

## **EVOLVE APP PRIVACY POLICY**

Evolve LLC (hereinafter referred as “**Evolve**”, “we”, “us”, “our”) respects the privacy rights of our users and is committed to protecting the information collected through our online services and the Evolve software application (which are referred to as “**App**”). Evolve has adopted this privacy policy (“**Privacy Policy**”) to explain how Evolve App collects, stores, and uses the information collected.

BY INSTALLING, USING, REGISTERING TO OR OTHERWISE ACCESSING OUR APP, YOU AGREE TO THIS PRIVACY POLICY AND GIVE AN EXPLICIT AND INFORMED CONSENT TO THE STORAGE, USE, AND PROCESSING OF YOUR PERSONAL DATA IN ACCORDANCE WITH THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, PLEASE DO NOT INSTALL, USE, REGISTER TO OR OTHERWISE ACCESS THE APP. Evolve reserves the right to modify this Privacy Policy at any time, so please review it frequently.

### **Changes to the statement**

We may change this Statement from time to time. If we make significant changes in the way we treat your personal information, or to the Statement, we will provide you notice through the Services or by some other means, such as email. Your continued use of the Services after such notice constitutes your consent to the changes. We encourage you to periodically review the Statement for the latest information on our privacy practices.

### **Non-personal Data**

Evolve uses tools and third-party analytical software to automatically collect and use certain non-personal data that does not directly enable Evolve to identify you. The types of non-personal data Evolve may collect and use include, but are not limited to: (i) device properties, including, but not limited to unique device identifier or other device identifier (“UDID”); (ii) device software platform and firmware; (iii) mobile phone carrier; (iv) geographical data such as zip code, area code and location; (v) game score and achievements; (vi) other non-personal data as reasonably required by Evolve to enhance the App, our products and services.

Evolve shares non-personal data, including both data you provide to Evolve and data which is automatically collected, with Evolve’s partners and contractors for purposes of analysing usage of the App, advertisement serving, managing and providing the App, and to further develop the App and other Evolve services and products.

You recognize and agree that the analytics companies utilized by Evolve may combine the information collected with other information they have independently collected from other services or products relating to your activities. These companies collect and use information under their own privacy policies.

## **Ad Serving Technology**

Evolve reserves the right to use and disclose collected non-personal data for purposes of advertisement by Evolve or Evolve's partners and contractors. Evolve employs third party ad serving technologies that use certain methods to collect information as a result of ad serving through App. Evolve or third parties operating the ad serving technology may use your demographic and location information, non-personal data you provide to Evolve, and information logged from your hardware or device to ensure that appropriate advertising is presented within the Service. Evolve or third parties may collect and use data for this purpose including, but not limited to IP address (including for purposes of determining your approximate geographic location), UDID, software, applications, hardware, browser information, internet and on-line usage information and in-game information. The foregoing data may be used and disclosed in accordance with this Privacy Policy and the privacy policy of the company providing the ad serving technology.

You recognize and agree that the advertising companies who deliver ads for Evolve may combine the information collected with other information they have independently collected from other services or products. These companies collect and use information under their own privacy policies. These ad serving technologies are integrated into App; if you do not want to be subject to this technology, do not use or access App. Although Evolve takes commercially reasonable steps to instruct such advertising companies to comply with the terms and conditions of this Privacy Policy, Evolve does not have access to or control of third-party technologies.

## **Personal Data**

For purposes of this Privacy Policy, "personal data" means personally identifiable information that specifically identifies you as an individual.

Likely situations when you make personal data available to Evolve include, but are not limited to: (i) registration for App, contests and special events; (ii) accessing App using a third party ID, such as social networking sites or gaming services; (iii) subscribing to newsletters; (iv) purchasing a product or services through Evolve's online stores; (v) using "tell a friend," "email this page," or other similar features; (vi) requesting technical support; and (vii) otherwise through use of Evolve's App where personal data is required for use and/or participation.

The types of personal data may vary depending on the type of activity you are engaged in. The personal data Evolve may collect, process and use may include, but are not limited to your name, screen/nick name, Evolve App' or third party service ID, e-mail address, phone number, photo or other image, birthdate, gender, height, weight, address, friend connections, avatar image, credit card information, shipping information; and location.

Evolve may use collected personal data for purposes of analysing usage of the App, providing customer and technical support, managing and providing App (including managing advertisement serving) and to further develop the App and other Evolve services and products. Evolve may combine non-personal data with personal data.

Evolve may use your personal data to send messages to you with informative and/or commercial content about Evolve's services or third party products and services we think may be of interest to you, such as new features and services, special offers and updated information.

We may also use your data to personalize and improve our services, including to provide or recommend features, content, social connections, referrals, and advertisements.

Other use of your personal data is to help generate dynamic workout plans personalized for you. This information enables Evolve to use more information to provide a better workout for you. Such information is not used for marketing purposes or shared with third parties for marketing.

Please note that certain features of the App may be able to connect to your social networking sites to obtain additional information about you. In such cases, we may be able to collect certain information from your social networking profile when your social networking site permits it, and when you consent to allow your social networking site to make that information available to us. This information may include, but is not limited to, your name, profile picture, gender, user ID, email address, your country, your language, your time zone, the organizations and links on your profile page, the names and profile pictures of your social networking site "friends" and other information you have included in your social networking site profile. Evolve may associate and/or combine as well as use information collected by Evolve and/or obtained through such social networking sites in accordance with this Privacy Policy.

### **Promotional communications**

You may opt out of receiving promotional messages from us by following the instructions in those messages. If you opt out, we may still send you non-promotional communications, such as those about your account, about Services you have requested, or our ongoing business relations.

### **Disclosure and Transfer of Personal Data**

Evolve collects and processes personal data on a voluntary basis and it is not in the business of selling your personal data to third parties. Personal data may, however, occasionally be disclosed in accordance with law and this Privacy Policy. Additionally, we may disclose personal data to any of its affiliated companies in accordance with this Privacy Policy.

Evolve may hire agents and contractors to collect and process personal data on our behalf and in such cases such agents and contractors will be instructed to comply with our Privacy Policy and to use personal data only for the purposes for which the third party has been engaged by us. These agents and contractors may not use your personal data for their own marketing purposes. Evolve may use third party service providers such as credit card processors, e-mail service providers, shipping agents, data analyzers and business intelligence providers. Evolve has the right to share your personal data as necessary for the aforementioned third-parties to provide their services for Evolve. Evolve is not liable for the acts and omissions of these third parties, except as provided by applicable law.

We may disclose your personal data to third parties as required by law enforcement or other government officials in connection with an investigation of fraud, intellectual property infringements, or other activity that is illegal or may expose you or Evolve to legal liability. Evolve may also disclose your personal data to third parties when Evolve has a reason to believe that a disclosure is necessary to address potential or actual injury or interference with Evolve's rights, property, operations, users or others who may be harmed or may suffer loss or damage, or Evolve believes that such disclosure is necessary to protect Evolve's rights, combat fraud and/or comply with a judicial proceeding, court order, or legal process served on Evolve. To the extent permitted by applicable law, we will make reasonable efforts to notify you of such disclosure through Evolve's website or in another reasonable manner.

### **Data Retention**

Evolve retains the data collected pursuant to this Privacy Policy for the period necessary to fulfil the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law. Thereafter if the collected data is no longer needed for purposes specified in this Privacy Policy, Evolve deletes all aforementioned data in our possession within a reasonable timeframe. Evolve does not verify the correctness of personal data and it is the responsibility of the users of the app to rectify their personal information of their profile.

Evolve may still retain some of the data to the extent such retention is necessary to resolve disputes, enforce Evolve user agreements, and comply with technical and legal requirements and constraints related to the security, integrity and operation of our App.

### **Your General Data Protection Regulation rights**

If you reside or based in a European Union member country or Switzerland, any personal data about you will be collected, used, shared, and retained in accordance with the General Data Protection Regulation (GDPR). If you are a resident of a country subject to the GDPR and wish to exercise any of your rights regarding your data which has been collected or is being stored by Evolve, including access of your

data, correcting inaccurate data, or deleting your data, please contact Evolve at the email address set forth at the bottom of this policy.

### **Your California Consumer Privacy Act rights**

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. To learn more about your California privacy rights, visit the California Privacy Rights Statement for California Residents.

### **Correction and Deletion of Data**

Evolve will provide you with reasonable access to any of your personal data which you have provided to us. If you wish to access, update or correct any personal data we hold about you, or if you want us to delete any information about you that we have collected, you may contact us as set forth at the bottom of this privacy policy. At your request, we will update, correct, or delete from our databases any personally identifiable information we have about you.

### **Cookies, Beacons and Tracking**

The App may use “cookies” and other technologies such as pixel tags, clear GIFs and web beacons. Evolve treats information collected by cookies and similar technologies as non-personal data.

E-mails and other electronic communications Evolve sends to you may contain code that enables Evolve to track your usage of the communication, including whether the communication was opened and/or what links were followed (if any). Evolve may combine that information to other information we have about you, and Evolve may use that information to improve the App and/or provide customized communications to you.

### **Third Party Terms and Conditions**

Please note that your access to and use of the App may be subject to certain third party terms and conditions and privacy policies, including but not limited to application stores, mobile software platforms, on-line gaming platforms, social networking services and payment providers. You recognize and agree that Evolve is not liable for any such third-party terms and conditions and their use of your personal data.

Evolve may in its discretion make available links through advertisements or otherwise enable you to access third party products or services. Please note that, while using such products or services, you are using products or services developed and administered by people or companies not affiliated with or controlled by Evolve. We are not responsible for the actions of those people or companies, the content of their products or services, the use of information you provide to them, or any products or services they may offer. The fact that Evolve is linking to those products

or services does not constitute our sponsorship of, or affiliation with, those people or companies.

Please note that our App may use third party services to provide authentication for the App with a social networking ID, for example. When you register to join or use the App from a social networking system, certain personally identifiable user and/or membership data may be transferred automatically to and from Evolve and you hereby consent to the processing, using, combining, disclosing and retaining of such data in accordance with this Privacy Policy by Evolve.

## **Safeguards**

Evolve follows generally accepted industry standards and maintains reasonable safeguards to attempt to ensure the confidentiality, security, integrity, and privacy of the information in Evolve's possession. Only those persons with a need to process your personal data in connection with the fulfilment of their tasks in accordance with the purposes of this Privacy Policy and for the purposes of performing technical maintenance, have access to your personal data in Evolve's possession. Personal data collected by Evolve is stored in secure operating environments that are not available to the public. To prevent unauthorized on-line access to personal data, Evolve maintains personal data behind a firewall-protected server. However, no system can be 100% secure and there is the possibility that despite Evolve's reasonable efforts, there could be unauthorized access to your personal data. By using our App, you assume this risk, and Evolve will not be liable for any misappropriation or theft of your personal data.

## **Other**

Please be aware of the open nature of certain social networking and other open features that our App may make available to you. You may choose to disclose data about yourself in the course of contributing user generated content to the App. Any data that you disclose in any of these forums, blogs, chats, or the like is public information, and there is no expectation of privacy or confidentiality. Evolve is not responsible for any personal data you choose to make public in any of these forums.

If you are under 16 years of age or a minor in your country of residence, please ask your legal guardian's permission to use or access the App. Evolve takes children's privacy seriously, and encourages parents and/or guardians to play an active role in their children's online experience at all times. Evolve does not knowingly collect any personal information from children below the aforementioned age and if Evolve learns that Evolve has inadvertently gathered personal data from children under the aforementioned age, Evolve will take reasonable measures to promptly erase such personal data from Evolve's records.

Evolve may store and/or transfer your personal data to our affiliates and partners in and outside of EU/EEA member states, and in and outside Zambia in accordance

with applicable law and this Privacy Policy. Evolve may disclose your personal data to third parties in connection with a corporate merger, consolidation, restructuring, the sale of substantially all of Evolve's assets or other corporate change, including, without limitation, during the course of any due diligence process provided, however, that this Privacy Policy shall continue to govern such personal data.

If you have any questions or comments about Evolve's privacy practices, would like to stop receiving information from Evolve, or would like to correct or delete any of your personal data held by Evolve, please contact us by sending an e-mail to [evolvelimitedzm@gmail.com](mailto:evolvelimitedzm@gmail.com).