

Privacy Policy

SwimStrong Dryland, LLC

Last Updated: October 10, 2023

This Privacy Policy shall apply to www.swimstrongdryland.com (the “Website”), a website owned and operated by SwimStrong Dryland, LLC, a Pennsylvania limited liability company, (“SSDL”, “our”, “us”, or “we”), and to any other SSDL-owned websites and mobile applications, as well as to any SSDL profile on any social media sites and to any other digital services and platforms officially operated or used by SSDL, and also to information collected about you by SSDL from time to time through other means (such as by phone, in person or on paper (our “Sites” or “Services”).

SSDL is concerned about your privacy and wants you to be familiar with how we collect, use and disclose information you provide to us while visiting our Sites. This Privacy Policy describes our practices in connection with information that we collect through our Sites. By using our Sites, you agree to the terms and conditions of this Privacy Policy. If you do not agree to the terms and conditions of this Privacy Policy, do not use our Sites.

Any personal data (for example, your name, address, residential or wireless telephone number and e-mail address) that you transmit to the Sites by electronic mail or otherwise will be used by SSDL in accordance with this Privacy Policy. Any other communication, information or material you transmit to the Sites, such as questions, comments, suggestions or the like, will be treated as non-confidential and nonproprietary.

HOW WE GATHER INFORMATION

As with most websites and other digital platforms where a business or organization has a presence, our Sites may collect information about you and your use of the Sites in two different ways: through the collection of User Submitted Data and Browser Derived Data.

1. User Submitted Data is information you personally select to contribute by means of typing in, for example, your name and address into a submission form. Some User Submitted Data identifies you as an individual, such as your name, postal address, email address, home and/or wireless telephone numbers. This type of information is referred to as your “Personal Information”. Some other User Submitted Data you may choose to submit to us is information about you, but which does not personally identify you, such as your age or your weight.
2. Browser Derived Data is information you did not personally select to contribute by typing it into a form or otherwise, but which is instead provided by your access to, and use of, the internet and an internet browser to connect to our Sites, such as: browser specific information, server log file information, information collected through cookies, pixel tags and other technologies, and location information. This type of information is referred to as your “Non-Personal Information”.

Our collection of these types of data and information is included in this Privacy Policy.

PERSONAL INFORMATION

Personal Information We Collect

“**Personal Information**” is information that identifies you as an individual, such as:

- Name
- Home or business address
- Telephone number
- Birth date
- Billing and delivery information
- Email address

In some cases, we may collect additional information, such as information about your location, etc., which does not identify you personally, in combination with your Personal Information. We will treat all such information as Personal Information as long as it is combined with Personal Information.

We collect Personal Information when you interact with us on the Sites, including when you enter information on one of our forms or otherwise contact us through the Sites or when you otherwise interact with SSDL including, but not limited to, subscribing to our newsletter and email updates, registering for a SSDL event or program or purchasing SSDL subscriptions, products or services. We may associate Personal Information you provide through the Sites with Personal Information collected from other sources. We will use the combined information in accordance with this Privacy Policy as long as it is combined.

How We Use Personal Information

We will not provide your personal information to third parties for their use in marketing third-party products or services to you without your consent.

Once collected, we may use your Personally Identifiable Information in a variety of ways including, but not limited to the following:

- When you request that we connect you to us, so that we can provide you with information and assistance about such matters as our organization, our Sites and the products and services we offer directly and through our vendors.
- When you begin to submit Personal Information on a form and then abandon the form, to contact you to see if you would like to complete your submission at a later date and to help you do this.
- To respond to your inquiries, to fulfill your requests and to provide you with information, assistance, products and services.
- To send you important information regarding the Sites, SSDL, changes to our terms, conditions and policies, and/or other administrative information.
- To provide you with surveys and marketing communications that we believe may be of interest to you.

- To personalize your experience on the Sites by presenting advertising, products and offers tailored to you.
- To re-contact you if we have not heard from you in a while.
- For our business purposes, such as data analysis, audits, developing new products, enhancing our Sites, improving our products and services, identifying usage trends, determining the effectiveness of our promotional campaigns, gauging customer satisfaction and providing customer service and tailoring your experience and content based on your past activities on the Sites.
- If you purchase a product or service from or through us, to complete and fulfill your purchase (for example, to have your payments processed, communicate with you regarding your purchase and provide you with related services).
- To send you advertising/promotional material from some of our affiliates, advertising and strategic partners.
- To provide you with service communications such as bill reminders, order confirmations, program registrations and customer service messages.
- To personalize and improve the usability of the Sites.
- To fulfill and/or deliver requested products and services as described in more detail below.

Sharing Your Personally Identifiable Information to Fulfill Service Requests and Perform Business Functions. When fulfilling service requests initiated by you, we may share your Personally Identifiable Information with certain third parties to fulfill the requests. We may also share Personally Identifiable Information with service providers that perform business functions for us. For example, SSDL may occasionally hire other companies to provide limited services on our behalf including, but not limited to, packaging, mailing and delivering promotional offers, answering subscriber questions about products or services, consulting services, data modeling, printing, sending postal mail and processing subscriptions or event registrations. In such cases, SSDL may share

your Personally Identifiable Information to the entities performing these functions on SSDL's behalf.

When you submit Personal Information to us that includes your telephone number for the purpose of obtaining goods or services you have expressly sought, you understand and agree that your submission constitutes your making an "inquiry" to us and our affiliated entities, asking us to contact you or to allow our vendors to contact you by telephone for a limited period. You expressly consent to receive phone calls under these circumstances whether or not you are on any Do Not Call list (federal or state). By including your telephone number and/or email address in any submission, you are extending an express invitation and providing your express written consent to us and any vendors whose goods or services you have sought (i) to contact you by telephone at the numbers you have provided (including through auto-dialed, pre-recorded, artificial voice and/or text messages) so that we or they may assist you with your transaction, and you hereby consent to any such calls even if your phone number is on any Do Not Call list, and (ii) to contact you by email at any email address you provided. You understand that you are not required to provide this consent to contact you as a condition of purchasing any goods or services. You represent that all of the information you have provided in your submission is true and complete. By submitting your Personal Information to us, you are providing us with your written and signed consent to receive these calls, and you agree that SSDL's Sites have obtained your consent to receive a prerecorded message sales call in a manner permitted by the Electronic Signatures in Global and National Commerce Act (E-SIGN Act).

We may also use User Submitted Data as we believe to be necessary or appropriate under applicable law, including laws outside the United States: (a) to comply with legal process; (b) to respond to requests from public and government authorities including public and government authorities outside the United States; (c) to enforce our terms and conditions; (d) to protect our operations or those of any of our affiliates; (e) to protect our rights, privacy, safety, interests, or property, and/or that of our affiliates, you or others; and (f) to allow us to pursue available remedies or limit the damages that we may sustain.

User Submitted Data you provide through the Site may also be combined with other information you provide to us (via online or offline means), with demographic information and other information that is publicly available, or with other information about you that we may otherwise obtain online or offline.

How Personal Information is Disclosed

Your Personal Information may be disclosed:

- To our affiliates and third parties to assist you with your requests, for the purposes described in this Privacy Policy.
- To our third party service providers who provide services such as contact information verification, payment processing, order fulfillment, customer service, site hosting, data analysis, data storage, infrastructure provision, IT services, email delivery services, auditing services and other similar services to enable them to provide such services.
- If you request information from SSDL or vendors, so that they (or so that third parties who provide similar services) can provide you with information about their products and services. For example, when you request more information regarding products or services from SSDL or a specific vendor, the Personal Information you provide about yourself is shared with the relevant parties necessary to fulfill your request.
- By you, if you have provided a testimonial about a Site and given us permission to post that testimonial on the Site.
- To a third party in the event that SSDL goes through a business transition, such as a merger, sale, joint venture, assignment, transfer, acquisition by another organization, or sale of all or a portion of its assets, reorganization, or, in the unlikely event of a bankruptcy, in any of these circumstances your Personal Information will likely be among the assets transferred.

- As we believe to be necessary or appropriate under applicable law, including laws outside your country of residence (a) to comply with legal process; (b) to respond to requests from public and government authorities including public and government authorities outside your country of residence; (c) to enforce our terms and conditions; (d) to protect our operations or those of any of our affiliates; (e) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others; and (f) to allow us to pursue available remedies or limit the damages that we may sustain.

NON-PERSONAL INFORMATION

Non-Personal Information We Collect

“**Non-Personal Information**” is any information that does not reveal your specific identity, such as:

- Browser information,
- Information collected through cookies, pixel tags and other technologies,
- Search terms you used,
- Date/time stamp of your visit, ads viewed, referring/exit pages, etc.,
- Demographic information and other information provided by you or others, and
- Aggregated information.

How We Collect Non-Personal Information

We may collect Non-Personal Information from you, including your Internet Protocol (IP) address, your computer type, screen resolution, operating system type and version, and Internet browser, as well as demographic data, for example, your location, educational degree, age, etc. We also aggregate Personal Information in a manner such that the end-product does not personally identify you or any other user of the Sites, for example, by using Personal Information to calculate the percentage of our users who have a particular telephone area code. We may also collect Non-Personal Information through the use of cookies, pixel tags, web beacons or other similar technologies — for example to help identify

you and maintain your signed-in status or to measure the effectiveness of email communications. “Cookies” are pieces of code/text placed on your computer when you browse our Sites. Cookies may be placed by us or third party advertisers. “Tags” and web beacons refer to code scripts that are primarily used to track visitors’ activities on our Sites by web analytics software. The types of non-personal data may be collected on our Sites through the use of these, and other tools as the SSDL may add from time to time, may include: the search terms you used, new or returning user, browser information, computer type, operating system, internet service providers, website usage, referring/exit pages, platform type, date/time stamp, number of clicks, ads viewed, and the like.

Through the use of a cookie or similar technology, we may store your non-personally identifiable registration information and user preferences and may also automatically collect information about your online activity on the Sites, such as the web pages you visit, the links or advertisements you click, or the other actions you conduct while on the Sites. However, we do not store Personal Information in cookies, and we do not tie tracking cookies used for behavioral or targeted advertising purposes to any Personal Information you submit while on our Sites. Because we do not collect or use Personal Information to track your browsing activity across multiple sites, or associate Personal Information with information collected through mechanisms that track your browsing activity across multiple sites, we do not observe the “do not track” headers offered by certain browsers. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to decline the use of cookies; however, some of the features and services of our Sites may not function properly if your cookies are disabled. To learn more about cookies, please visit <http://www.allaboutcookies.org/>.

How We Use and Disclose Non-Personal Information

Because Non-Personal Information does not personally identify you, we may use and disclose Non-Personal Information for any lawful purpose. However, without your affirmative express consent, we will not share with third parties your information of a sensitive nature (such as information about your age or about your precise physical location) combined with a device-specific identifier (like your IP address) so that they can

target ads to you on multiple Sites or track your Internet behavior over time. In some instances, we may combine Non-Personal Information with Personal Information (such as combining your name with your geographical location). If we combine any Non-Personal Information with Personal Information, the combined information will be treated by us as Personal Information as long as it is combined.

IP ADDRESSES

Your “**Internet Protocol Address**” or “**IP Address**” is a number that is automatically assigned to the computer that you are using by your Internet Service Provider (“ISP”).

How We Log IP Addresses

An IP Address is identified and logged automatically in our server log files whenever a user visits the Sites, along with the time of the visit and the page(s) that were visited. Collecting IP Addresses is standard practice on the Internet and is done automatically by many Sites.

How We Use and Disclose IP Addresses

We may use IP Addresses for purposes such as calculating Site usage levels, helping diagnose server problems, geographic mapping, and administering the Sites. We may also use and disclose IP Addresses for all the purposes for which we use and disclose Personal Information. Please note that we treat IP Addresses, server log files and related information as Non-Personal Information, except where we are required to do otherwise under applicable law.

THIRD PARTY SITES

This Privacy Policy does not address, and we are not responsible for, the privacy, information, or other practices of any third parties, including any third party operating any Sites to which our Sites contains a link or a widget. The inclusion of a link on our Sites does not imply endorsement of the linked site by us or by our affiliates. We may also

utilize framing techniques that may make it appear that you are still on our Sites when you are actually on a third party web site.

THIRD PARTY PARTNERS AND VENDORS

We may also work with vendors and partners in operating and improving the Sites. These vendors and other partners include advertisers (including both banner and text advertising), advertising networks and web analytics companies. These partners and vendors use cookies, web beacons and other technologies to collect Non-Personal Information about your online activity (e.g., the Sites and pages you have visited at the Sites and at times other third party sites) in order to: help us manage our business, understand user interests and trends and deliver personalized content and advertising to you while you are on the Sites or on other sites. Please note that, although third-party advertising networks and other marketing partners are not permitted to collect (through cookies or otherwise) Personal Information you submit on our Sites, we have no access to or control over third-party cookies and so our Privacy Policy does not cover how these third parties may disclose and use the Non-Personal Information they collect. You can opt out of some of our vendors' and partners' use of cookies and other technologies to tailor personalized content or advertising to you by visiting http://networkadvertising.org/optout_nonppii.asp. Please note that if you delete all cookies, the opt-out cookie may be deleted and you will need to perform the opt-out again.

For more information, see

http://www.networkadvertising.org/managing/faqs.asp#question_11.

Our Sites may include social media features, such as the Facebook Like or Tweet This Button. These features may collect your IP Address, which page you are visiting on our Sites, and may set a cookie to enable the feature to function properly. These features are either hosted by a third party or hosted directly on our Sites. Your interactions with these features are governed by the privacy policies of the companies providing them. PLEASE NOTE THAT WE ARE NOT RESPONSIBLE OR LIABLE FOR THE ACTS AND/OR OMISSIONS OF THIRD PARTY PARTNERS AND VENDORS.

SECURITY

We use reasonable organizational, technical and administrative measures to protect Personal Information under our control. For example, with regard to our internal operations, only authorized officers and employees and authorized third party service providers are permitted to access Personal Information, and they may do so only for permitted business functions. Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us in accordance with the “How To Contact Us” section below.

CHOICES AND ACCESS

We give you choices regarding our use and disclosure of your Personal Information for marketing purposes. You may opt-out from:

- **Receiving electronic marketing communications from us and our affiliates:** If you no longer want to receive marketing-related emails from us and our affiliates on a going-forward basis, you may opt-out of receiving these marketing-related emails by using the “unsubscribe” link in our emails and following the instructions to unsubscribe. It may take up to 10 business days for us to fully process an opt-out request. We may send you other types of transactional and relationship e-mail communications, such as requests for additional information, confirmations, service updates or announcements, administrative notices and surveys, without offering you the opportunity to opt out of receiving them. Please note that opting out of receipt of marketing e-mail communications will only affect future activities or communications from us. If we have already provided your information to a third party before you have changed your preferences or updated your information, you may have to change your preferences directly with that third party.
- **Our sharing of your Personal Information with unaffiliated third parties for their marketing purposes:** If you would prefer that we do not share your Personal

Information on a going-forward basis with unaffiliated third parties for their marketing purposes, you may opt out of this sharing by contacting us at as further explained in “How you can access, change or suppress your Personal Information” below and requesting that we suppress all of your Personal Information on a going-forward basis. Please note that if you opt out of such sharing, we will not be able to remove your Personal Information from the databases of third parties with which we have already shared your Personal Information (i.e., to which we have already provided your Personal Information as of the date that we implement your opt-out request). If you wish to cease receiving marketing-related emails from these third parties, please contact them directly or utilize any opt-out mechanisms in their privacy policies or marketing-related emails. We will seek to comply with your request(s) as soon as reasonably practicable.

- **SMS messages.** If you are receiving SMS messages from us, you may opt out from further SMS messages and remove your SMS information from our database by responding “STOP” to the SMS text message you have received.

How you can access, change or suppress your Personal Information

If you would like to review, correct, update, suppress or delete, on a going-forward basis, our use of your Personal Information that has been previously provided to us, you may do so by contacting us as set forth at “How To Contact Us,” below, and providing the name of the service for which information was provided, your full name, mailing address, phone number and email address so that we may identify you in the opt-out process. For your protection, we will only implement such requests with respect to the Personal Information associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request.

In your request, please make clear what information you would like to have changed, whether you would like to have your Personal Information suppressed from our database or otherwise let us know what limitations you would like to put on our use of your Personal Information. We will respond to your request within 30 days. In some cases, we may not be able to remove your Personal Information, in which case we will let you know if we are

unable to do so and why. We may decline to process requests that are unreasonably repetitive or systematic, require disproportionate technical effort, jeopardize the privacy of others, or would be extremely impractical (for instance, requests concerning information residing on backups), or for which access is not otherwise required.

RETENTION PERIOD

We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required by government legislation and regulations or as necessary to resolve disputes, enforce our agreements and administer our relationships with our ad networks and other third parties. If you wish to request that we no longer use your information, please follow the instructions above. If you request that we delete your Personal Information, we will use reasonable commercial efforts to do so no later than three (3) months after receiving your request, unless a longer retention period is required by law.

CROSS-BORDER TRANSFER

Your Personal Information may be stored and processed in any country where we have facilities (at present, only the United States). By providing any Personal Information to us, you consent to the transfer of such Personal Information to countries outside of your country of residence, including the United States, where SSDL develops a presence, which may have different data protection rules from your country of residence.

SENSITIVE INFORMATION

In general, with regard to sensitive Personal Information (e.g., Social Security number, driver's license number, credit card number (unless necessary to make a purchase), information related to racial or ethnic origin, political opinions, religion or other beliefs, criminal background or trade union membership) and health-related Personal Information, we ask that you submit only that information which is required by us either directly or on our forms, and that you do not provide us with these types of Personal

Information on or through the Sites or otherwise, unless we specifically request it from you.

YOUR CALIFORNIA PRIVACY RIGHTS

California has passed legislation requiring certain specific disclosures be made available to California residents who use the Internet and provide Personal Information that may be used for marketing purposes. That legislation requires any business that discloses a customer's Personal Information (as defined by the legislation) to any third party for direct marketing purposes to provide the customer a method for obtaining the names, addresses and certain other specified details of anyone who might have received that Personal Information. If you are a California resident you may request this information by writing to us at the address listed at the end of this Policy. SSDL is not obligated to respond to more than one such request from you per calendar year.

California law also provides that California residents are entitled to know how we respond to "Do Not Track" browser settings. The Sites do not currently respond to "Do Not Track" signals, as there is currently no industry or legal standard for doing so.

UPDATES TO THIS PRIVACY POLICY

We may change this Privacy Policy. Please take a look at the "Last Updated" legend at the top of this page to see when this Privacy Policy was last revised. We reserve the right to modify this Privacy Policy at any time, so please review it frequently. If we make material changes to this policy, we will notify you here in this policy, by email, or by means of a notice on our home page. Any changes to this Privacy Policy will become effective for information collected on a going-forward basis when we post the revised Privacy Policy on the Sites. Your use of the Sites following these changes means that you accept the revised Privacy Policy.

HOW TO CONTACT US

If you have any questions about this Privacy Policy, please contact us by using the following link: <https://www.swimstrongdryland.com> and clicking on “CONTACT US” at the bottom of the page. You may also contact us at the following address:

SwimStrong Dryland, LLC
71 NE 88th Street
EI Portal, FL 33138
swimstrongdryland@gmail.com