

Last Updated and Effective: November 29, 2018.

Sonic Boom Wellness, Inc. ("Sonic Boom," "we," "us," or "our") provides the Sonic Boom Wellness application and related services. This Privacy Policy ("Privacy Policy") details Sonic Boom's policies and practices regarding its collection and use of your personal information and sets forth your privacy rights.

We will not use or share your information with any person or entity, except as described in this Privacy Policy. This Privacy Policy does not apply to information we collect by other means (including offline) or from other sources. Capitalized terms that are not defined in this Privacy Policy shall have the meaning given to such terms in our Terms of Service. By accessing or using the Site, you agree and consent to this Privacy Policy. If you have any questions about this Privacy Policy, please contact us at [privacy@sonicboomwellness.com](mailto:privacy@sonicboomwellness.com).

## Policy Scope and Links to Other Websites

This Privacy Policy addresses activities on the Sonic Boom application, this website, and any other website or web-based system (including mobile applications) provided by Sonic Boom (collectively, the "Site"). Through the Site you may be able to access links to other websites which are not under the control of Sonic Boom. We have no control over the nature, content, and availability of those sites. This Privacy Policy does not cover the links within the Site that link to such other websites. We encourage you to read the privacy statements on the other websites you may visit.

## The Information We Collect and How We Use It

Sonic Boom collects personal information about you in order to:

- i. identify you each time you wish to have a Service provided;
- ii. improve our Services;
- iii. fulfill orders and collect payment;
- iv. customize your experience;
- v. carry out research on the demographics, interests, and behavior of our users;
- vi. send you information we think you may find useful, including information about new Sonic Boom products and Services; and
- vii. track content and users as necessary to comply with the California Online Privacy Protection Policy Act, the Digital Millennium Copyright Act, and other applicable laws.

Depending on the Service, personal information we collect from you, your employer, or a third-party may include:

- first name;
- last name;
- gender;
- email address;
- phone number;
- location;
- time zone;
- profile image;
- height;

- weight;
- date of birth;
- names and information concerning dependents;
- other contact information;
- employer information;
- comments;
- images;
- activity-tracker data;
- biometric data;
- health assessment data; and
- third-party service login credentials.

In some cases, the last 4 digits of your social security number or your employee identification number will be used in connection with the Sonic Boom registration process. This information is strictly used to authenticate your identity and is not used, shared to, or discoverable by other users. However, your name and other information you choose to provide on the Site may be viewable and discoverable by other users, in accordance with your personal settings on the Site.

In some cases, your organization may authorize us to integrate your health-related data from external sources, which will be subject to federal Health Insurance Portability and Accountability Act ("HIPAA") guidelines to protect your personally identifiable information and your protected health information ("PHI"). In order to exchange data with, or integrate data from, an external vendor, we establish a Business Associate Agreement ("BAA") with each vendor, contractually obligating each party to fully comply with the privacy-protection laws required by HIPAA. Your PHI is not viewable by your employer, and any aggregate data shared with your employer will be de-identified.

### Third-Party Service Credentials

Our Service allows you to integrate and import data from third-party activity tracker services such as Fitbit and HumanAPI ("Third-Party Services"). In order to take advantage of this feature, you may need to authenticate, register for or log into Third-Party Services through the Service or on the websites of their respective providers. When you enable linking between Third-Party Services through the Service, we collect relevant information necessary to enable the Service to access the Third-Party Service and your data and content contained within that Third-Party Service ("Login Credentials"). We store your Login Credentials long enough to enable linking to the Third-Party Service.

When you enable the Service to link content and data from Third-Party Services, the Third-Party Services will provide us with access to certain information that you may have provided to the Third-Party Services, and we will use, store and disclose such information in accordance with this Privacy Policy. However, please remember that the manner in which Third-Party Services use, store, and disclose your information is governed by the policies of such Third-Party Services and Sonic Boom shall have no liability nor responsibility for the privacy practices or other actions of any Third-Party Services that may be enabled within the Service.

We may retain certain personal non-identifiable information related to the data or content linked between Third-Party Services (for example, date sent, link configuration, names of the Third-Party Services), for the purpose of improving our Services.

### User Content

You may also provide us information by posting it to the Site or mobile application. Your information and metadata (which is a set of data that describes and gives information about other data) about your information may be viewed by other users in accordance with your settings on the Site. Sonic Boom can, but has no obligation to, monitor the information you post on the Site. We can remove any information you post for any reason. Unless such information is made non-viewable in accordance with your settings on the Site, Sonic Boom and Sonic Boom employees may view your information:

- i. to communicate with you about various matters pertaining to the Site and the Services;
- ii. to process orders and shipments;
- iii. to maintain, provide, or improve the Site;
- iv. to help you and resolve your support requests;
- v. to provide you with health-coaching services; or
- vi. to answer questions related to progress toward incentives, which may include outcomes-based activities linked to biometric results or improvements.

### Through the Sonic Boom Site

As is true of most other websites, the Site collects certain information automatically and stores it in log files. The information may include (i) internet protocol ("IP") addresses; (ii) the region or general location where your computer or device is accessing the internet; (iii) browser type; (iv) operating system; and (v) other usage information about the use of the Site, including a history of the pages you view. We use this information to help us design our Services to better suit our users' needs. We may also use your IP address to help diagnose problems with our server and to administer our Site, analyze trends, track visitor movements, and gather broad demographic information that assists us in identifying visitor preferences. We do not link IP addresses to your name or email address.

The Site also uses cookies. Cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. Most web browsers automatically accept cookies. If you prefer, you may change your browser's settings so that it will not automatically accept cookies. If you set your browser's settings to block cookies, you may not be able to take full advantage of the Site. Cookies are specific to the server that created them and cannot be accessed by other servers, which means they cannot be used to track your movements around the internet. While cookies do identify a user's computer, they do not personally identify customers or passwords.

When you use the Site, we may employ web beacons which are used to track the online usage patterns. In addition, we may also use web beacons in HTML-based emails sent to our users to track which emails are opened by recipients. The information is used to enable more-accurate reporting and make Sonic Boom better for our users and the public.

### Aggregated Service Data

In an ongoing effort to better understand and serve Sonic Boom's customers, at times Sonic Boom conducts research on its customer demographics, interests and behavior based on the personal information and other information provided to us. This research may be compiled and analyzed on an aggregate basis and Sonic Boom may share this aggregate data with its affiliates, agents, and business partners. This aggregate information does not identify you personally and is not considered to be personal information.

## When and How We Share Personal Information with Others

We only share personal information with third parties who are facilitating the delivery of Services. We will not sell, disseminate, or lease any personal information to third parties unless we have specifically requested your permission or are required to do so in response to lawful requests by public authorities, including meeting national security or law-enforcement requirements.

## Your Choices About Your Information

You may, of course, decline to submit personal information through the Site, in which case Sonic Boom may not be able to provide certain services to you. You may update or correct your account information at any time by logging into your User Account.

You may opt out of any future contact or notifications from us, change your notification preferences, or make any of the following requests at the contact information provided below:

- see what data we have about you, if any;
- change or correct any data we have about you;
- have us delete any data we have about you; and/or
- express any concern you have about our use of your data.

You can contact us directly at [support@sonicboomwellness.com](mailto:support@sonicboomwellness.com) to review and correct the information about you that Sonic Boom keeps on file, or to change your notification preferences.

When you sign up for our Services, we will retain your personal information for as long as your account is in existence or as long as we need it to provide the Services to you. If you would like to cancel your Sonic Boom User Account you may do so by emailing [support@sonicboomwellness.com](mailto:support@sonicboomwellness.com). When you request cancellation of your User Account, pending your employer's approval, your personal information will be deleted, including but not limited to your email address, name, photo(s), height, weight, and achievements. Archival copies of your account information that exist within our back-up system will be deleted in accordance with our normal back-up expiration schedule. Following cancellation or termination of your User Account, Sonic Boom may continue to utilize de-identified and anonymized historical data associated with your use of the Sonic Boom Site and Services.

## How We Protect Your Information

The security of your information is important to us. We maintain physical, technical, and administrative safeguards to protect your personal information. When you enter any information (such as height or weight) as part of the Site and the Services, we encrypt the transmission of that information using secure socket layer technology (SSL). Sonic Boom uses commercially reasonable physical, managerial, and technical safeguards to preserve the integrity and security of your personal information once we receive it. For example, we regularly back up your data to help prevent data loss and aid in data recovery. We also guard against common web attack vectors, host servers and data in secure SSAE 16-audited data centers, and implement firewalls and access restrictions on our servers to secure our network and better protect your information. In addition, our business practices are reviewed periodically for compliance with policies and procedures governing the security and confidentiality of our information. However, no method of electronic

transmission of storage is 100% secure and we cannot ensure or warrant the absolute security of any information you transmit or store in the Site.

Your access to the Services and certain Content is password protected. We advise that you do not disclose your password to anyone. In addition, we recommend that you sign out of password-protected services at the end of your session. You must immediately notify us of any unauthorized use of your password or User Account.

## Compromise of Personal Information

In the event that personal information is compromised as a result of a breach of security, Sonic Boom will promptly notify those persons whose personal information has been compromised in accordance with the notification procedures set forth in this Privacy Policy and as required by Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the Processing of Personal Data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), or any other applicable law.

## International Data Transfer

Our servers are located in the United States and to provide you with the Services, we may store, process, and transmit information in the United States. We may transfer information that we collect about you, including personal information, to affiliated entities, or to other third parties (as provided herein) across borders and from your country or jurisdiction to other countries or jurisdictions around the world. If you are located in the European Union or other regions with laws governing data collection and use that may differ from laws of the United States and state law, please note that you are transferring information, including personal information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction, and you consent to the transfer of information to the United States and the use and disclosure of information about you, including personal information, as described in this Privacy Policy.

## Sonic Boom Wellness Blog & Community

The Site offers publicly accessible community services including blogs, and our marketing site. You should be aware that any information you provide in these areas, which may include but is not limited to personal stories, photos, names, recipes, and other personal or proprietary information, may be read, collected, and used by others who access them. Your posts may remain even after you cancel your User Account. Any information you provide in these areas becomes public information. You should exercise caution when disclosing any personal information in these public areas.

## Children's Privacy

Protecting the privacy of young children is especially important. Neither the Site nor the Services are directed to persons under the age of 18. Sonic Boom does not knowingly collect or solicit personal information from anyone under the age of 18 without parental consent, or knowingly allow such persons to register with the Site or the Services. If we become aware that we have collected personal information from a child under the age of 18 without verification of parental consent, we take steps to remove that information. If you believe that we might have any information from or about a child under the age of 18, please contact us at [privacy@sonicboomwellness.com](mailto:privacy@sonicboomwellness.com).

## "Do Not Track" Policy

Sonic Boom does not track its customers over time and across third-party websites to provide targeted advertising and therefore does not respond to Do Not Track (DNT) signals.

## Impact of Sale or Merger

It is possible that Sonic Boom and/or any of our assets may be acquired by a third party. In such a transaction, as the owner of your information, we may disclose the information as an asset of Sonic Boom in conjunction with the sale of Sonic Boom or the sale of a portion of our assets to a third party. While we will endeavor to require the successor company to maintain this Privacy Policy, we cannot guarantee that any such acquirer will maintain this Privacy Policy.

## Changes to Our Privacy Policy

Sonic Boom reserves the right to amend the Privacy Policy at any time, for any reason, without notice to you, other than the posting of the amended Privacy Policy on this Website. Changes to this Privacy Policy are effective when they are posted on this page. When we change the policy in a material manner we will let you know by updating the "Effective Date" at the top of this page.

## Contact Us

If you have any questions about this Privacy Policy, please contact us by email at [support@sonicboomwellness.com](mailto:support@sonicboomwellness.com), by telephone at 1-877-SONIC08 (1-877-766-4208), or by mail to the following address:

Sonic Boom Wellness  
5963 La Place Court Suite 100  
Carlsbad, CA 92008