

## pro ORBIT Privacy Policy – sportORBIT

pro ORBIT GmbH and its affiliates (“pro ORBIT”, “we”, “us”, “our”) provides sportORBIT (the “Service”), a platform for athletes, coaches, parents of athletes and sports associations (“User”, “Users”, “you”, “your”). sportORBIT provides services facilitating the administration of training plans, the definition, establishment and pursuit of sports goals, the recording of training sessions (sports book), the administration of sports groups, as well as team management, evaluation and analysis, social networking, modern communication and support of the digitalisation of sports associations.

Your privacy is important to you and, therefore, it is equally important to us. We encourage you to read this Privacy Policy, since it is a part of our Terms of Use and will help you make informed decisions while using or accessing the Service. In case of any inconsistency between this Privacy Policy and information available about the App via an App platform or elsewhere, this Privacy Policy shall prevail.

### **1. SCOPE, CONSENT AND AMENDMENT**

- 1.1 This Privacy Policy explains what personal information pro ORBIT collects about Users, and how your personal information is handled.
- 1.2 By installing and using our Service you understand and agree with the provisions of this Privacy Policy. If you do not agree with this Privacy Policy, you will not be able to access and use the Service. If you wish to withdraw your consent to this Privacy Policy, please see Clause 7 below for how to delete your account.
- 1.3 You must be 16 years or older to use sportORBIT. If you are under 16 years old, you may only use sportORBIT under the supervision of a parent or legal guardian. This means that Users under 16 years old may only create a profile within an account operated by their parent or legal guardian. If applicable law requires that you must be older in order for us to provide the Service to you without the permission of a parent or legal guardian, then that law applies and you may only use the Service with that consent.
- 1.4 We may amend this Privacy Policy at any time by posting an updated version on the Settings page, where you can always view the latest version. All amended terms and policies automatically take effect from the date of posting, unless otherwise stated. When material changes are made, we will make reasonable efforts to inform you either by emailing you, or by posting a notification through the Service. Your continued use of the Service constitutes your acceptance of the amended Privacy Policy.



## **2. INFORMATION WE COLLECT**

- 2.1 In order to access the Service, you must provide us with a username, your email address, language, age range, and password. You must also choose the User role (e.g. athlete, coach, sports association etc.) with which you would like to use the platform.
- 2.2 You can have one or more profiles, which contain your personal data. It is up to you how much personal data you wish to provide about yourself. Each profile can have a short introduction, which is visible to all Users. You may also provide additional information, such as your first and last name, postcode, mobile phone number, email address, and web links concerning you or your child(ren).
- 2.3 Depending on the type of profile you choose (i.e., athlete, coach, sports association) you may enter additional information to complete your profile, for example your gender, nationality, date of birth, place of residence, club, licence details, league, player position, prior experience, your favourite sports.
- 2.4 You can choose to provide information about your sports activities, training sessions, goals, progress, events you will participate in, and other information. You can also post different contributions, including sports book entries (i.e. entries about a sports activity), sports goals (i.e., your goal and current progress), sports courses and sports groups offered by yourself, sports ratings about yourself provided by coaches, events, ads, etc.
- 2.5 It is your choice to enter additional personal information, however this information will help you to get the most from the Service. If you choose not to provide particular information, certain functions of the Service that would require that information will not be available to you.
- 2.6 If you register for additional services that require payment, we will collect your payment and billing information.
- 2.7 You can provide information about other Users and other Users may provide information about you when they use the Service, for example a sports association adding information about its members, a coach assessing athlete performance, an athlete reviewing a coach, a sports association assessing coach performance, a post regarding an event, training or game, or management of team accounting.
- 2.8 When you use the Service, we receive information about your account activity, technical data and usage such as your IP address, device token, your communication and networking with other Users, your assessment of other Users, search terms, navigation, profiles you view or click on, profiles you mark as favourites. If you navigate from the Service to other web pages, we also record this activity.



### **3. HOW WE USE YOUR INFORMATION**

3.1 The information that we collect, as described in this Privacy Policy, will be used for the following purposes:

- 3.1.1 Enabling you to share information and connect with other Users;
- 3.1.2 Sending in-App notifications;
- 3.1.3 Sending you emails and other notifications about events, products, services, or other issues you may be interested in, including promotional offers, as well as updates in relation to the Service. You may always opt out of direct communications by deselecting the newsletter and/or advertising option on the Settings page or clicking the unsubscribe option in any communication;
- 3.1.4 Responding to any inquiries you address to us;
- 3.1.5 Measuring and analysing account activity and interaction with the Service, including by reference to demographics and region;
- 3.1.6 Facilitating log-in and securing your account;
- 3.1.7 Optimising our systems and otherwise developing and improving the functioning of the Service;
- 3.1.8 Showing you more relevant direct and indirect advertising, and improving our advertising systems You may disable personalised advertising at any time via the settings Settings page of the App;
- 3.1.9 Preventing fraud and abuse, compliance with our legal obligations, and as necessary for the establishment, exercise or defence of legal claims; and
- 3.1.10 Aggregating data that does not identify you for statistical purposes on Users and use of the Service.

### **4. LEGAL BASIS**

4.1 Our legal bases for the processing your personal information in relation to the Service, under the European Union General Data Protection Regulation (“GDPR”) are:

- 4.1.1 Your consent;
- 4.1.2 Necessity for the provision of our services under our agreement with you;
- 4.1.3 Necessity for compliance with a legal obligation; and
- 4.1.4 Our legitimate interests, inter alia in preventing fraud, marketing the Service, showing you relevant advertising, keeping Users up-to-date with respect to the Service; monitoring use of the Service, keeping the Service secure, and improving the Service.



## 5. **SHARING YOUR INFORMATION**

- 5.1 When you are joined with a group, a course or a team, your profile information is shared with the other members of the group, the course or the team and any connected sports association, regardless of whether you have a direct connection with those Users. An indirect connection is a connection with another User through a group, a course, a team or a sports association that you did not directly make yourself. If you do not wish for your information to be shared with other Users, then you can manage your connections, e.g. by removing direct connections and leaving the group, team, or sports association.
- 5.2 Information on your profile, as well as posts, reviews, and assessments that you make and that others make about you, may be visible to other Users. Where that is the case, via the Settings page of the App, you can choose to make certain information only visible to your direct and indirect connections, as opposed to all Users. Reviews that you make of other Users will remain visible to the User you reviewed, even after you are no longer connected, in order to maintain the integrity of the review for the other User.
- 5.3 When you choose to send an email to another User, you do so via a link to your device's default email provider. The other User will therefore receive your message and email address. When you call another user, the other user will receive your number.
- 5.4 We may share your information with vendors, subcontractors, and/or other entities related to pro ORBIT which are acting on our behalf and in accordance with this Privacy Policy, with the purpose of providing the Service and of improving your experience.
- 5.5 We may share your information with third parties for the purposes of presenting you with direct and indirect advertising that is more relevant for you or sharing promotional offers with you.
- 5.6 We may share your information with third parties where required by law or law enforcement, or where necessary in our view for the investigation, establishment, exercise, or defence of legal claims.
- 5.7 We may also share aggregated User data (which does not identify you) with third parties, in the context of developing and optimising the Service.
- 5.8 If we sell or transfer part or the whole of the Service or our assets to another entity (e.g., in the course of a transaction like a merger, acquisition, bankruptcy, dissolution, liquidation), your personal information and any other information collected through



the Service may be among the items sold or transferred. The buyer or transferee will be required to honour the commitments we have made in this Privacy Policy.

## **6. STORING YOUR INFORMATION**

6.1 We store the information we collect on our database server, hosted by Amazon Web Services. For that purpose, your data may be transferred outside the European Union, but will remain adequately protected, pursuant to a specific agreement between us and Amazon Web Services. You can find more information about these services at <https://aws.amazon.com/> and about the protection of your data here <https://aws.amazon.com/de/compliance/gdpr-center/>.

## **7. MODIFYING YOUR INFORMATION AND DELETING YOUR ACCOUNT**

7.1 You can access, correct, delete, or modify the personal information you provided to us via the Profile page.

7.2 You are responsible for keeping your account information and contact details accurate and up to date.

7.3 To the extent that we process your personal information on the basis of your consent, you can withdraw your consent to the processing of your personal information at any time by deleting your account, via the Settings page.

7.4 After you select the deletion of your account, your account will be deleted within the next 48 hours.

7.5 Should your account remain inactive for a period of 18 months, your account will be treated as expired. If we do not hear from you after sending you a reminder, we will delete your account.

7.6 Following deletion of your account, certain data may be retained by us for as long as is necessary for compliance with our legal or regulatory obligations, or as necessary to resolve disputes, prevent fraud and abuse, maintain the security of the Service, and enforce the Terms of Use. Reviews that you have made of other Users will also remain visible to the User you reviewed, in order to maintain the integrity of the review for the other User. We also retain information in aggregated or anonymised form.

## **8. YOUR RIGHTS**

8.1 You may request access, portability (including a copy of all of your personal information processed by us), correction, deletion or restriction on the processing of your personal information, and you may object to the processing of your personal information, including for the purposes of direct advertising. Any such requests should be addressed



to us using the contact details provided in Clause 9 below, and will be treated in compliance with applicable laws.

- 8.2 If you would not like to see advertising that has been personalised based on your personal data, you can also disable this function at any time via the settings page of the App.
- 8.3 You also have the right to lodge a complaint with a data protection supervisory authority, for example the Data Protection Authority of Hessen, Germany, or your local supervisory authority.

## **9. HOW TO CONTACT US**

- 9.1 If you have any questions, comments, or complaints about this Privacy Policy, please get in touch with us via the following contact details:

pro ORBIT GmbH  
An den Brunnenröhren 29  
35037 Marburg  
Germany

E-Mail: [info@sport-orbit.de](mailto:info@sport-orbit.de)

