

# **Destiny Management Privacy Policy**

Effective Date: April 25, 2019

Destiny Management, LLC. ("Destiny Management") has prepared this privacy policy ("Policy") to describe our privacy practices. We also use it to inform you about changes on the websites offered by Destiny Management ("Website") and new products and services.

This Policy applies to the Website and all of the products and services offered by Destiny Management, the mobile or tablet versions thereof, any Destiny Management software, and any applications created by Destiny Management, however made available (collectively, the "Service"). Please note that the availability of any Destiny Management applications on a social networking site, mobile or tablet device, internet television, or other technology platform does not indicate any relationship or affiliation between Destiny Management and such social networking site, mobile or tablet device, or internet television, or other technology platform.

If you have any questions about this Policy, please feel free to contact us. See the "Contact" section below for contact information.

## **1. Information We Collect**

Information you provide – When you use our Service, we may collect your device ID and certain device information. When you sign up for a Destiny Management account, we ask you for personal information such as your name, e-mail address, and an account password as well as your gender. At the time you register as a member, during your free trial period, or when you make a purchase, we request payment card or other payment account information which we retain in encrypted form on secure servers. We combine the information you submit under your account with information from other Destiny Management services or third parties, such as Facebook and Google, in order to provide you with a better experience and to improve the quality of our Service.

Health information - Through your use of the Service, we may ask you to share your Apple Health application and Apple HealthKit data with Destiny Management. We may collect and process health data that we receive through your smartphone and connected device(s) via the Apple Health application or Apple HealthKit with your consent. You may withdraw your consent to our collection of health information through the Apple Health application and Apple HealthKit at any time by following the process set forth in the "Your Choices" section below.

We make your profile available to other users according to the privacy settings you set for yourself as part of your profile. Your username will be identified to us and to any recipient of messages you send through the Service.

We use your name, e-mail address, and other information to inform you of new product releases, service notifications, events, and to solicit your feedback and input. We also use your information, or a portion thereof, to send you marketing materials and/or Destiny Management newsletters or other information Destiny Management thinks you would be interested in, unless you notify Destiny Management that you do not wish to receive such materials. Please contact us using the information in the Contact section below to request that you not be sent any or all of such information or opt-out of any email messages you receive from Destiny Management to stop receive future marketing emails.

**Destiny Management cookies** - When you visit Destiny Management, we send one or more cookies - a small file containing a string of characters - to your computer that uniquely identifies your browser. We use cookies to improve the quality of our Service by storing user preferences and tracking user trends. Most browsers are initially set up to accept cookies, but you can reset your browser to refuse all cookies or to indicate when a cookie is being sent. However, some Destiny Management features and services will not function properly if your cookies are disabled. Cookies collect the date and time of your visit, your registration information, and other technical information.

Destiny Management uses persistent cookies. This means that the cookie stays on your hard drive until you delete it. You can delete our cookie at any time by following the instructions contained in your browser's help file, or by contacting the company providing your browser's technical support. Destiny Management does not use cookies to store information such as credit card numbers, telephone numbers, or any other sensitive information.

Destiny Management uses cookies to deliver content specific to your interests, to save your password so you don't have to re-enter it each time you visit our Website, and for other purposes.

**Activity Information** - In order to provide the best possible service and to allow us to make certain internal reports and make recommendations, we collect aggregate information about the use of the Service, including information about users accessing the Website such as internet protocol addresses, browser type, browser language, referring / exit pages and URLs, other browser history, platform type, number of clicks, domain names, landing pages, pages viewed and the order of those pages, the amount of time spent on particular pages, the date and time of your visit, and other technical information.

**IP Address** - An Internet Protocol (IP) address is a number that's automatically assigned to your computer whenever you're surfing the Web. We retain your IP address in order to help us diagnose problems with our servers, to administer our Website, to help identify you, to gather broad anonymous demographic and location information (such as the number of visitors from a geographic area), to enforce compliance with the Website terms and conditions, or otherwise in order to protect our services, sites, customers, or others.

Log information - When you use the Service, our servers automatically record information that your browser sends whenever you visit a Website. These server logs include information such as your web request, IP address, browser type, browser language, the date and time of your request, and one or more cookies that uniquely identify your browser.

User communications - When you send email or other communication to Destiny Management, we retain those communications in order to process your inquiries, respond to your requests, and improve our services.

Affiliated sites - We offer some of our Services in connection with other websites. Personal information that you provide to those websites is sent to Destiny Management in order to deliver the Service. We process such information in accordance with this Policy. The affiliated websites have different privacy practices and we encourage you to read their privacy policies.

Links - Destiny Management presents links in a format that enables us to keep track of whether these links have been followed. We use this information to improve the quality of our Website.

## 2. Information Use and Sharing

We use your personal information for the purposes described in this Policy and/or any privacy notice provided for specific Services. Such purposes include, but are not limited to:

- Providing our Services to users, including the display of customized content and advertising;
- Sharing information to our business partners who perform core services (such as hosting, billing, data storage, security, and reporting services) related to the operation of the Service;
- Collecting and processing information about your actual location to provide location-aware products, services, and other content;
- Verifying your identity;
- Following up with transactions or inquiries initiated on the Website, the application, or via email;
- Auditing, research and analysis in order to maintain, protect, and improve our Services;
- Ensuring the technical functioning of our network; and
- Developing new Services.

We may use the health data we obtain through the Apple Health application or the Apple HealthKit to provide feedback on your activity or health status and to improve the Service by creating a more personalized experience for you (i.e., serving content that is

relevant to your activity or health, but in no event used for advertising or marketing purposes as set forth herein).

We will not disclose any of your health data we obtain through the Apple Health application or the Apple HealthKit to advertising platforms, data brokers, or information resellers, or for advertising, marketing, or use-based data mining purposes. We will not disclose such data to other third parties without your consent, and then only for the purposes of enabling the third party to provide health, motion, and/or fitness services.

We may provide information, including health data, to our subsidiaries, affiliated companies, and other trusted third parties or persons for the purpose of processing personal information on our behalf. We require that these parties agree to process such personal information based on our instructions and in compliance with the appropriate confidentiality and security measures.

We also may disclose personal information and health information: (i) if required to do so by law or in the good-faith belief that such action is necessary to (1) conform to the edicts of the law or comply with legal process served on Destiny Management or its parent company, subsidiaries, or affiliates, (2) protect and defend the rights or property of Destiny Management or the users of the Website, or (3) act under exigent circumstances to protect the safety of the public or users of the Website; (ii) in connection with a partial or total sale of stock or assets, merger, or any other change of control transaction, including in bankruptcy; or (iii) when we have your consent to do so.

We do not use automatic decision-making or engage in profiling that produces legal effects or similarly significant effects.

We may share technical or personal information that has been anonymized or aggregated without limitation.

### 3. Your Choices

When you sign up for the Service, we ask you to provide personal information. If we use this information in a manner different than those described in this Policy and/or in the specific service notices, then we will ask for your consent prior to such use. If you no longer wish to receive email notifications from Destiny Management, please let us know by contacting us. Please specify which notifications you no longer wish to receive and provide your exact name, email address and/or physical address so that we can do our best to ensure that you stop receiving the notifications that you no longer wish to receive. Please note that you will continue to receive communications related to our transaction(s) and relationship with you.

If we propose to use personal information for any purposes other than those described in this Policy and/or in the specific service notices, and you decline, Destiny Management may not be able to provide its Service to you.

If you would like to withdraw your consent to our collection of health data through the Apple Health application and Apple HealthKit, you may do so by using your device settings.

We may partner with third-party ad networks and other ad serving providers ("Advertising Providers") that serve ads on our behalf and others' on non-affiliated platforms. Some of those ads may be personalized, meaning that they are intended to be relevant to you based on information Advertising Providers collect about your use of the Website and other sites or apps over time, including information about relationships among different browsers and devices. This type of advertising is known as interest-based advertising.

Destiny Management adheres to the Digital Advertising Alliance ("DAA") Self-Regulatory Principles in connection with this interest-based advertising activity. You can visit [www.aboutads.info](http://www.aboutads.info) or [www.youradchoices.com/AppChoices](http://www.youradchoices.com/AppChoices) to learn more about interest-based advertising and how to opt out of this advertising by companies participating in the DAA self-regulatory program. If you delete your cookies, reset your device advertising identifier, or use a different browser or mobile device, you will need to renew your opt-out choices. You may also be able to limit data collection for advertising purposes using tools available on your device. Note that electing to opt out will not stop advertising from appearing in your browser or applications. It may make the ads you see less relevant to your interests. Even if you opt out, Advertising Providers may continue to collect data for other purposes, including analytics and other operational purposes.

We may also work with third parties that collect data about your use of the Website and other sites or apps over time for non-advertising purposes. For example, Destiny Management uses Google Analytics and other third-party services to improve the performance of the Website and for analytics and marketing purposes. For more information about how Google Analytics collects and uses data when you use our Website, visit [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/), and to opt out of Google Analytics, visit [tools.google.com/dlpage/gaoptout/](http://tools.google.com/dlpage/gaoptout/).

When you use the Service, we make good faith efforts to provide you with access to your personal information and either to correct this data if it is inaccurate or to delete such data at your request if it is not otherwise required to be retained by law or for legitimate business purposes. We ask individual users to identify themselves and the information requested to be accessed, corrected, or removed before processing such requests, and we in some cases decline to process requests in certain circumstances. In any case where we provide information access and correction, we perform this service free of charge, except if doing so would require a disproportionate effort.

## 4. Data Security

We take appropriate security measures to protect against unauthorized access to or unauthorized alteration, disclosure, or destruction of data. These include internal

reviews of our data collection, storage and processing practices, and security measures, as well as physical security measures to guard against unauthorized access to systems where we store personal information.

We restrict access to personal information to Destiny Management employees, contractors, and agents who need to know that information in order to operate, develop, or improve our services. These individuals are bound by confidentiality obligations and may be subject to discipline, including termination and criminal prosecution, if they fail to meet these obligations.

However, please note that no data transmission over the Internet can be guaranteed to be 100% secure, so while Destiny Management strives to protect your information, Destiny Management cannot ensure or warrant the security of any information that you voluntarily give to Destiny Management.

## 5. Website Areas Beyond Destiny Management's Control

Destiny Management may choose various third-party websites to link to, link from, and frame within, the Website. Destiny Management also may participate in co-branding and other relationships to offer e-commerce and other services and features to its users. However, even if the third party is affiliated with Destiny Management, we have no control over these linked sites, each of which has separate privacy and data collection practices independent of Destiny Management. We have no responsibility or liability for these independent policies or actions and are not responsible for the privacy practices or the content of any such websites. Please make sure you are comfortable with the privacy practices of every site you visit before providing the site with your personal information. These linked sites are only for your convenience and you therefore access them at your own risk.

We also may make chat rooms, forums, and message boards available to you through the Services. Please remember that we cannot control the information that is shared by members and that anything you voluntarily provide in any public area of the Internet will be publicly available to other visitors on that website and potentially to other third parties. Thus, please note that you should always exercise caution when deciding to publicly disclose any of your personal information in these and similar areas.

## 6. International Visitors

This section applies to those that visit our Website or use our Service from the European Economic Area, the United Kingdom, and Switzerland.

Destiny Management processes personal information with your consent (e.g., when you agree that Destiny Management may place cookies, or when Destiny Management processes personal information submitted for specified purposes). On other occasions,

Destiny Management may process personal information when it needs to do this to fulfil a contract (for example, for billing purposes) or where required to do so by law.

If necessary, Destiny Management may also process personal information when it is in Destiny Management's legitimate interests to do this (e.g., for customer service or fraud detection) and when these interests are not overridden by your data protection rights. If you wish to exercise the right to withdraw consent, please contact us. See the "Contact" section below for contact information.

Please be aware that the personal information we collect may be transferred to and maintained on servers or databases located outside your state, province, country, or other jurisdiction, where the privacy laws may not be as protective as those in your location. If you are located outside of the United States, please be advised that we process and store personal information in the United States and your consent to this privacy notice represents your agreement to this processing and storage.

You have a right to the following:

- To request access to the personal information we hold about you;
- To request that we rectify or erase your personal information;
- To request that we restrict or block the processing of your personal information;
- Under certain circumstances, to receive personal information about you that we store and transmit to another without hindrance from us, including requesting that we provide your personal information directly to another, i.e., a right to data portability; and
- Where we previously obtained your consent, to withdraw consent to processing your personal information.

To exercise these rights, see the "Contact" section below. Please be aware that Destiny Management may be unable to provide these rights to you under certain circumstances, such as if we are legally prevented from doing so. Additionally, you have the right to lodge a complaint against us. To do so, contact the supervisory authority in your country of residence.

We will process and store your personal information only for the period necessary to achieve the purpose of the storage, or as permitted by law. We will retain and use your personal information to the extent necessary to enforce our agreements. The criteria used to determine the period of storage of personal information is the respective statutory retention period or six years in the case of contracts. After expiration of that period, the corresponding data is routinely deleted, as long as it is no longer necessary for the fulfillment of a contract or the initiation of a contract or for other lawful purposes.

## 7. Enforcement

Destiny Management regularly reviews its compliance with this Policy. Please feel free to direct any questions or concerns regarding this Policy or Destiny Management's

treatment of personal information by contacting us using the information in the Contact section below.

When we receive formal written complaints at this address, it is Destiny Management's policy to contact the complaining user regarding his or her concerns. We will cooperate with the appropriate regulatory authorities, including local data protection authorities, to resolve any complaints regarding the transfer of personal information that cannot be resolved between Destiny Management and an individual.

## 8. Users Under 18

Destiny Management's content is not directed at users under eighteen (18) years of age, and if you provide information about yourself as a user of Destiny Management, you are representing that you are at least eighteen (18) years of age. We do not knowingly collect personal information from anyone under eighteen (18) years of age, but if we do become aware of having collected personal information from a user who is younger than eighteen (18) years of age, we will remove such information from our files.

## 9. Changes to This Policy

This Policy may be amended from time to time. You should visit this page periodically to review any changes to the Policy. If we believe that the changes are material, Destiny Management will let you know by doing one (or more) of the following: (i) posting the changes on or through the Website or Service, or (ii) sending you an email or message about the changes.

## 10. Destiny Management Terms and Conditions of Use

A complete statement of our [Terms and Conditions of Use](#) can be found here. Destiny Management's Terms and Conditions of Use are expressly incorporated into this Policy by this reference.

## 11. Contact

If you have any questions, comments, or concerns about this privacy policy, please contact us, in our role as data controller, at:

Destiny Management LLC  
10311 NE 141<sup>st</sup> St  
Kirkland, WA 98034  
1-877-492-1957  
[contact@destinymgmt.com](mailto:contact@destinymgmt.com)