

## Privacy Policy

Effective Date: November 2020

This Privacy Policy is incorporated by reference into Abby's Terms of Use. The term "Abby," "we," and "us" includes Abby and our affiliates and subsidiaries. The Privacy Policy explains how Abby may: collect, use, and disclose information we obtain through the "Abby Service."

The "Abby Service" means any websites, mobile applications, and other services under the control of Abby, whether partial or otherwise, in connection with providing an online or digital platform for Abby's services, including [www.Go-Abby.co.za](http://www.Go-Abby.co.za) and Abby Health Stations. The Abby Service provides a platform that gives you the ability to store and track your own personal information, including certain health-related information.

"Personal Information" means information that alone or when in combination with other information may be used to readily identify, contact, or locate you, such as: name, address, email address, or phone number. We do not consider Personal Information to include information that has been anonymized so that it does not allow a third party to easily identify a specific individual.

"Body Measurements" means statistics, such as weight, Body Mass Index (BMI), blood pressure and pulse measurements, and other similar information, that we collect about you when you use the Abby Service. We do not consider Body Measurements to be Personal Information unless the data is combined with Personal Information.

"Your User Content" means the information that you may post, submit, upload, publish, display, transmit, or otherwise share through the Abby Service, including but not limited to data, text, files, software, sound, photos, videos, graphics, artwork, ideas, opinions, status updates, comments, and "likes." We do not consider Your User Content to be Personal Information.

### THE ABBY SERVICE COLLECTS YOUR INFORMATION

We collect Personal Information when you:

- Register to use the Abby Service
- Connect your social media account
- Use the Abby Service
- Communicate with us

We and third parties that provide functionality on the Abby Service collect information, such as anonymous usage statistics, by using cookies, server logs, and other similar technology as you use the Abby Service. This information may be used to improve the quality of the Abby Service and provide relevant advertisements.

**Personal Information Collection.** You must register to use the Abby Service. To register, you may need to provide Personal Information, such as your name, email address, zip code, gender, and birthday. You may also provide other optional profile information such as your profile photo, your postal address.

**Social Media Connection.** We collect Personal Information from social media websites, such as Facebook or Twitter, when you connect to your Abby account using your social media account. For example, when you log in with your Facebook credentials, we may collect Personal Information from

Facebook, such as your email address, profile picture, and friend list. Using the Abby Service. We collect information from you as you use the Abby Service. For example, we collect the Body Measurements generated from your use of an Abby Health Station and the location of that Abby Health Station. You may also be able to post photographs to your activity feed.

Customer Support. We may collect Personal Information through your communications with our customer-support team.

Location Information from Your Mobile Device. We may collect and store your location information if you enable your mobile device to send it to us. Collection of this information may improve the provision of the Abby Service. For example, we can help you find the nearest Abby kiosk.

Cookies, Automatic Data Collection, and Related Technologies. When you visit the Abby Service, we and third parties that provide certain functionality on the Abby Service, such as Facebook, Twitter, Google, and ad networks may engage, receive and record information from Abby kiosks and server logs from your browser, including your IP address, and from cookies and similar technology. This information is used to improve the quality of the Abby Service, such as to store your preferences, customize the Abby Service, and provide more relevant advertising. Abby will not share individualized Body Measurements for use in advertising and personalization outside of the Abby Service without your permission. Cookies are small text files placed in visitors' computer browsers to store their preferences. Most browsers allow you to block and delete cookies. However, if you do that, the Abby Service may not work properly. By using the Abby Service, you are authorizing us to gather, parse, and retain data related to the provision of the Abby Service.

## HOW ABBY USES YOUR INFORMATION

We use Personal Information to

- Facilitate and improve our services
- Communicate with you

We may use information for marketing purposes. We will not rent, sell, or share Personal Information for third parties to directly market to you unless we obtain your consent. We also will not share Body Measurements for off-site marketing purposes unless we obtain your consent. We may use anonymous and aggregate information for any purpose, including for marketing purposes.

Internal and Service-Related Usage. We use information, including Personal Information, for internal and service-related purposes only and may provide it to third parties to allow us to facilitate the Abby Service. We may use and retain any data we collect to provide and improve our services.

Your User Content Posted to the Abby Service. You may post Your User Content to the Abby Service to document your lifestyle, interact with other users, and for Abby to provide information about the content you post. For example, you may post a photo of a meal you ate, a log of the physical activities you performed, and the friends you were around. When you post Your User Content, our employees and service providers may review them to categorize and add information about them. Your User Content will be publicly available, so do not post any information that you want to keep private.

Communications. We may send email to the email address you provide to us to verify your account and for informational and operational purposes, such as account management, customer service, or system maintenance.

Marketing. We do not rent, sell, or share Personal Information about you with other people or non-affiliated companies for their direct marketing purposes, unless we have your permission. We also do not provide any Personal Information to any third-party ad networks. We also may use your Personal Information and other information to communicate with you by email or text message to provide you with information we think may be of interest to you. We will send you text messages only with your consent, and you may opt out of emails by using the opt-out link in an email.

To support the Abby Service, which we provide at no cost to you, we may use Body Measurements and data collected through cookies and similar technology to deliver Abby and third-party interest-based advertising to you on and off the Abby Service. We will obtain your permission before we provide individualized Body Measurement data to third-party ad networks to deliver third-party interest-based advertising outside of the Abby Service. Please note, and you agree, that Abby may personalize your experience, including by showing you advertising, on the Abby Service using Body Measurements and any other data we learn about you.

Aggregate Data. We may anonymize and aggregate data collected through the Abby Service and use it for any purpose. Such information does not identify you individually.

#### ABBY MAY DISCLOSE YOUR INFORMATION

We may share your information:

- With our third-party service providers
- With our Rewards Partners
- With other users or social networks, at your direction
- To comply with legal obligations
- To protect and defend our rights and property
- With your permission

We do not rent, sell, or share Personal Information about you with other people or non-affiliated companies for their direct marketing purposes, unless we have your permission. We may share anonymous Body Measurements and other information with third parties for marketing purposes.

We Use Vendors and Service Providers. We may share any information we receive with vendors and service providers retained in connection with the provision of the Abby Service. With Our Rewards Partners. We may share certain information with our Rewards Partner in order to enable your participation in the Abby Rewards Program.

Displaying to Other Users. The content you post to the Abby Service may be displayed on the Abby Service to other users. Other users of the Abby Service also may be able to see some information about you that you have included in your profile, such as your first name, the first initial of your last name, city, state, and profile photo. When you choose to share Body Measurement information this information may be accessible to other users. We are not responsible for privacy practices of the other users who will view and use the posted information.

Social Networking and Other Website Services. The Abby Service may allow you to share information, including Personal Information, with third-party services and social networking websites, such as Facebook and Twitter. We do not share your Personal Information with them unless you direct the Abby Service to share it. Their use of the information will be governed by their privacy policies, and you may be able to modify your privacy settings on their websites.

As Required By Law and Similar Disclosures. We may access, preserve, and disclose your Personal Information, other account information, and content if we believe doing so is required or appropriate to: comply with law enforcement requests and legal process, such as a court order or subpoena; respond to your requests; or protect yours', ours' or others' rights, property, or safety.

Merger, Sale, or Other Asset Transfers. If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another provider, your information may be sold or transferred as part of such a transaction as permitted by law and/or contract. We cannot control how such entities may use or disclose such information. We may also disclose your Personal Information with your permission.

#### SECURITY OF YOUR INFORMATION

We take steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, the Internet cannot be guaranteed to be 100% secure, and we cannot ensure or warrant the security of any information you provide to us. We do not accept liability for unintentional disclosure. By using the Abby Service or providing Personal Information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Abby Service. If we learn of a security system's breach, we may attempt to notify you electronically by posting a notice on the Abby Service or sending an email to you. You may have a legal right to receive this notice in writing. To receive free written notice of a security breach (or to withdraw your consent from receiving electronic notice), please notify us at [support@Go-Abby.co.za](mailto:support@Go-Abby.co.za)

#### INTERNATIONAL USERS

By using the Abby Service, you will transfer data to South Africa.

By choosing to visit the Abby Service or otherwise provide information to us, you agree that any dispute over privacy or the terms contained in this Privacy Policy will be governed by the law of South Africa and the adjudication of any disputes arising in connection with Company or the Abby Service will be in accordance with the Terms of Use. By providing your information you consent to any transfer and processing in accordance with this Policy.

#### UPDATING YOUR INFORMATION OR POSE A QUESTION OR SUGGESTION

If you have any questions or concerns about this Privacy Policy or the use of your information, or to modify or update any information we have received, please contact [privacy@Go-Abby.co.za](mailto:privacy@Go-Abby.co.za)

Data Retention. We will retain your information for as long as your account is active or as needed to provide you the Abby Service. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Account Deactivation and Deletion. If you no longer desire to use the Abby Service, you may deactivate or delete your account by sending us an email to [support@Go-Abby.co.za](mailto:support@Go-Abby.co.za) Deactivating your account puts your account on hold and is the same as you telling us not to delete any information because you might want to reactivate your account at some point in the future. When you delete an account, you are requesting that your account and the information stored therein be permanently deleted from the Abby Service. You should only delete your account if you are sure you never want to reactivate it. Please note, certain data you have provided may continue to exist in aggregate form that cannot be used to identify you.

## CHANGES TO OUR PRIVACY POLICY AND PRACTICES

We may revise this Privacy Policy, so review it periodically.

**Posting of Revised Privacy Policy.** We may update this privacy policy to reflect changes to our information practices. If we make any change in how we use Personal Information we will notify you by email (sent to the e-mail address specified in your account) or by means of a notice on the Abby Service prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

**New Uses of Personal Information.** From time to time, we may desire to use Personal Information for uses not previously disclosed in our Privacy Policy. If our practices change regarding previously collected Personal Information in a way that would be materially less restrictive than stated in the version of this Privacy Policy in effect at the time we collected the information, we will make reasonable efforts to provide notice and obtain consent to any such uses as may be required by law.

Contact Information [notify@Go-Abby.co.za](mailto:notify@Go-Abby.co.za)