

My FIT Number LLC. Privacy Policy

Last Modified: January 10, 2019

My FIT Number LLC. (“My FIT Number,” “we”, “us”, or “our”) is responsible for this website and is the controller of data provided to us through it. We respect your privacy and aim to protect it along with your personal data. We currently operate the website MyFITNumber.com, including all of its subsites (typically any web pages that include MyFITNumber.com as the URL, and all software, applications, products, features and services made available, displayed or offered by or through our website or subsites (collectively, the “Sites”). This Privacy Policy is incorporated into, and part of, the Terms of Use (the “Terms of Use”), which governs your use of this Site in general.

1. Who We Are

This Site is published and maintained by or on behalf of My FIT Number LLC., with offices located at 6522 E. Ponderosa Dr., Parker, CO 80138. Any questions about your data privacy or this privacy policy, please contact us at privacy@MyFITNumber.com, or by mail care of My FIT Number Data Privacy.

Third Party Links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. The Data We Collect About You and How We Collect It

We collect several different types of personal data from you depending on how you interact with our site. Most of the information we collect is given to us by you through filling out forms, registering for an account, or otherwise providing information when asked. Occasionally, we do collect information about you without you providing it, such as when you participate in a race and we collect your race times, etc. Because we may change our website and the services we offer from time to time, the means and methods to provide us with personal data may also change. Depending on how you interact with us and use the website, the personal data we collect may vary.

Please read below for the common ways in which we collect your personal data.

Creating an Account on the Sites

You are not required to provide any information to the My FIT Number sites. However, if you create an account with My FIT Number, we collect data from you in order to associate the account with you. This information includes your full name, email address, a password you create, and your date of birth (we use your birthdate to make sure you are put into the correct race categories and to make sure you are eligible to participate in My FIT Number events) (“Account Information”). By default, we’ll only use your personal data to administer your account and to provide the products and services you requested from us.

Filling Out Your Athlete Info

Once you have created an account, you are free to provide other personal information about yourself related to your My FIT Number status. This can include uploading a picture of yourself, including your height, weight, and other information about yourself (“Personal Bio”). By providing this information you are consenting to our processing of it. You may edit, delete, and otherwise change this information at any time.

Enrolling in Events

If you enroll or sign up for an event, competition, or the My FIT Number, you will be asked to provide information about yourself in order to help us facilitate the event. This may include Contact Information, Billing Information, Personal Bio, and other information. We use this information for various purposes, including verifying the identity of an athlete, ensuring that the competition rules and requirements are complied with, recording competition results and records of participation, preventing fraud, ensuring the safety of race participants, and generally creating a level playing field.

Making a Purchase

When you make a purchase on our website or elsewhere, we collect your contact information, shipping address, payment card information/account information and billing address (“Billing Information”). We use this information to process payment, process shipments of goods, and for legitimate interests like preventing fraud.

Message Boards and User Contributions

When you volunteer information on a message board, comment section, chat feature, or other public comment section, you consent to our processing of that information as you would in any other public forum. Depending on the forum and the comment, we may collect, store, and use that information for various reasons. All Site users must comply with our Terms and Conditions regarding the user contributions.

Information Collected Automatically From Using Our Site

As you interact with the My FIT Number sites, we may automatically collect information about your equipment, browsing actions and patterns (“Technical Data”). We collect this technical data by using cookies and other similar technologies. Technical data may include your IP address; device identifier data, the type of device you use, your operating system and version, the URLs of our web pages that you visit, the URLs of referring and exiting pages, the pages you view, the time spent on a page, the number of clicks made, the platform type, and generalized, non-specific location data. When we collect data that does not identify you as a natural person, we are permitted to use and disclose this information for any purpose, notwithstanding anything contrary in this notice, except where prohibited by law.

Like many websites, our server logs capture technical data automatically as you browse the particular My FIT Number site. We also use cookies. Please see our Cookie Policy for details.

3. Sensitive Personal Information

From time to time, we collect and process sensitive personal information which may include racial or ethnic origin, genetic data, biometric data, and data concerning health. Other than a few necessary exceptions, you are never required to provide this information, but may consent to our processing it. For example, you may provide information about your personal fitness (exercise regimen, workout routines, vital sign numbers, etc.) on your personal bio page to share that information with other members of the My FIT Number community. Whenever the processing of this data is based on consent, you are free to withdraw that consent at any time by removing such information or asking us to remove it for you.

Drug Testing Policy

My FIT Number is committed to maintaining drug-free competitions in order to ensure a safe and level playing field. Moreover, the health and safety of the My FIT Number athletes and the integrity of the site are our top priorities. Therefore, when participating in an event, you may undergo drug testing, sometimes randomly, in order to participate in the event to which you signed up. Information regarding how we process sensitive personal data, including the legal basis for such processing, is included in our Drug Testing Program Policy.

4. How We Use Your Personal Data.

We will only use your personal data when allowed by law. Generally, we will use your personal data: (a) where we need to perform the contract we are about to enter into or have entered into with you; (b) where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests; and (c) where we need to comply with a legal or regulatory obligation.

Purposes for Which We Will Use Your Personal Data

Below is a chart of some of the common ways in which we process your personal data. We have identified what our legitimate interests are where appropriate. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data (varies depending on circumstances)	Lawful Basis for Processing Including Basis of Legitimate Interest
To fulfill a purchase order.	Contact Information Billing Information	In furtherance of performance of a contract with you.
Notifying you about changes to our terms or privacy notice.	Contact Information	Necessary to comply with a legal obligation

To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	Contact Information Technical Data	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise)
To provide you with information and marketing communications about our products and services.	Contact Information	Consent Legitimate interests (in marketing goods or services in which you may have a personal interest based on our ongoing business relationship).
To provide you with third party offers that may be relevant to you.	Contact Information	Consent
To respond to customer service requests including order status and chat communications.	Contact Information	Legitimate interest (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise) Consent
To enroll you in a race or other event	Contact Information Billing Information Personal Bio Other Information	Performance of a contract Legitimate interest (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise)

5. Disclosures Of Your Personal Data

From time to time, we may need to share your personal data with others.

Publicly Available Information

Some of your data will be shared with the general public, including:

- your posts to a public area or feature of our site, such as a message board, chat room, bulletin board, list serve, blog, vlog, wiki or other open forum;
- if you participate in an event like the My FIT Number site, your name, event results, performance times, and other information may be posted publicly;
- the information you include in your profile page on the My FIT Number website;
- posts, new articles, updates, race results, and other information that we provide to the public about our events may include personally identifiable information. For example, we may report on the winners of a particular event which requires us to identify them by name.

Please note that when information is made publicly available it may be accessed by anyone with access to the site or forum to which the information is posted. It may also be indexed by third-party search engines, and be imported, exported, distributed, aggregated, and redistributed by others without our knowledge. Please take caution before posting information publicly.

Third-Party Service Providers — We may share your information, including but not limited to contact data and technical data, with third party service providers who perform various functions to enable us to provide our services and help us operate our business, such as website design, sending email communications, fraud detection and prevention, customer care, payment processing, or performing analytics. Our contracts with these third parties require them to maintain the confidentiality of the personal data we provide to them, only act on our behalf and under our instructions, and not use personal data for purposes other than the product or service they're providing to us or on our behalf.

With our Affiliates and Partners — When participating in events or activities that we offer along with our partners and/or affiliates, you may be asked to share personal information with those affiliates and/or partners. For example, some of our judges courses, events, competitions, contests, sweepstakes and other offerings may be co-sponsored by another company or companies. In those situations, the information we obtain from you in connection with such contest, sweepstake or offering may be shared with our co-sponsor, unless you instruct us not to. In some of those cases, we may act as co-controllers of your personal information, depending on the circumstances.

With Unaffiliated Controllers — In some cases we may transfer personal data to unaffiliated third-party data controllers. These third parties do not act as agents or service providers and are not performing functions on our behalf. We may transfer your personal data to third-party data controllers for the following purposes: 1) to provide you with third-party offers; 2) to provide us information about the quality of our services offerings. We will only provide your personal data to third-party data controllers where you have not opted-out of such disclosures, or in the case of sensitive personal data, where you have opted in if the disclosure requires consent. We enter into written contracts with any unaffiliated third-party data controllers requiring them to provide the same level of protection for your personal information that is required of us. We also limit their use of your personal data so that it is consistent with any consent you have provided and with the notices you have received.

Protection of My FIT Number and Others We may share personal data when we believe it is appropriate to enforce or apply our Terms of Service and other agreements; or protect the rights, property, or safety of My FIT Number, our products and services, our users, or others. This includes exchanging information with other companies and organizations for fraud protection and risk reduction. This does not include selling, renting, sharing, or otherwise disclosing personal data of our customers for commercial purposes in violation of the commitments set forth in this notice.

Response to Subpoenas and Other Legal Requests We may share your information with courts, law enforcement agencies, or other government bodies when we have a good faith belief we're required or permitted to do so by law, including to meet national security or law enforcement requirements, to protect our company, or to respond to a court order, subpoena, search warrant, or other law enforcement request.

Sale of Our Business If we sell, merge, or transfer any part of our business, we may be required to share your information. If so, you will be asked if you'd like to stop receiving promotional information following any change of control.

With Your Consent Other than as set out above, we will provide you with notice and the opportunity to choose when your personal data may be shared with other third parties.

6. SMS Messages

We may make available a service through which you can receive messages on your wireless device via short message service ("SMS Service"). If you subscribe to one of our SMS Services, you thereby agree to receive SMS service messages at the address you provide for such purposes. Such messages may come from My FIT Number, the rest of the My FIT Number family and/or the rest of the third parties with which we share your address (unless and until you have elected not to receive such messages by following the instructions in the Right to Opt In and Opt Out section above).

You understand that your wireless carrier's standard rates apply to these messages, and that you may change your mind at any time by following the instructions in the Right to Opt In and Opt Out section above. You represent that you are the owner or authorized user of the wireless device you use to sign up for the SMS service, and that you are authorized to approve the applicable charges. To use the SMS service, you must be 18 years of age or older and reside in the United States. You must first register and provide all required Personal Information, which may include, for example, your name, SMS address, wireless carrier and, if fees are applicable to the SMS Service you subscribe to, billing information (either your credit card information or mobile service carrier information if applicable fees will be billed through your carrier). We may also obtain the date, time and content of your messages in the course of your use of the SMS Service. We will use the information we obtain in connection with our SMS service in accordance with this Privacy Policy. If fees are charged to your wireless account invoice, we may provide your carrier with your applicable information in connection therewith. Your wireless carrier and other service providers may also collect data about your wireless device usage, and their practices are governed by their own policies.

You acknowledge and agree that the SMS service is provided via wireless systems which use radios (and other means) to transmit communications over complex networks. We do not guarantee that your use of the SMS service will be private or secure, and we are not liable to you for any lack of privacy or security you may experience. You are fully responsible for taking precautions and providing security measures best suited for your situation and intended use of the SMS service. We may also access the content of your account and/or wireless account with your carrier for the purpose of identifying and resolving technical problems and/or service related complaints.

By signing up for the SMS service, you consent to receiving, from time to time, further messages which may include news, promotions and offers from us, our subsidiaries, entities owned, related to or controlled by us and partners, and you consent to our sharing of your personal information with such parties for such purposes, unless and until you have opted out of these activities by following the instructions in the Right to Opt In and Opt Out section above. Please follow the instructions provided to you by third parties to unsubscribe from their messages.

7. Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Data Retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances you can ask us to delete your data (see “EU Data Subjects Legal Rights”). In some circumstances we may anonymize your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

9. International Data Transfers

My FIT Number has its headquarters in the United States. Information we collect from you will be processed in the United States. Where we transfer your personal data to third party service providers outside of the European Economic Area (EEA), we rely on appropriate suitable safeguards or specific derogations recognized under data protections law, including the GDPR.

The European Commission has adopted standard data protection clauses, which provide safeguards for personal data transferred outside of the EEA. We may use Standard Contractual Clauses when transferring personal data from a country in the EEA to a country outside the EEA.

10. EU Data Subjects Privacy Rights

EU data subjects have certain rights with respect to your personal data that we collect and process. We respond to all requests we receive from individuals in the EEA wishing to exercise their data protection rights in accordance with applicable data protection laws.

- Access, Correction or Deletion – You may request access to, correction of, or deletion of your personal data. You can often go directly into the service under Account Settings to take these actions. Please note that even if you request for your personal data to be deleted, certain aspects may be retained for us to: meet our legal or regulatory compliance (e.g. maintaining records of transactions you have made with us); exercise, establish or defend legal claims; and to protect against fraudulent or abusive activity on our Service. Data retained for these purposes will be handled as described in Section 7 “Data Retention,” above.
- Objection – You may object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- Restriction – You have the right to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Portability – You have the right to request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw Consent – If we have collected and processed your personal data with your consent, you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal data conducted in reliance on lawful processing grounds other than consent.
- File a Complaint – You have the right to file a complaint with a supervisory authority about our collection and processing of your personal data.

To file a request or take action on one of your rights, please contact us at the contact details provided.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

11. Children's Privacy

We are committed to complying with the Children's Online Privacy Protection Act (COPPA). My FIT Number sites and services are not directed to children under the age of 16. We do not knowingly collect personal information from children under the age of 16. If we receive personal information that we discover was provided by a child under the age of 16, we will promptly destroy such information. Additional information is available on the Direct Marketing Association's home page at <http://www.the-dma.org>. If you would like to learn more about COPPA, visit the Federal Trade Commission home page at <http://www.ftc.gov>.

12. Updates to Our Privacy Notice

By using this website, you agree to the terms and conditions contained in this Privacy Notice and Conditions of Use and/or any other agreement that we might have with you. If you do not agree to any of these terms and conditions, you should not use this website. You agree that any dispute over privacy or the terms contained in this Privacy Notice will be governed by the laws of the State of Arizona. You also agree to arbitrate such disputes in Arizona and to abide by any limitation on damages contained in any agreement we may have with you.

This notice is expected to change from time to time. We reserve the right to amend this Notice at any time and provide notice to you by posting of the amended Privacy Notice on the website. We may also email you to give you notice of material changes to this Notice. The provisions contained herein supersede all previous notices or statements regarding our privacy practices and the terms and conditions that govern the use of this website.

13. How to Contact Us

If you have any questions or wish to register a complaint in relation to this Privacy Notice or the manner in which your personal data is used by us, please contact us by any of the following means:

By Email: privacy@MyFITNumber.com

By Post: 6522 E. Ponderosa Dr., Parker, CO 80138.