

BAL.ON APP PRIVACY POLICY

ContiTech USA, Inc. and its affiliates and subsidiaries (collectively, “Continental”, “us”, “our”, or “we”) are committed to protecting your Personal Information. This Privacy Policy (“Policy”) informs you of the Continental’s practices concerning the collection, use, and disclosure of your Personal Information in connection with your or otherwise has access to when you set-up and use the **BAL.ON** mobile application (“**Mobile App**” or “**Service**”).

Please read this Privacy Policy carefully. **BY CREATING AN ACCOUNT, USING THE SERVICE, OR SUBMITTING ANY INFORMATION (INCLUDING PERSONAL INFORMATION AND NON-PUBLIC INFORMATION), YOU AGREE TO BE BOUND TO THIS PRIVACY POLICY.** IF YOU DO NOT ACCEPT THE TERMS OF THIS PRIVACY POLICY, DO NOT ACCESS OR USE THE SERVICE.

Whenever you interact with us on behalf of another individual or entity, such as by providing or accessing Personal Information about another individual, you represent that Your interactions and exchanges comply with applicable data protection laws. You shall have sole responsibility for any violation of privacy laws as a result of a failure to inform the other individual about how their Personal Information will be processed or your failure to obtain any necessary consent from such individual.

Types of Personal Information Continental Collects

In providing the Service, Continental may collect, process, transfer, or otherwise have access to various information and data, including your Personal Information. “Personal Information” refers to any information relating to an identified or identifiable natural person or household, and includes the definition of “Personal Data”, “Personal Information”, or the substantial equivalent under applicable data protection laws and regulations. However, your interaction with the Mobile App may vary, and not all types of information identified in this section apply to each interaction.

The types of Personal Information that Continental has collected about you during your registration and use of the Service during the preceding 12 months are:

- **Identifiers**, such as your name, email address, postal address, country of residence, username, user identification or unique personal identifier, online identifier, internet protocol address, email address, account name, phone number, social media identifiers (e.g., Twitter handle, Instagram name, etc.) social security number, driver’s license number, passport number, or other similar identifiers.
- **“Personal Information” as defined by California Civil Code Section 1798.80.** Including name, telephone number, and address.
- **Protected class and demographic information**, such as age and/or date of birth.
- **Commercial and financial information**, such as purchase or subscription information, information about products you order or are interested in, credit card information, PayPal and/or other digital payment data, and other commercial and financial information.

- **Internet or other electronic network activity information**, such as your browsing history, search history, and information regarding your interactions with us and the Mobile App.
- **Audio, electronic, visual, thermal, olfactory or similar information**, such as video or audio recordings from your mobile device.
- **Inferences** and analyses drawn from any of the information we collect to create a profile about you or to analyze swing-related information.
- **Customer support data**, including information you supply when you email us for support or otherwise contact us for help. When you email us, you independently determine the information that you provide.
- **Additional (optional) information that you may choose to enter into your profile**, including your height, weight, shoe size, handicap, and hand dominance.

Note that the above list is broad simply to capture the types of information required for different types of interactions between us. Not all of the above information is captured for each interaction.

Sources of Personal Information

We collect Personal Information and other information about you and how you interact with us in several ways, including:

- a. **Information you provide to us directly.** We collect the information you provide to us directly.
- b. **Information from your Mobile Device.** Use of the Mobile App requires access or permission to certain features of your mobile device. If you wish to restrict our access or permissions, you may do so in your device's settings. Restricting our access may negatively impact your use of the Mobile App.
- c. **Information automatically collected or inferred from your interaction with us.** We automatically collect technical information about your interactions with us (such as time spent using the Mobile App, features accessed or used in the Mobile App, and geolocation), as well as from your interactions with Continental representatives and agents. For additional information, see the **Cookies, Analytics, and Automatic Data Collection Tools** section below.
- d. **Information from third parties.** We may receive information about you and your interactions with us from third parties, such as from your employer or coworkers, representatives, third party service and content providers, credit reporting agencies, companies that provide or sell lists of potential purchasers, and others interacting with us and/or using Continental services.

We may combine information that we receive from the various sources described in this Privacy Policy, including third party sources and public sources, and use or disclose it for the purposes identified below.

How Continental Uses Your Personal Information

We may use each category of your Personal Information described above in the following ways:

- **To Provide and Maintain the Mobile App and Enable Interactions Between You and Continental.**

- **For Our Internal Business Purposes.** Continental may use your Personal Information for our internal business purposes related to providing the Service. This includes, but is not limited to, evaluating or auditing the usage and performance of Service, programs and technologies related to interactions with us; evaluating and improving the quality of your interactions with us and the Service, programs and technologies related to interactions with us; designing new services; processing and cataloging your responses to surveys or questionnaires (e.g., customer satisfaction reviews); performing internal research for technological development and demonstration; conducting data analysis and testing; maintaining proper business records and other relevant records.
- **Auditing.** Auditing related to the provision of Services and our interactions and transactions.
- **Legal and Compliance Purposes.** Legal compliance requirements, compliance training, investigating and responding to claims against Continental and its agents and personnel, due diligence purposes (like in connection with a corporate transaction), and other related purposes.
- **Security.** Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity, environmental, health and safety, including monitoring and maintaining the security of the working environment with security cameras, maintenance of medical and sickness records and occupational health programs, keeping emergency contacts, behavioral safety, and statutory reporting obligations.
- **Debugging.** Debugging to identify and repair system, network and equipment errors that impair existing intended functionality of Continental's systems, networks, and devices.
- **To Enable Performance of Services.** Continental may use your information to allow it and certain 3rd parties to perform services its behalf, or in relation to the administration of our relationship with you. This may include logistics, promotional and marketing services, development and training, IT administration of our technologies, network, and intranet, and IT security management and tasks.
- **Quality Assurance.** Undertaking activities to verify or maintain the quality or safety of, and to improve, upgrade, or enhance, our services, products, and premises. This may include certain recordkeeping, such as accounting, commercial, procurement, document management and other similar activities. This may also include certain reporting functions and consultancy and advisory services.
- **Marketing.** Continental may use your information to externally market our goods and services, such as on social media or through public relations materials and communications, reputation and business-development efforts, branding, and event organization. Where required, we will seek your specific consent or provide you with an opportunity to opt-out of marketing activities.
- **For Continental's Legitimate Interests and/or Those of a 3rd Party.** A legitimate interest is when Continental has a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

With Whom Continental Shares Your Personal Information

In providing the Services, we may disclose your Personal Information to the following recipients:

- **Affiliates and Subsidiaries.** Continental may share your Personal Information within the Continental group of companies, which includes parents, corporate affiliates, subsidiaries, business units and other companies that share common ownership for the purposes described above.

- **Service Providers.** Continental may share your Personal Information with 3rd party service providers working on behalf of us to provide the Services, support in our provision of the Services, or otherwise facilitate an interaction with Continental that you request or support our relationship with you (including, but not limited to, hosting service providers, IT providers, operating systems and platforms, internet service providers, analytics companies, and marketing providers). Continental may contract with other companies to provide certain services, including shipping, identity verification, email distribution, market research, promotions management and payment processing. Continental provide these companies with only the information they need to perform their services and work with them to ensure that your privacy is respected and protected. These companies are prohibited by contract from using this information for their own marketing purposes or from sharing this information with anyone other than Continental.
- **Vendors necessary to complete transactions you request.** Continental may share your Personal Information with certain third parties who are necessary to facilitate or complete transactions you request or initiate, including credit card and payment processors, logistics providers, shipping companies, and other companies that help facilitate your transactions.
- **Business Partners.** Continental may also provide your Personal Information or provide access to your Personal Information to our business partners. If legally required, Continental will seek your consent before engaging in such sharing or provide you with an opportunity to opt-out.
- **For Legal, Security and Safety Purposes.** Continental may share your Personal Information with third parties such as law enforcement or other government agencies to comply with law or legal requirements; to enforce or apply the terms of any other agreement; and to protect our rights and the property or safety of Continental and Continental's employees, agents, and/or third parties.
- **In Connection with a Transaction.** If Continental sell some or all of our assets, or merge with or are acquired by another entity, including through a sale or in connection with a bankruptcy, Continental will share your Personal Information with that entity.

Security

We take your privacy seriously and use reasonable precautions to protect your Personal Information. For example, we encrypt certain communications using industry standards for encrypting such communications. However, we do not guarantee the security of your information. There is always a risk that information we collect or that you provide may be compromised. To mitigate this risk, you should (a) use secure usernames and passwords and carefully protect them from disclosure and (b) implement up-to-date security and virus protection on your device. If you suspect that your device's security or your information has been compromised, or your password accessed or used by an unauthorized third party, please contact us immediately to have your password changed.

Cookies, Analytics, and Automatic Data Collection Tools

The Mobile App uses cookies, analytics, tools, and other tracking technologies to collect information about you, your device, and how you interact with the Mobile App. Functional (technically necessary) cookies are only used to ensure the operation of the Mobile App and may not be rejected. Additional cookies are set only upon your acceptance of such cookies. For additional information regarding the use of cookies, please see our **Cookie Settings**, where you may also review and modify your current cookie settings.

Third Party Websites

When you click on a link to any other website or location, you will leave our Mobile App and go to another site and another entity may collect Personal Information from you. We have no control over, do not review, and cannot be responsible for, these outside websites or their content. Please be aware that the terms of this Privacy Policy do not apply to these outside websites or content, or to any collection of data after you click on links to such outside websites. If you decide to access any third party links appearing in the Mobile App, you do so at your own risk.

Changes to Personal Information

You may change any of the Personal Information you provide to us when you subscribe to the Service by editing your user profile. You may request deletion of your Personal Information, but please note that we may be required to keep this information and not delete it (or to keep this information for a certain time, in which case we will comply with your deletion request only after we have fulfilled such requirements). When we delete any information, it will be deleted from the active database, but may remain in our archives.

Policy for Children

The Mobile App and Services are intended for and marketed to adults only. We do not knowingly solicit information from or market to children under the age of 16. If you become aware of any data we have collected from children under age 16, please contact us using the contact information provided below.

Acceptance of Privacy Policy

By downloading, accessing, and/or using the Service, or otherwise providing your Personal Information to Continental, you signify your acceptance of this Privacy Policy. If you do not agree to this Privacy Policy, please discontinue your use of the Service.

Modifications

We may modify this Privacy Policy from time to time as the Service and applicable laws change. If we change our Privacy Policy, we will post a new statement on this website and update the effective date stated at the end of the Privacy Policy. You are encouraged to review this Privacy Policy from time-to-time for any updates or changes. If we make any material changes, we will inform you through the Mobile App, by sending a message to the e-mail address associated with your account, or by some other method of communication.

Please see our [BAL.ON Terms of Use](#) (available within the Mobile App) for a more detailed legal explanation of our usages policies. Changes to the Privacy Policy become effective immediately upon notice to you. Notice may be given by posting the revised Privacy Policy on this website or by other means. Your use of the Service after notice constitutes your acceptance of the revised terms.

Contacting Us

If you have any questions about our Privacy Policy or our use of your Personal Information, you can e-mail us at privacy@continental.com, or by regular mail to **INSERT CONTACT INFORMATION**. Requests for changes to your Personal Information and/or cancellation of your registration can be made to privacy@continental.com.

SUPPLEMENT FOR CALIFORNIA RESIDENTS

This section applies only to California residents. In addition to the disclosures above, this section provides supplemental information about how we process Personal Information of California residents. We disclose all of the categories of Personal Information that we collect in the **Types of Personal Information Continental Collects** section above to all of the categories of recipients set forth in **With Whom Continental Shares Your Information**. These disclosures are made for the business purposes expressed in **How Continental Uses Your Personal Information**.

We do not “sell” or “share” your Personal Information, as those terms are defined under California law.

Retention. We retain your personal information as long as necessary to fulfill the purposes outlined in this Notice unless we are required to do otherwise by applicable law. This includes retaining your personal information to provide you with the products or services you have requested and interact with you; maintain our business relationship with you; improve our business over time; ensure the ongoing legality, safety and security of our services and relationships; or otherwise in accordance with our internal retention procedures. Once you have terminated your relationship with us, we may retain your personal information in our systems and records in order to ensure adequate fulfillment of surviving provisions in terminated contracts or for other legitimate business purposes, such as to enable easier future user onboarding, demonstrate our business practices and contractual obligations, or provide you with information about our products and services in case of interest.

Your Rights

California residents have certain rights, subject to legal limitations, regarding the collection, use, and sharing of personal information. California residents may exercise the following rights through the [Contact Us](#), by emailing us at privacy@continental.com, or by calling (833) 656-0555.

- **Right to Know.** You may have the right to request information about the categories of personal information we have collected about you, the categories of sources from which we collected the personal information, the purposes for collecting, selling, or sharing the personal information, and to whom we have disclosed your personal information and why. You may also request the specific pieces of personal information we have collected about you.
- **Right to Delete.** You have the right to request that we delete personal information that we have collected from you.
- **Right to Correct.** You have the right to request that we correct inaccurate personal information that we maintain about you.

We will not discriminate against you, in any manner prohibited by applicable law, for exercising these rights.

Verification: In order to exercise your rights, we will need to obtain information to locate you in our records or verify your identity depending on the nature of the request. In most cases, we will collect some or all of the following data elements: first and last name, email address, and telephone number. In some cases, we may request different or additional information, including a signed declaration that you are who you say you are. We will inform you if we need such information.

Authorized Agents: Authorized agents may exercise rights on behalf of consumers by emailing us at privacy@continental.com, or by calling (833) 656-0555 and indicating that they are submitting the request as an agent. We may require the agent to demonstrate authority to act on behalf of the consumer by providing signed permission from the consumer. We may also require the consumer to verify their own identity directly with us or to directly confirm with us that they provided the authorized agent permission to submit the request.

Timing: We will respond to Right to Delete, Right to Correct, and Right to Know requests within 45 days unless we need more time, in which case we will notify you and may take up to 90 days total to respond to your request.

This Version of this Privacy Policy is Effective as of September 1st, 2024.