

PRIVACY POLICY

Effective Date: March 6th, 2014.

Introduction

Welcome! You have arrived at www.movinganalytics.com, www.getmovn.com and/or are otherwise interacting with one of our mobile applications, such as Movn, which are all owned and operated by Moving Analytics, Inc. (“**Company**” or “**we**,” “**our**” or “**us**”). This “**Privacy Policy**” governs your use of any online service location (*e.g.*, website or mobile app) that post or links to this Privacy Policy, and also applies to all features, widgets, plug-ins, content, downloads and other services that post or link to this Privacy Policy (collectively, the “**Service**”), regardless of how you access or use it, whether via computer, mobile device or otherwise, but does not apply to data we receive from third parties, unless we combine such data with Personal Information (defined below) that we have ourselves collected under this Privacy Policy. This Privacy Policy does not apply to our data collection activities offline or otherwise outside of our Service (unless otherwise stated below), and does not govern the data practices of third parties that may interact with our Service.

To the extent we provide you notice on our Service of different or additional privacy policies or practices (*e.g.*, at the point of our collection), those additional terms shall govern such data collection and use.

In addition, please review the Service’s [Terms of Service](#), which governs your use of the Service. *By using our Service, you consent to our Privacy Policy and Terms of Service and our collection, use and sharing of your information and data, and other activities, as described below.*

The Full Detailed Privacy Policy

1. What Information Does the Service Collect?

(a) Information You Provide to Us

Personal Information and Demographic Information. On the Service, we may ask you to provide us with certain categories of information, such as: (1) personally identifiable information, which is information that identifies you personally, such as your first and last name and email address (“**Personal Information**”); and (2) demographic information, such as information about your gender and age (“**Demographic Information**”). We may collect this information through various forms and in various places on the Service, including when you download one of our apps on your Device or when you otherwise interact with the Service. To the extent we combine Demographic Information with your Personal Information we collect from you directly on the Service, we will treat the combined data as Personal Information under this Privacy Policy.

(b) Information Collected and Stored As You Access and Use the Service

In addition to any Personal Information or other information that you choose to submit to us via our Service, we and our third-party service providers may use a variety of technologies that automatically (or passively) store or collect certain information whenever you visit or interact with the Service (“**Usage Information**”). This Usage Information may be stored or accessed using a variety of technologies that may be downloaded to your personal computer, browser, laptop, tablet, mobile phone or other device (a “**Device**”) whenever you visit or interact with our Service. To the extent we associate Usage Information with your Personal Information we collect directly from you on the Service, we will treat it as Personal Information.

This Usage Information may include:

- your IP address, UDID or other unique identifier (“**Device Identifier**”). A Device Identifier is a number that is automatically assigned to your Device used to access the Service, and our computers identify your Device by its Device Identifier;
- your Device functionality (including browser, operating system, hardware, mobile network information);
- the areas within our Service that you visit and your activities there, including remembering you and your preferences;
- your Device location;
- your Device characteristics; and
- certain other Device data, including the time of day, among other information.

We may use various methods and technologies to store or collect Usage Information (“**Tracking Technologies**”). Tracking Technologies may set, change, alter or modify settings or configurations on your Device. A few of the Tracking Technologies include, without limitation, the following (and subsequent technology and methods later developed):

Cookies. A cookie is a data file placed on a Device when it is used to visit the Service. A Flash cookie (or locally shared object) is a data file placed on a Device via the Adobe Flash plug-in that may be built-in to or downloaded by you to your Device. HTML5 cookies can be programmed through HTML5 local storage. Unlike Flash cookies, HTML5 cookies do not require a plug-in. Regular cookies may generally be disabled or removed by tools that are available as part of most commercial browsers, and in some but not all instances can be blocked in the future by selecting certain settings. Each browser you use will need to be set separately and different browsers offer different functionality and options in this regard. Also, these tools may not be effective with regard to Flash cookies or HTML5 cookies. For information on disabling Flash cookies, go to Adobe’s web site www.adobe.com. Please be aware that if you disable or remove cookies, Flash cookies, or HTML5 cookies on your Device, some parts of our Service may not function properly, and that when you revisit our Service your ability to limit cookies is subject to your browser settings and limitations.

Web Beacons. Small graphic images or other web programming code called web beacons (also known as “1x1 GIFs” or “clear GIFs”) may be included in our Service’s pages and messages. Web beacons may be invisible to you, but any electronic image or other web programming code inserted into a page or email can act as a web beacon. Web beacons or similar technologies may be used for a number of purposes, including, without limitation, to count visitors to the Service, to monitor how users navigate the Service, to count how many emails that were sent were actually opened or to count how many particular links were actually viewed.

Embedded Scripts. An embedded script is programming code that is designed to collect information about your interactions with the Service, such as the links you click on. The code is temporarily downloaded onto your Device from our web server or a third party service provider, is active only while you are connected to the Service, and is deactivated or deleted thereafter.

Browser Fingerprinting. Collection and analysis of information from your Device, such as, without limitation, your operating system, plug-ins, system fonts and other data, for purposes of identification.

ETag, or entity tag. A feature of the cache in browsers. It is an opaque identifier assigned by a web server to a specific version of a resource found at a URL. If the resource content at that URL ever changes, a new and different ETag is assigned. Used in this manner ETags are a form of Device Identifier. ETag tracking may generate unique tracking values even where the consumer blocks HTTP, Flash, and/or HTML5 cookies.

We may use Tracking Technologies for a variety of purposes, including:

Strictly Necessary. We may use cookies or other Tracking Technologies that we consider are strictly necessary to allow you to use and access our Service, including cookies required to prevent fraudulent activity, improve security or allow you to make use of Service functionality.

Performance-Related. We may use cookies or other Tracking Technologies that are useful in order to assess the performance of the Service, including as part of our analytic practices or otherwise to improve the content, products or services offered through the Service.

Functionality-Related. We may use cookies or other Tracking Technologies that are required to offer you enhanced functionality when accessing the Service, including identifying you when you use our Service or keeping track of our specified preferences, including in terms of the presentation of content on our Service.

Targeting-Related. We may use Tracking Technologies to deliver content relevant to your interests on our Service and third-party Services based on how you interact with our content. This includes using Tracking Technologies to understand the usefulness to you of the content that has been delivered to you.

Additionally, the Service collects and analyzes your daily movement patterns that are measured using sensors that are provided by your Device such as an acceleromoter, gyroscope, compass as well as derived sensors such as orientation sensors and pressure sensors.

There may be other Tracking Technologies now and later devised and used by us in connection with the Service. Further, third parties may use Tracking Technologies in connection with our Service, which may include the collection of information about your online activities over time and across third-party web sites or online services. We may not control those Tracking Technologies and we are not responsible for them. However, you consent to potentially encountering third-party Tracking Technologies in connection with use of our Service and accept that our statements under this Privacy Policy do not apply to the Tracking Technologies or practices of such third parties. Also, various third parties are developing or have developed signals or other mechanisms for the expression of consumer choice regarding the collection of information about an individual consumer's online activities over time and across third-party web sites or online services (*e.g.*, browser do not track signals). Currently, we do not monitor or take any action with respect to these signals or other mechanisms.

(c) Location-Based Information

Our Service may use location-based services in order to locate you so we may verify your location, deliver you relevant content based on your location as well as to share your location with our vendors as part of the location-based services we offer. We may provide settings in the Service that permit you to disable location-based services. Changing setting options may not result in immediate changes to the settings, which are subject to our operations and maintenance schedules. Users should carefully consider the use of such settings to improve information display options and to ensure the settings are properly set and functioning in the manner desired. Notwithstanding the availability of privacy preference settings, you should be aware that these settings are for convenience only, do not employ complex data security protection and may not be error free. However, please note that we will only directly provide third parties we work with access to your approximate or exact location information if you first give us permission to do so. You should consider the risks involved in disclosing your location information to other people.

(d) Information Third Parties Provide About You

We may receive information about you from your friends and others that use the Service, such as when they submit information to us on your behalf. Additionally, we may, from time to time, supplement the information we collect directly from you on our Service with outside records from third parties for various purposes, including to enhance our ability to serve you, to tailor our content to you and to offer you courses that may be of interest to you. To the extent we combine information we receive from those sources with your Personal

Information we collect on the Service, it will be treated as Personal Information and we will apply this Privacy Policy to such combined information, unless we have disclosed otherwise. In no other circumstances do our statements under this Privacy Policy apply to information we receive about you from third parties, even if they have used our technology to collect it and share it with us.

(e) Interactions with Third-Party Services

The Service may include functionality that allows certain kinds of interactions between the Service and a third-party web site or application. The use of this functionality may involve the third-party operator providing certain information, including Personal Information, to us. If we offer and you choose to use this functionality to access or use our Service, the third-party site or application may send Personal Information about you to us. If so, we will then treat it as Personal Information under this Privacy Policy, since we are collecting it as a result of your accessing of and interaction on our Service. In addition, we may provide third-party sites' interfaces or links on the Service to facilitate your sending a communication from the Service. For example, we may use third parties to facilitate emails, tweets or Facebook postings. These third parties may retain any information used or provided in any such communications or other activities and these third parties' practices are not subject to our Privacy Policy. Company may not control or have access to your communications through these third parties. Further, when you use third-party sites or services, you are using their services and not our services and they, not we, are responsible for their practices. You should review the applicable third-party privacy policies before using such third-party tools on our Service.

(f) Information You Provide About a Third Party

You may send someone else a communication from the Service, such as sending an invitation to a friend. If so, the information you provide (names, email addresses, etc.) is used to facilitate the communication and is not used by us for any other marketing purpose unless we obtain consent from that person or we explicitly say otherwise. Please be aware that when you use any send-to-a-friend functionality on our Service, your contact information, name or user name and message may be included in the communication sent to your addressee(s). Some of these tools may be third-party tools subject to third-party privacy policies.

2. How Do We Use the Information Collected?

We may use your Personal Information, Demographic Information or Usage Information that is subject to this Privacy Policy:

- to enable you to participate in a variety of the Service's features such as to track your physical activity and send you nudges based on your performance;
- to provide you with information or services that you have requested or agreed to receive or to provide you with marketing materials or services on behalf of us or third parties;
- to process your registration submitted through the Service, including verifying your information is active and valid;
- to improve the Service or our services, to customize your experience on the Service, or to serve you specific content that is relevant to you;
- to contact you with regard to your use of the Service and, in our discretion, changes to the Service and/or Service's policies;
- for internal business purposes; and

- for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Policy.

3. **How and When Do We Share Information with Third Parties?**

We may share non-Personal Information, such as aggregated user statistics, with third parties, including clinical customers of the Company. We may share your Device Identifiers with third parties along with data related to you and your activities. We do not share your Personal Information that we have collected directly from you on our Service with third parties for those third parties' direct marketing purposes unless you have consented at the time you provide your Personal Information. In addition, we may share the information we have collected about you, including Personal Information, as disclosed at the time you provide your information and as described below or otherwise in this Privacy Policy. Company may disclose your information as follows:

(a) When You Request Information From or Provide Information to Third Parties. You may be presented with an option on our Service to receive certain information and/or marketing offers directly from third parties or to have us send certain information to third parties or give them access to it. If you choose to do so, your Personal Information and other information may be disclosed to such third parties and all information you disclose will be subject to the third-party privacy policies and practices of such third parties. In addition, third parties may store, collect or otherwise have access to your information when you interact with their Tracking Technologies, content, tools, apps or ads on our Service or link to them from our Service. This may include using third-party tools such as Facebook, Twitter, Pinterest or other third-party posting or content sharing tools and by so interacting you consent to such third party practices. We are not responsible for the privacy policies and practices of such third parties and, therefore, you should review such third-party privacy policies and practices of such third parties prior to requesting information from or otherwise interacting with them.

(b) Third Parties Providing Services on Our Behalf. We may use third-party vendors to perform certain services on behalf of us or the Service, such as hosting the Service, designing and/or operating the Service's features, tracking the Service's activities and analytics, and enabling us to send you special offers or perform other administrative services. We may provide these vendors with access to user information, including Device Identifiers and Personal Information, to carry out the services they are performing for you or for us. Third-party analytics and other service providers may set and access their own Tracking Technologies on your Device and they may otherwise collect or have access to information about you, potentially including Personal Information, about you. We are not responsible for those third party technologies or activities arising out of them. However, some may offer you certain choices regarding their practices, and information we have been informed of regarding such choices is available in section 11. We are not responsible for the effectiveness of or compliance with any third parties' opt-out options.

(c) To Protect the Rights of Company and Others. To the fullest extent permitted by applicable law, we may also disclose your information if we believe in good faith that doing so is necessary or appropriate to: (i) protect or defend the rights, safety or property of Company or third parties (including through the enforcement of this Privacy Policy, our [Terms of Service](#), and other applicable agreements and policies); or (ii) comply with legal and regulatory obligations (*e.g.*, pursuant to law enforcement inquiries, subpoenas or court orders). To the fullest extent permitted by applicable law, we have complete discretion in electing to make or not make such disclosures, and to contest or not contest requests for such disclosures, all without notice to you.

(d) Affiliates and Business Transfer. We may share your information, including your Device Identifiers and Personal Information, Demographic Information and Usage Information with our parent, subsidiaries and affiliates ("Affiliates"). We also reserve the right to disclose and transfer all such information: (i) to a subsequent owner, co-owner or operator of the Service or applicable database; or (ii) in connection with a merger, consolidation, restructuring, the sale of substantially all of our interests and/or assets or other corporate change, including, during the course of any due diligence process.

4. What About Information I Disclose Publicly or to Others?

(a) **User Content and Public Information.** The Service may permit you to submit ideas, photographs, user profiles, writings, music, video, audio recordings, computer graphics, pictures, data, questions, comments, suggestions or other content, including Personal Information (collectively, “**User Content**”), such as on publicly available profiles. We or others may store, display, reproduce, publish, distribute or otherwise use User Content online or offline in any media or format (currently existing or hereafter developed) and may or may not attribute it to you. Others may have access to this User Content and may have the ability to share it with third parties. Please think carefully before deciding what information you share, including Personal Information, in connection with your User Content. Please note that Company does not control who will have access to the information that you choose to make public, and cannot ensure that parties who have access to such publicly available information will respect your privacy or keep it secure. We are not responsible for the privacy or security of any information that you make publicly available on the Service or what others do with information you share with them on the Service. We are not responsible for the accuracy, use or misuse of any User Content that you disclose or receive from third parties through the Service.

(b) **Name and Likeness.** We may also publish your name, voice, likeness and other Personal Information that is part of your User Content, and we may use the content, or any portion of the content, for advertising, marketing, publicity and promotional activities. For full terms and conditions regarding User Content you submit to the Service, please review our [Terms of Service](#).

5. Does Third-Party Content, Links to Third-Party Sites, and/or Third-Party Sites appear on the Service?

The Service may contain content that is supplied by a third party, and those third parties may collect Usage Information and your Device Identifier when pages from the Service are served to you. In addition, when you are on the Service you may be directed to other sites and apps that are operated and controlled by third parties that we do not control. We are not responsible for the data collection and privacy practices employed by any of these third parties or their sites or apps and they may be tracking you across multiple online services and may be sharing the results of that tracking with us and/or others. For example, if you “click” on a link, the “click” may take you off the Service onto a different location. These other online services may associate their Tracking Technologies with you, independently collect data about you, including Personal Information, and may or may not have their own published privacy policies.

Third-party applications may also be available via the Service. The owners of these applications (“**Third-Party Owners**”) may collect Personal Information and other data from you and may have their own policies and practices. We are not responsible for how Third-Party Owners or their applications collect or use your information and they may be tracking you across multiple Services and may be sharing the results of that tracking with us and/or others. These Third-Party Owners may have their own terms of service, privacy policies or other policies and ask you to agree to the same. We are not responsible for these third-party privacy policies or the practices of Third-Party Owners. Be sure to review any available policies before submitting any personally identifiable information to a third-party application or otherwise interacting with it and exercise caution in connection with these applications. We also encourage you to note when you leave our Service and to review the third-party privacy policies of all third-party locations and exercise caution in connection with them.

6. How Do I Change My Information and Communications Preferences?

You are responsible for maintaining the accuracy of the information you submit to us, such as your contact information provided as part of registration. The Service may allow you to review, correct or update Personal Information you have provided through the Service’s registration forms or otherwise, and you may provide registration updates and changes by contacting us [here](#). If so, we will make good faith efforts to make requested changes in our then active databases as soon as reasonably practicable (but we may retain prior information as

business records). With respect to our apps, you can prospectively stop all collection of information by the app by uninstalling the app. You may use the standard uninstall process as may be available as part of your applicable Device or potentially via the appropriate application or app marketplace. Please note that it is not always possible to completely remove or delete all of your information from our databases and that residual data may remain on backup media or for other reasons. When you edit your Personal Information or change your preferences on the Service, information that you remove may persist internally for Company's administrative purposes. You may cancel or modify our email marketing communications you receive from us by following the instructions contained within our promotional emails. This will not affect subsequent subscriptions and if your opt-out is limited to certain types of emails the opt-out will be so limited. Please note that we reserve the right to send you certain communications relating to your account or use of our Service, such as administrative and Service announcements and these transactional account messages may be unaffected if you choose to opt-out from receiving our marketing communications. If you have any questions about the Privacy Policy or practices described in it, you should contact us in the following ways: Postal Mail: Moving Analytics, Inc., 4676 Admiralty Way, Suite #503, Marina Del Ray, CA 90292; By email [here](#).

7. What About Transfer of Information to the United States?

Our Service is operated in the United States and intended for users located in the United States. If you are located outside of the United States, please be aware that information we collect, including Personal Information, will be transferred to, and processed, stored and used in the United States. The data protection laws in the United States may differ from those of the country in which you are located, and your Personal Information may be subject to access requests from governments, courts, or law enforcement in the United States according to laws of the United States. By using the Service or providing us with any information, you consent to the transfer to, and processing, usage, sharing and storage of your information, including Personal Information, in the United States as set forth in this Privacy Policy.

8. What Should Parents Know About Children?

We understand the importance of protecting children's privacy in the interactive world. We are a general audience Service and do not use the Service to knowingly collect personal information from children under the age of 13 that requires parental notice and consent under the Children's Online Privacy Protection Act ("COPPA") without such parental consent. If you are a child under 13 years of age, you are not permitted to use the Service and should not send any information about yourself to us through the Service.

In the event that we become aware that we have collected personal information from any child, we will dispose of that information in accordance with COPPA and other applicable laws and regulations. If you are a parent or guardian and you believe that your child under the age of 13 has provided us with personal information without COPPA-required consent, please contact us [here](#).

9. What About Security?

We endeavor to incorporate commercially reasonable safeguards to help protect and secure your Personal Information. However, no data transmission over the Internet, mobile networks, wireless transmission or electronic storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure the security of any information you transmit to us, and you use our Service and provide us with your information at your own risk.

10. What About Changes to the Privacy Policy?

We reserve the right to change this Privacy Policy at any time. Any changes will be effective immediately upon the posting of the revised Privacy Policy and your use of our Service indicates your consent to the privacy policy posted at the time of use. However, we will not use your previously collected Personal Information in a manner materially different than represented at the time it was collected without your consent. To the extent

any provision of this Privacy Policy is found by a competent tribunal to be invalid or unenforceable, such provision shall be severed to the extent necessary for the remainder to be valid and enforceable.

//End Privacy Policy//

11. Third Parties

The following third parties that collect information from you on the Service have given us notice that you may obtain information on their policies and practices, and in some instances opt-out of certain of their activities, as follows:

Party	Service	For More Information	Use of Tracking Technologies	Privacy Choices
Flurry	Analytics	http://www.flurry.com/privacy-policy.html	Yes	http://www.flurry.com/user-opt-out.html
Google Analytics	Analytics	http://www.google.com/analytics/learn/privacy.html	Yes	https://tools.google.com/dlpage/gaoptout/

PLEASE NOTE: We are not responsible for third-party policies or practices. We try to keep this information current, and will add to and subtract from the chart above as appropriate, but it is provided as a courtesy and may not be current or accurate. Please contact the applicable third parties regarding their privacy and data security policies and practices.