKS TO THIRD PARTY SITES

The Products may, from time to time, contain links to and from the Products of our partner networks, advertisers and affiliates. If you follow a link to any of these external websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these websites or their policies. Please check these policies before you submit any personal information to these external websites.

#### 13. SOCIAL MEDIA WIDGETS

Our Products include social media features, such as the Facebook Like button, and widgets, such as the “Share This” button, or interactive mini-programs. These features may collect your Internet protocol address, which page you are visiting on or Products, and may set a cookie to enable the feature to function properly. Social media features and widgets are hosted by a third party or hosted directly on our Products. Your interactions with these features are governed by the privacy statement of the company providing it.

#### 14. HEALTHKIT

Apple iOS users may opt-in to allow the Products to provide data regarding the amount of minutes meditated to the Apple iOS “Health” application for display. This data will not be shared with third parties or used for marketing purposes.

#### 15. USE OF Moodie BY MINORS

You must be 18 years of age, or the age of majority in your province, territory or country, to sign up as a registered user of the Products. Individuals under the age of 18, or the applicable age of majority, may utilize the Products only with the involvement and consent of

a parent or legal guardian, under such person's account and otherwise subject to these Terms.

## 16. INFORMATION POSTED ON FORUMS

Moodie users may have the ability to post content to one or more Moodie forums. All such users may request and obtain removal of such posted content by contacting Moodie at [help@feelingmoodie.com](mailto:help@feelingmoodie.com) and specifically identifying the content to be removed. Please be advised that any such removal does not ensure complete or comprehensive removal of all traces of the content posted on the Moodie forum(s).

## 17. CHANGES TO OUR PRIVACY POLICY

We may update this Privacy Policy to reflect changes to our information practices. If we make any material changes we will notify you by in-Product message, email (sent to the e-mail address specified in your account) or by means of a notice in the Products prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

## 18. CONTACT AND EEA REGISTERED AGENT

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to [help@feelingmoodie.com](mailto:help@feelingmoodie.com).

Our registered agent within the Canada, which can be contacted at 117 Merlot Crescent, Dieppe NB, E1A 7W4.

This Privacy Policy is effective and was last updated on January 17, 2019. Moodie's physical address is 117 Merlot Crescent, Dieppe NB, E1A 7W4.

## 19. Canadian, EU-Canada Privacy Laws

We participate in and have certified our compliance with the Canadian and EU-Canada Privacy Information Protection Electronic Document Act (PIPEDA), Canada's PIPEDA, and Swiss-Canada Privacy Information Protection Electronic Document Act (PIPEDA) Frameworks. Moodie is committed to subjecting all personal data received from Canadian member countries, in reliance on the Privacy Information Protection Electronic Document Act (PIPEDA) Framework, to the Framework's applicable Principles. To learn more about the Privacy laws of Canada, visit the Privacy Commissioner at [https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/02\\_05\\_d\\_15/](https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/02_05_d_15/)

Moodie is responsible for the processing of personal data it receives, under the Privacy Information Protection Electronic Document Act (PIPEDA) Framework, and subsequently transfers to a third party acting as an agent on its behalf. Moodie complies with the Privacy Information Protection Electronic Document Act (PIPEDA) Principles for all onward transfers of personal data from the Canada, including the onward transfer liability provisions.

For personal data covered by PIPEDA, you have the ability to opt-out of whether such personal information is disclosed to a third-party or is to be used for a purpose that is materially different for the purpose for which it was originally collected or subsequently



authorized. You can contact Moodie at [help@feelingmoodie.com](mailto:help@feelingmoodie.com) in order to make such choices.

With respect to personal data received or transferred pursuant to the Privacy Information Protection Electronic Document Act (PIPEDA) Framework, Moodie is subject to the regulatory enforcement powers of the Canada Federal Trade Commission. In certain situations, Moodie may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Under certain conditions, more fully described on the Privacy Information Protection Electronic Document Act (PIPEDA) email [publications@priv.gc.ca](mailto:publications@priv.gc.ca) , you may invoke binding arbitration when other dispute resolution procedures have been exhausted.