

PRIVACY POLICY

1. INTRODUCTION

- 1.1 "We" / "Us" / "Our" / "Organisation" individually and collectively refer to FitCru Health Services ("FitCru") know that You as a user ('You', 'Your', 'User(s)') care about how Your personal information is used and shared, and we take Your privacy seriously. Please read the following to learn more about our privacy policy. By visiting or using <https://fitcru.com> and domain name, and any other linked pages, features, content, mobile applications, or any other services offered from time to time by Us as an aggregator to our service providers ("Relevant Partners") or in connection therewith (collectively, the "App"), or by using the Services (as defined in our Terms of Use) in any manner, You acknowledge that You accept, and are subject to, the practices and policies outlined in this privacy policy.
- 1.2 We have tied up with third party Relevant Partners and facilitate as an aggregator platform for them to provide their Services. For this, We share data collected on Our App with the Relevant Partners on a need to know basis and We are not responsible for their respective privacy standards or any security lapses of their hardware or software or any loss of data stored by them.
- 1.3 Any technical glitches or loss of mobile handset or security lapses of hardware or software or loss of user data available with the Relevant Partners, is out of FitCru's control and We shall not be responsible for such losses.
- 1.4 As there are third party applications being used to provide the Services, the privacy policy of these third party applications will be binding on You. In case of any update or change in their privacy policy, those changes shall also be applicable to You. During such updates, if there is loss of data on their part, then FitCru shall not be held liable.
- 1.5 In case of any unauthorised access of Your handset that may lead to any breach or usage of Your data, shall not be the responsibility of FitCru.
- 1.6 We hold the sincere belief that You should always know what data We collect from You, the purposes for which such data is used, and that You should have the ability to make informed decisions about what data You want to share with Us.
- 1.7 This is why We want to be fully transparent about:
 - 1.7.1 how and why We collect, store, share and use Your personal data through the various capacities in which You interact with Us; and
 - 1.7.2 the rights that You have to determine the parameters of this interaction.
- 1.8 This Privacy Policy is published in compliance with inter alia:
 - 1.8.1 Section 43A of the Information Technology Act, 2000;
 - 1.8.2 Regulation 4 of the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Information) Rules, 2011 ("SPDI Rules"); and

- 1.8.3 Regulation 3 of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.
- 1.9 While We would strongly advise You to read the Policy in full, the following summary will give You a snapshot of the salient points covered herein:
- 1.9.1 This Policy details the critical aspects governing Your personal data relationship with 'FitCru' which is owned and operated by "FitCru Health Services", having place of business at 501, Homestead Building, Santacruz West, Mumbai, Maharashtra, India.
- 1.9.2 Your personal data relationship with FitCru varies based on the capacity and medium in which You interact with Us/avail of Our services ("**Services**"). You could be:
- 1.9.2.1 a visitor to Website or any pages thereof ("**Visitor**"); or
- 1.9.2.2 a person who has an account with FitCru Application to avail it's Services ("**Registered User**").
- 1.10 Based on whether You are a Visitor or Registered User, the type of data we collect and the purpose for which We use it will differ and this Policy details such variations.
- 1.11 This Policy applies to all the Services provided by FitCru through the App or any other associated App of FitCru.
- 1.12 This Policy is a part of and should be read in conjunction with Our Terms of Use.
- 1.13 This Policy will clarify the rights available to You vis-à-vis the personal data You share with Us.
- 1.14 Through accessing Our App You consent to the privacy policy, and consent to usage of information provided by You.

2. INFORMATION WE COLLECT AND HOW WE USE IT

- 2.1. WHAT DATA WE MAY COLLECT FROM THE VISITOR
- 2.1.1. Your location;
- 2.1.2. How You behave on the App, (what pages You land on, how much time You spend, etc.); and
- 2.1.3. What device You use to access the App and its details (model, operating system, etc.).
- 2.2. WHAT DATA WE MAY COLLECT FROM THE REGISTERED USER
- 2.2.1. Your name, age, gender, phone number, e-mail address, mailing address;
- 2.2.2. Your height, weight;
- 2.2.3. Your lifestyle, food preferences, medical conditions (if any), health goals or other fitness regimes;
- 2.2.4. Your ethnicity, genetics, health or sexual orientation;
- 2.2.5. Username or other relevant unique identifier;

- 2.2.6. How You behave on the App, (what pages You land on, how much time You spend, etc.);
- 2.2.7. Credit card/debit card/other payment mode information to facilitate payments for our Services;
- 2.2.8. Your location unless You deactivate location services in the relevant section of the App;
- 2.2.9. How You behave in the relevant product environment and use the features; and
- 2.2.10. What device You use to access the App and its details (model, operating system, etc.).

2.3. HOW AND WHY WE USE INFORMATION FROM VISITOR

- 2.3.1. We use this information to analyse and identify Your behaviour and enhance the interactions You have with the App; and
- 2.3.2. If You submit Your details and give us Your consent, We may use Your data to send You e-mails/newsletters, re-target FitCru advertisements or re-market our Services using services from third-parties like Facebook and Google.

2.4. HOW AND WHY WE USE INFORMATION FROM REGISTERED USER

- 2.4.1. We collect this data in order to help You register for and facilitate provision of Our Services;
- 2.4.2. We use this data to show age appropriate content and advertisements;
- 2.4.3. We use this data to track Your nutrition, weight and fitness regimes;
- 2.4.4. We use the data from the device You access Our App to identify the login information of multiple users from the same device;
- 2.4.5. We use this data to prepare a specific diet plan and training regime for You;
- 2.4.6. We use this data to enable You to make payments for Our Services;
- 2.4.7. We use a third-party service provider to manage payment processing. This service provider is not permitted to store, retain, or use information You provide except for the sole purpose of payment processing on Our behalf;
- 2.4.8. We use this data for processing Your requests, enquiries and complaints, customer services via WhatsApp support services and related activities;
- 2.4.9. We use this data to communicate about existing or new offers, content, advertisements, surveys, key policies or other administrative information;
- 2.4.10. We also use this data to provide You with informative features and services that are developed by Us from time to time;

- 2.4.11. We also use this data for providing, testing, improving, or recommending the Services; and
- 2.4.12. We also use this data for analytics and reviews to improve the Services. We also use this data to provide support to law enforcement agencies or in connection with an investigation on matters related to public safety, as permitted by law or anti-fraud activities/systems.

3. PUBLISHED CONTENT

- 3.1 Any success stories, comments, messages, blogs, scribbles etc. posted/ uploaded/ conveyed/ communicated by You on the public sections of the App becomes published content;
- 3.2 We may publish such published content on Our App so long as You consent;
- 3.3 Upon Your request to take down such published content, it is at the discretion of FitCru to remove such published content or not; and
- 3.4 However, We are not responsible for any actions taken by third-parties with respect to such published content.

4. INFORMATION WE GET FROM OTHERS

- 4.1 We may receive data about You from other sources i.e., expert calls, smart watch, surveys, and such data may be added to Our App from time to time;
- 4.2 Such data may include Your behaviour towards various content posted on Our App from other sources;
- 4.3 We use the data collected from other sources to prepare a specific diet plan and training regime for You; and
- 4.4 We also use this data for providing, testing, improving, or recommending the Services provided by the Relevant Partners.

5. RETENTION OF PERSONAL INFORMATION

- 5.1 We will store any personal data We collect from You as long as it is necessary in order to facilitate Your use of the Services and for ancillary legitimate and essential business purposes – these include, without limitation, for improving Our Services, attending to technical issues, and dealing with disputes;
- 5.2 Provision of the Services on the App including optimizing, or further developing/improving operation of the App providing better user experience;
- 5.3 To contact You in relation Service offerings on the App, including pursuant to current or future collaborations with third party service providers;
- 5.4 For payment, billing and invoicing related purposes;
- 5.5 General business and operating purposes, such as the administration, management and operation of the business, including Relevant Partners

and Registered User interaction, responding to requests, customizing and improving Our Services;

5.6 Your personal data will primarily be stored in electronic form. We may enter into agreement with third parties to collect, store, process Your personal data but under full compliance with applicable laws; and

5.7 We may need to retain Your personal data even if You seek deletion thereof, if it is needed to comply with Our legal obligations, resolve disputes and enforce Our agreements.

6. TRANSFER OF INFORMATION

6.1 In the ordinary course of business, We may employ other Relevant Partners to assist Us in providing certain components of Our Services in compliance with the provisions of this Policy. To do so, We may need to share Your data with them; and

6.2 Some of the examples of where We may sub-contract processing activities to third parties include—record keeping, data analysis, marketing assistance, processing payments, and providing customer service.

7. THIRD PARTY LINKS

7.1 We may display links to third-party websites or applications on Our App for advertising or providing You with relevant content;

7.2 We will not be responsible for such third-party websites or applications if You choose to access them;

7.3 If You provide any data to such website/application, please ensure You read their policies given that You will no longer be bound by this Policy in doing so; and

7.4 We may receive data whenever You visit a third-party link through Our App which includes the date and time of Your visit to the third-party website, the web address or URL, technical information about the IP address, browser and the operating system You use and, if You are logged into FitCru, Your username.

8. COMPELLED DISCLOSURE

8.1 In addition to the purposes set out in the Policy, We may disclose any data We collected or processed from You if it is required:

8.1.1 Compliance with Our obligations under applicable laws and other regulations, including to protect against and prevent fraud and other legal or information security risks; and

8.1.2 To serve other purposes for which We provide specific notice at the time of collection, and as otherwise authorized or for any other lawful purposes.

9. SECURITY OF YOUR PERSONAL INFORMATION

9.1 We implement technical and organizational measures by using a variety of security features such as authentication system, reduce Laravel Vulnerabilities from Cross Site Request Forgery, protection against XXX

(Cross Site Scripting), SQL injection, security package and other procedures to help protect Your data from unauthorized access, use, loss, destruction or disclosure;

- 9.2 The collection, storage, usage, and sharing of Your data by the App shall be in compliance with the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011 and other applicable laws;
- 9.3 Your password is Your first line of defence once You set up a FitCru account, we recommend that You set a strong password which You never share with anyone;
- 9.4 We have taken appropriate steps for the security and protection of all Our digital platforms including internal applications, however, We shall not be responsible for any breach of security or the disclosure of personal data for reasons outside Our control including but not limited to Force Majeure (defined below) However, It will be Our best endeavour to resolve any such loss of personal information; and
- 9.5 “**Force Majeure**” shall mean and include any event beyond FitCru’s control including but not limited to fire, flood, explosions, act of god, computer hacking, computer crashes, breach of security, unauthorised access to computer data and storage device or due to governmental regulations.

10. HOW DO WE SHARE PERSONAL INFORMATION:

By downloading this App, You are providing Us with Your consent and We may share the data We collect from You to track Your visits and establish Your non-personal identity We share only depersonalised data available with Us.

11. CHANGES, ACCESS, CORRECTION & DELETION

- 11.1 We may amend this privacy policy from time to time. Use of information We collect now is subject to the privacy policy in effect at the time such information is used. If We make changes in the way We use personal information, We will notify You by posting an announcement on Our App or sending You an email. You are bound by any changes to the privacy policy when You use the App, or Service after such changes have been first posted;
- 11.2 You may request access, correction or updation, and deletion of the data by contacting contact@fitcru.com;
- 11.3 You may note that deletion of certain data or withdrawal of consent may lead to cancellation of Your registration with Us or Your access to Our Services;
- 11.4 Based on technical feasibility, We will provide You with access to all Your personal and sensitive personal data that We maintain about You. We will perform verification before providing You access to this data; and

- 11.5 You may opt out of Our marketing emails by clicking on the 'opt-out' link provided in the emails. However, We may still send You non-marketing emails about Your accounts or any other transactions with You.

12. GRIEVANCE OFFICER

- 12.1 If You have any queries or concerns with this Policy, please contact Our Grievance Officer. If You do not agree with the Policy, We would advise You to not visit/use the App;
- 12.2 If you do not wish to receive email or other mail from Us, please email us at: contact@fitcru.com or contact our Grievance Officer; and
- 12.3 Please note that if You do not want to receive legal notices from Us, such as this privacy policy, those legal notices will still govern Your use of the App and the Services, and You are responsible for reviewing such legal notices for changes.