

SWIMSMART PRIVACY POLICY

SWIMSMART BEACH COMMANDER

Last updated [February 4, 2022]

SwimSmart Technology LLC (“we” or “us” or “our”) respects the privacy of our users (“user” or “you”). This Privacy Policy explains how we collect, use, disclose, and safeguard your information when you visit our mobile application (the “Application”). Please read this Privacy Policy carefully. IF YOU DO NOT AGREE WITH THE TERMS OF THIS PRIVACY POLICY, PLEASE DO NOT ACCESS THE APPLICATION.

We reserve the right to make changes to this Privacy Policy at any time and for any reason. We will alert you about any changes by updating the “Last updated” date of this Privacy Policy. You are encouraged to periodically review this Privacy Policy to stay informed of updates. You will be deemed to have been made aware of, will be subject to, and will be deemed to have accepted the changes in any revised Privacy Policy by your continued use of the Application after the date such revised Privacy Policy is posted.

This Privacy Policy does not apply to the third-party online/mobile store from which you install the Application. We are not responsible for any of the data collected by any such third party.

COLLECTION OF YOUR INFORMATION

We may collect information about you in a variety of ways. The information we may collect via the Application depends on the content and materials you use, and includes:

Personal Data

Personally identifiable information (such as your name and email address) that you voluntarily give to us when choosing to register and update your user account. If you choose to share data about yourself via your user profile, please be advised that all data you disclose in these areas is public to all users in your organization and will be accessible to anyone who accesses the Application within said organization.

Derivative Data

Information our servers automatically collect when you access the Application, such as your native actions that are integral to the Application, including navigating, configuring, or controlling the devices and Application.

Geo-Location Information

We may request access or permission to use location-based information from your mobile device when performing device configurations. If you wish to change our access or permissions, you may do so in your device’s settings.

Mobile Device Access

We may request access or permission to certain features from your mobile device, including your mobile device's [camera, sensors, SMS messages, storage,] and other features. If you wish to change our access or permissions, you may do so in your device's settings.

Mobile Device Data

Device information such as your mobile device ID number, model, and manufacturer, version of your operating system, phone number, country, location, and any other data you choose to provide. This information is used to properly format the application.

Push Notifications

We may request to send you push notifications regarding your account, devices, or the Application. If you wish to opt-out from receiving these types of communications, you may turn them off in your device's settings.

USE OF YOUR INFORMATION

Having accurate information about you permits us to provide you with a smooth, efficient, and customized experience. Specifically, we may use information collected about you via the Application to:

1. Assist law enforcement and respond to subpoena.
2. Compile anonymous statistical data and analysis for use internally or with third parties.
3. Create and manage your account and devices.
4. Email you regarding your account and devices.
5. Increase the efficiency and operation of the Application.
6. Monitor and analyze usage and trends to improve your experience with the Application.
7. Notify you of updates to the Application.
8. Request feedback and contact you about your use of the Application.
9. Resolve disputes and troubleshoot problems.
10. Respond to product and customer service requests.
11. Solicit support for the Application.

DISCLOSURE OF YOUR INFORMATION

We may share information we have collected about you in certain situations. Your information may be disclosed as follows:

By Law or to Protect Rights

If we believe the release of information about you is necessary to respond to legal process, to investigate or remedy potential violations of our policies, or to protect the rights, property, and safety of others, we may share your information as permitted or required by any applicable law, rule, or regulation. This includes exchanging information with other entities for fraud protection and credit risk reduction.

Third-Party Service Providers

We may share your information with third parties that perform services for us or on our behalf, including data analysis, email delivery, hosting services, customer service, and marketing assistance.

Interactions with Other Users

If you interact with other users of the Application, those users may see your name, profile photo, and descriptions of your activity, including adding additional users, editing users, etc.

Third-Party Advertisers

We may use third-party advertising companies to serve ads when you visit the Application. These companies may use information about your visits to the Application and other websites that are contained in web cookies in order to provide advertisements about goods and services of interest to you.

Affiliates

We may share your information with our affiliates, in which case we will require those affiliates to honor this Privacy Policy. Affiliates include our parent company and any subsidiaries, joint venture partners or other companies that we control or that are under common control with us.

Other Third Parties

We may share your information with advertisers and investors for the purpose of conducting general business analysis. We may also share your information with such third parties for marketing purposes, as permitted by law.

Sale or Bankruptcy

If we reorganize or sell all or a portion of our assets, undergo a merger, or are acquired by another entity, we may transfer your information to the successor entity. If we go out of business or enter bankruptcy, your information would be an asset transferred or acquired by a third party. You acknowledge that such transfers may occur and that the transferee may decline honor commitments we made in this Privacy Policy.

We are not responsible for the actions of third parties with whom you share personal or sensitive data, and we have no authority to manage or control third-party solicitations. If you no longer wish to receive correspondence, emails or other communications from third parties, you are responsible for contacting the third party directly.

SECURITY OF YOUR INFORMATION

We use administrative, technical, and physical security measures to help protect your personal information. While we have taken reasonable steps to secure the personal information you provide to us, please be aware that despite our efforts, no security measures are perfect or impenetrable, and no method of data transmission can be guaranteed against any interception

or other type of misuse. Any information disclosed online is vulnerable to interception and misuse by unauthorized parties. Therefore, we cannot guarantee complete security if you provide personal information.

OPTIONS REGARDING YOUR INFORMATION

Account Information

You may at any time review or change the information in your account or terminate your account by:

- Logging into your account settings and updating your account
- Contacting us using the contact information provided below

Upon your request to terminate your account, we will deactivate or delete your account and information from our active databases. However, some information may be retained in our files to prevent fraud, troubleshoot problems, assist with any investigations, enforce our Terms of Use and/or comply with legal requirements.

Emails and Communications

If you no longer wish to receive correspondence, emails, or other communications from us, you may opt-out by:

- Noting your preferences at the time you register your account with the Application
- Logging into your account settings and updating your preferences.
- Contacting us using the contact information provided below

If you no longer wish to receive correspondence, emails, or other communications from third parties, you are responsible for contacting the third party directly.

CALIFORNIA PRIVACY RIGHTS

California Civil Code Section 1798.83, also known as the “Shine The Light” law, permits our users who are California residents to request and obtain from us, once a year and free of charge, information about categories of personal information (if any) we disclosed to third parties for direct marketing purposes and the names and addresses of all third parties with which we shared personal information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to us using the contact information provided below.

If you are under 18 years of age, reside in California, and have a registered account with the Application, you have the right to request removal of unwanted data that you publicly post on the Application. To request removal of such data, please contact us using the contact information provided below, and include the email address associated with your account and a statement that you reside in California. We will make sure the data is not publicly displayed on the Application, but please be aware that the data may not be completely or comprehensively removed from our systems.



CONTACT US

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

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