

## PRIVACY POLICY

### ÉNERGIE CARDIO

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Welcome! This Privacy Policy explains how 9350-6327 Québec Inc., a corporation doing business under the name of “Groupe Énergie Cardio” and whose head office is located at 17755 Lapointe Street, Suite 200, Mirabel, Québec, J7J 0W7 (hereinafter “**Énergie Cardio**”), collects, uses, discloses and otherwise makes use of your personal information when you visit and use their website at <https://www.energiecardio.com/> and more specifically its “Member Space”, the “Énergie Cardio Entrainement” application and the “Énergie Cardio Virtuel” application (hereinafter collectively referred to as the “Énergie Cardio Platform”) and when you purchase and use services on the Énergie Cardio Platform (the “Services”), whether as a visitor to the Énergie Cardio Platform, a user of the Services, or a purchaser. This Privacy Policy also applies to Énergie Cardio practices with respect to the personal information it collects offline, such as on the telephone, or by text message.

By using the Énergie Cardio Platform, and its transactional pages, products and related services, you accept to comply with the present Privacy Policy, which may be modified without notice. Moreover, you agree to consult this Privacy Policy from time to time and recognize that your continuous use of the Énergie Cardio Platform means that you have accepted any modification that may have been made to it. We will notify you of any changes made to the present Privacy Policy.

#### **How does Énergie Cardio collect your information and what information is collected?**

**Personal Information.** To be able to offer you subscription, use, purchase services and transaction services on transactional pages, process your transactions, and improve your experience relating to Énergie Cardio Services and the Énergie Cardio Platform, we must collect personal information pertaining to yourself. that information includes your first and last names, date of birth, addresses, email addresses, phone numbers, credit card information or information related to your bank accounts or banking information, account numbers, and other similar information.

In the context of using some of the services of the Énergie Cardio Platform, you may be required to submit to our business partners, service providers, or other third parties (including Internet payment services or payment processors such as “Bambora®”), your personal information, as described above, or other similar information. The collection, hosting, use, transfer, and sharing of such information will then be governed by the privacy policies and terms and conditions of use of such business partners, service providers, or third parties. We encourage you to read them carefully.

In the context of the use of some specific Énergie Cardio Platform services, it may also be possible that you submit to the Énergie Cardio Platform additional personal information that you deem appropriate, useful, or relevant for the use of such services, such as your weight, height, photos of yourself, fitness objectives and other information related to your physical or medical condition.

**Other Communications.** We may also ask for your comments regarding your experience in relation to the use of the Services and the Énergie Cardio Platform. If you contact our representative by telephone, the conversation may be recorded for the purpose of quality assessment of the services or the protection of both parties in the event of a dispute.

**Cookies.** We use “cookies” to personalize the Énergie Cardio Platform for returning visitors. Such cookies remain on your computers or other devices and are automatically recovered when you return for subsequent visits on the Énergie Cardio Platform. Such cookies only contain information on the type of client and the pages frequently visited. No other information is stored in such cookies. You can disable

cookies on your computers or other devices. Disabling cookies may affect the functionalities of the Énergie Cardio Platform for the user, and visitors who have disabled cookies will not be able to use our personalized account management function.

**Web Access Logs.** We also maintain standard logs of Web accesses that record data on all the visitors to transactional pages. These logs may contain: i) the Internet domain from which you access the Énergie Cardio Platform; ii) your IP address (when you surf on the Web, your computer or other device is automatically attributed an IP address that is either static or dynamic; a static IP address can be used to identify you, whereas a dynamic generally cannot); iii) the type of browser and operating system you are using; iv) the date and time of your visit to the site; v) the pages you consulted on the Énergie Cardio Platform; and vi) the website address from which you logged in.

**Minors.** Énergie Cardio invites and requires that minors under the age of 16 ask their parents or other parental authority figures to create for their benefit a personal account or “Member Space” on the Énergie Cardio Platform. Énergie Cardio does not encourage minors to provide us with personal information and requires and assumes no minor under the age of 16 would create on their own a personal account or “Member Space” on the Énergie Cardio Platform. If it would come to our knowledge that we have collected the personal information of a minor under the age of 16, we will delete that information as quickly as possible. We also reserve the right to delete their personal account or “Member Space” on the Énergie Cardio Platform. If you think we may be holding the personal information of a minor under the age of 16, please notify us at [mondossier@energiecardio.com](mailto:mondossier@energiecardio.com). We adhere to the guidelines and regulatory requirements set forth in applicable laws.

### **How can Énergie Cardio make other use of my personal information?**

Your general and personal information may be disclosed to third parties, including Internet payment services or payment processors (such as “Bambora®”), service providers (such as “HexFit Solutions,” “Groupe MC Média,” or “Commsoft Technologies”) whose services are retained by Énergie Cardio to develop, host, operate, or update the Énergie Cardio Platform and other service providers, strictly on a need-to-know basis for the purpose of providing the Services and the operation of the Énergie Cardio Platform, in compliance with applicable laws. The general and personal information is communicated through secured channels and only to the concerned parties.

Énergie Cardio can also use and share your personal information for the following purposes:

- Manage, provide and make available to you the Énergie Cardio Platform and the Services;
- Allow health and sports professionals with whom you will collaborate to access your profile, to provide you with services, or assist you in other ways;
- Generate statistics, gather information, measure activities on the Énergie Cardio Platform, and detect and prevent security threats.
- Help us develop and market our brand image, the Services, our promotions, and our advertising;
- Communicate with you, including our members, in relation to our services, events, promotions, special offers, and other news about Énergie Cardio;
- Communicate with you about technical advice, updates, security alerts, and support;
- Answer your requests, complaints, comments and questions; and
- Any other ends that we might identify from time to time.

**Websites and Social Media Applications.** Some pages of the Énergie Cardio Platform may be accessible through the following social media websites: Facebook®, Instagram®, Twitter®, YouTube® and LinkedIn®. Before consulting or using our Web pages from those social media websites, you are required to read and comply with their terms of use and their privacy policy. They are their own terms of use and privacy policies that apply to their own platforms.

**Hyperlinks.** The Énergie Cardio Platform contains hyperlinks that may lead you to the websites of our service providers or third parties (including Internet payment services such as “Bambora®”). The fact that

the Énergie Cardio Platform presents links to other websites does not mean that we endorse or approve the content of these websites or the products, services, or publications that may appear on them. The content available through those hyperlinks is not subjected to our policies. Consequently, we disclaim any liability for any damages you might incur when redirected to another website using a hyperlink.

**Targeted Advertising.** This segment informs you with respect to Énergie Cardio's online advertising practices.

As aforementioned, cookies and other similar monitoring technologies (including manuscripts, pixel tags, graphic images, and web beacons) are used on the Énergie Cardio Platform. Cookies are small text files your browser installs on your computer or other devices that allow websites to recognize you during your visit. Some cookies are necessary for the Énergie Cardio Platform to function or to help us recognize you, notably when you log into your account. We collect that information to help us analyze the performances of the Énergie Cardio Platform, to remember your preferences, track your use, and adapt advertisements to you. We also have third party service providers, such as Google Analytics, who use third party cookies or other digital trackers to maintain and improve the Énergie Cardio Platform and our Services, and to supply advertising based on your interests as detected on the Énergie Cardio Platform and other websites.

### **What Is Advertising Based on Your Interests?**

Énergie Cardio uses several tools, including interest-based advertising services, to help us and marketing partners tailor the advertisements to what we think might be most useful and relevant to you. We adapt and personalize these advertisements according to your interests based on information originating from your activities, such as actions you take when visiting the Énergie Cardio Platform, or when you visit websites that display Énergie Cardio ads.

### **What Are Social Media Tailored or Targeted Advertisements?**

Énergie Cardio works with third party social media platforms such as Facebook®, Instagram®, Twitter®, YouTube® and LinkedIn® to display tailored or targeted ads. To offer such advertising, we can convert your email address, phone number, or any other contact information provided by you into a unique value to be linked to your social media profile by our partners, such as Facebook or any other social media platforms. While Énergie Cardio does not provide any personal information to these platforms, they may gain information about individuals that respond to advertisements we post. Please consult Facebook for any information on Facebook's advertising and privacy policies at <https://fr-ca.facebook.com/about/privacy/>

### **What Are My Options With Respect to Targeted Advertising?**

You can choose to accept or not the use of certain cookies, as well as advertising based on interests.

**Cookies.** Most of the browsers are initially programmed to accept cookies; however, the "help" function on the top of most of the browsers' task bar will show you how to stop accepting cookies and how to disable existing cookies.

**Interest-based Advertising.** If you do not wish to receive interest-based advertising on other websites or if you wish to be able to make choices with respect to third party advertising networks that provide you with interest-based advertising, please see the options below.

**You can opt out of advertising network programs here:**

- The Digital Advertising Alliance of Canada (DAAC) unsubscribe page: <https://youradchoices.ca/en/learn>
- The NAI unsubscribe page: [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp); and
- Ad Choices unsubscribe page: <http://www.aboutads.info/choices/>.

The above programs provide tools that identify member companies that have placed cookies on your browser and that provide means to unsubscribe from those cookies.

If you unsubscribe, you may continue to receive online advertising from Énergie Cardio or other websites or applications. However, those ads will not be displayed based on your interests.

**Tailored Social Media Advertising.** To unsubscribe from tailored social media ads, adjust your social media settings (for example, you can manage your settings through your Facebook profile), or use the links provided in the ad itself.

If you have further questions, please contact us at [mondossier@energiecardio.com](mailto:mondossier@energiecardio.com)

### **How and why is my information disclosed or used by third parties?**

Your personal information will not be disclosed to third parties other than per the present Privacy Policy, except as required or authorized by law, or as ordered by a court of competent jurisdiction.

We may share collected information with our service providers to provide the applicable services, including the purposes set out below.

Your personal information may be used by Énergie Cardio to make the targeted promotion of the Services as long as you have signed up for a customer loyalty program. Only authorized employees of Énergie Cardio and of our service providers who really need to know the said information to perform their duties will have access to the file containing your personal information. Your personal information will be stored at our offices or on our servers or those of our service providers, which may be located in a jurisdiction outside Canada and may consequently be subject to the laws in effect in that jurisdiction.

We may also share that information with third parties in the context of the sale or transfer of our company or for audit purposes.

We may share with third parties certain non-personally identifiable information and non-personally identifiable collective information, for example, the number of clients located in some geographic area.

Your personal information is kept for as long as necessary to fulfill the purposes for which it was collected or to comply with our legal and regulatory obligations. The information will be destroyed once they are no longer required. When destroying documents or data, we follow strict procedures and ensure that only authorized personnel have access to the documents and data.

### **How and Why Is My Information Stored?**

All personal information will be kept confidential under applicable provincial and federal laws (including Québec's legislation) in matters of personal information and privacy protection. Énergie Cardio takes reasonable administrative, technical and physical means to protect your information from loss, theft and unauthorized access, use, modification and destruction. Énergie Cardio also works with service providers (such as "HexFit Solutions" and "Commsoft Technologies") to develop, host, operate or update the Énergie Cardio Platform. Énergie Cardio also requires its service providers to comply with applicable laws in the matter of personal information and privacy protection.

To the extent stipulated by these laws, you have the right to access your personal information and request it is corrected if they should be outdated, inaccurate, incomplete or ambiguous, or if the collection, communication or retention of the said information is not authorized by law. We ask your collaboration by notifying us of any changes to your personal information. In addition, if you notice any errors or inaccuracies, please inform us, and we will make the necessary corrections. Any requests to access or correct your

personal information and any notifications should be made through your personal account of your Member Space or as follows:

By email: [mondossier@energiecardio.com](mailto:mondossier@energiecardio.com)

### **What Are Énergie Cardio Practices in the Matter of Information Technology Security?**

We comply with applicable laws governing the protection of personal information and privacy. However, we disclaim any liability for any damages you may suffer as a result of your access to the Énergie Cardio Platform.

Communications by emails or telephone (including text messages) are neither protected nor confidential. They can be lost or intercepted, similarly to communications made using other means (for example, by mail). No electronic system, including those of Énergie Cardio and its service providers (such as “HexFit Solutions,” “Groupe MC Média,” or “Commsoft Technologies”), is entirely protected or error-free. We disclaim any liability for any damages you may suffer by using the Énergie Cardio Platform or from the exchange of email or electronic messages (including text messages), whether they originate from you, or us, or our partners or service providers.

It is your sole responsibility to ensure the protection and safeguarding of your data when using your computer devices and platforms.

### **Applicable Law**

The present Terms of Use are governed by laws applicable in the province of Québec and those applicable in Canada without regard to conflict of laws. You hereby recognize that any dispute arising from, or linked to the use of the Énergie Cardio Platform will be subject to the jurisdiction of the Québec courts of the district of Montreal.

### **How to contact us**

You may contact us with any question or issues related to the present Privacy Policy or Énergie Cardio practices in the matter of personal information protection and privacy policy by email at [mondossier@energiecardio.com](mailto:mondossier@energiecardio.com)