

PepTalk

Privacy Policy

This Privacy Policy was last updated on 14 September 2020.

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1. Introduction

- 1.1 Thank you for visiting the Site and/or using the Services. In order to operate the Site and provide the Services, and to improve the Site's offering, Peptalk collects information from you. Even if you are just browsing the Site, PepTalk may receive certain information from you, for example the device you access the Site from and your IP address.
- 1.2 Please read this Privacy Policy carefully as it contains important information on who we are and how and why we collect, store, use and share your personal information. It also explains your rights in relation to your personal information and how to contact us in the event you have a complaint. Please rest assured that we take your privacy very seriously.
- 1.3 THIS PRIVACY POLICY APPLIES TO ALL SITE USERS EXCLUDING THOSE VISITING FROM THE EUROPEAN UNION. IF YOU ARE VISITING FROM THE EUROPEAN UNION, THE EU PRIVACY POLICY [HERE](#) WILL APPLY TO YOU.
- 1.4 This Policy sets out the obligations of PepTalk in respect of the collection, retention, safeguarding of and access to your Personal Data.
- 1.5 Please read this Policy in full, as by continuing to use the Site you are deemed to be bound by its contents. Please also read the [Website Terms and Conditions of Use](#) and any other terms applicable to your participation in the Services (together the "Key Terms"). IF YOU DO NOT AGREE TO ANY OF THE KEY TERMS, PLEASE STOP USING THE SITE IMMEDIATELY.

2. Definitions

2.1 In this Privacy Policy:

- (i) **“PepTalk”** means: The Peptalk Co, with offices at 188 Grand Street, Unit 241, New York, NY 10013;
- (ii) **“Personal Data”** means: any information relating to an individual that specifically identifies that individual;
- (iii) **“Services”** means: the personalised live two-way video coaching sessions provided by PepTalk via the Site, and such other services as PepTalk may provide via the Site from time to time;
- (iv) **“Site”** means: www.getapeptalk.com/us and/or www.getapeptalk.com/uk, and all associated web pages;

3. **What Personal Data PepTalk might collect on you.**

3.1 PepTalk might collect some or all the following Personal Data from and/or about you:

- (i) Your name, age, date of birth and profession;
- (ii) Your photograph and biography as provided during the sign-up process;
- (iii) Your contact details, including: postal address, telephone numbers and e-mail address;
- (iv) Your credit card or other payment information;
- (v) Details of services provided and/or orders made by you;
- (vi) Details of PepTalk events attended by you (if applicable);
- (vii) Your competition or other contest entries;
- (viii) Your communication and marketing preferences;
- (ix) Your interests, preferences, feedback and survey responses;
- (x) Your correspondence and communications with PepTalk;
- (xi) Other publicly available Personal Data, including any which you have shared via a public platform (such as a Twitter feed, public Facebook page or a company website).

3.2 In addition, PepTalk may collect some or all of the following:

- (i) information about your visit to the Site, including the full Uniform Resource Locators (URL), clickstream to, through and from the Site (including date and time), pages you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from the page;
- (ii) Technical information, including the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, browser plug-in types and versions, and operating system and platform; and
- (iii) Information collected from the Site and elsewhere across the internet through cookies, web beacons, pixel tags, device identifiers and other technologies including information about your shopping habits and preferences.

3.3 This above lists are not exhaustive and, in specific instances, PepTalk may need to collect additional data for the purposes set out in this Policy. PepTalk may also collect Personal Data and other information about you from third parties.

4. How long might PepTalk hold on to your Personal Data.

- 4.1 PepTalk will not retain your Personal Data for longer than necessary for the purposes set out in this Policy. Different retention periods apply for different types of data.
- 4.2 Should you request a deletion of any Personal Data that PepTalk holds on you, PepTalk will take all commercially reasonable steps to remove your Personal Data from its database, provided that nothing in this Policy shall prevent PepTalk from retaining information strictly necessary for and in compliance with its business practices (for example, for the purposes of dispute resolution, enforcement and to comply with legal agreements).

5. How PepTalk might collect your Personal Data.

- 5.1 PepTalk may collect your Personal Data in the following:
- (i) When you opt-in to receive marketing or other communications from PepTalk ;
 - (ii) When you place an order for Services via the Site;
 - (iii) When you sign-up to provide Services via the Site;
 - (iv) When you enter one of PepTalk's competitions or other contests;
 - (v) When you correspond with PepTalk (by phone, email or otherwise);
 - (vi) Information that PepTalk may collect automatically when you use the Site, for example with regard to each of your visits to the Site it may, independently or through third-party data analytics tools or services such as Google Analytics, automatically collect information as you use PepTalk's services and/or the Site;
 - (vii) Information gathered through cookies and other similar technology to distinguish you from other users of the Site, to assist PepTalk in providing you with a good experience when you browse the Site and also allows PepTalk to improve the Site.

6. The grounds on which PepTalk may store and use your Personal Data.

- 6.1 PepTalk might store and use your Personal Data on the following legal grounds:

(i) Consent:

- for example, if you have opted in to receive marketing communications and/or news from PepTalk.

(ii) Fulfilment of a Contractual Obligation/Performance of Services:

- for example, if you have purchased Services via the Site, PepTalk will store and process your Personal Data insofar as it is necessary to fulfil such order. Further, if you have signed up to provide Services, PepTalk will store and process your Personal Data insofar as it is necessary to aid, manage and remunerate you for the provision of Services.

(iii) Legitimate Interest:

- for example, if you have previously provided PepTalk with your contact details in the course of business (for example, you have signed up to receive and or provide Services via the Site), PepTalk may send you electronic communications relating to similar goods/services that it may provide from

time to time. You will always be given the opportunity to opt-out of this form of communication via an 'unsubscribe' link. If relying on legitimate interest as a lawful ground for processing your Personal Data, PepTalk will always take into account your rights and interests prior to sending any such communications.

(iv) Legal and Compliance Purpose(s):

- for example, to assist PepTalk in keeping the Site safe and secure; to use profiling tools to identify behaviour which breaches the terms upon which you are using the Site and/or Services; and to protect PepTalk's rights or property.

6.2 PepTalk may convert Personal Data into an anonymous format such that it no longer identifies you and therefore is no longer Personal Data ("**Anonymous Data**") so that it can use the Anonymous Data for tracking and marketing purposes, or for other purposes within the scope of this Policy.

7. The way(s) in which PepTalk might use your Personal Data.

7.1 General:

PepTalk (and necessary trusted partners acting on PepTalk's behalf under contract) might use your Personal Data:

- (i) to provide the platform for the Services to you;
- (ii) to make a tailored website available to you;
- (iii) to manage any registered account(s) that you may hold and other administrative matters;
- (iv) to verify your identity;
- (v) for crime and fraud prevention, detection and related purposes, including if PepTalk believes you are using the Site and/or the Services in contravention of any Key Terms;
- (vi) to contact you electronically about news/events and/or products/services which PepTalk thinks may interest you;
- (vii) for market research purposes and to better understand your needs;
- (viii) where PepTalk has a legal right or duty to use or disclose your information (for example in relation to an investigation by a public authority or in a legal dispute or for other law enforcement matters);
- (ix) to progress or respond to an employment application made by you or to defend against employment claims.

7.2 Communications:

- (i) PepTalk might use your Personal Data for electronic marketing purposes (with your consent) and may send you postal mail to update you on various news, event and/or products/services.
- (ii) PepTalk aims to update you about items which are of interest and relevance to you as an individual.
- (iii) You have the right to opt-out of receiving marketing communications at any time, by:

- a) making use of the simple “unsubscribe” link in emails; or
- b) contacting PepTalk via www.getapeptalk.com/us/contact.

7.3 Sharing data with necessary trusted third parties:

(i) PepTalk’s service providers and suppliers:

In order to make certain services available to you, PepTalk may need to share your Personal Data with some of its necessary trusted service providers/partners (“**Trusted Partners**”). These could include IT, payment, customer services and marketing service providers.

PepTalk only allows its Trusted Partners to handle your Personal Data when PepTalk has confirmed that they apply appropriate data protection and security controls. PepTalk may also impose contractual obligations on its Trusted Partners relating to data protection and security, which mean they can only use your Personal Data to provide services to PepTalk and to you, and to improve the services it provides.

PEPTALK DOES NOT SHARE YOUR PERSONAL DATA WITH ANY TRUSTED PARTNER FOR IT TO USE FOR ITS OWN MARKETING PURPOSES WITHOUT YOUR CONSENT.

7.4 Other third parties:

Aside from to its necessary trusted service providers and partners, PepTalk will not disclose your Personal Data to any other third party, except as set out below.

PepTalk may share your data with:

- (i) credit reference agencies where necessary for card payments;
- (ii) governmental bodies, regulators, law enforcement agencies, courts/tribunals and insurers where PepTalk is required to do so: -
 - a. to comply with PepTalk’s legal obligations;
 - b. to exercise PepTalk’s legal rights (for example in court cases);
 - c. for the prevention, detection, investigation of crime or prosecution of offenders; and
 - d. for the protection of PepTalk’s employees and customers.

PEPTALK WILL NOT SELL OR RENT YOUR PERSONAL DATA TO OTHER ORGANISATIONS FOR MARKETING PURPOSES WITHOUT YOUR PRIOR WRITTEN CONSENT.

8. The measures PepTalk has in place to protect your Personal Data.

8.1 PepTalk strives to maintain the highest standards of data privacy and security to protect your personal details and other information about you, however no method of transmission over the Internet or method of electronic storage is 100% secure, therefore you use the Site and transmit information at your own risk.

8.2 PepTalk has in place the following safeguards to protect your Personal Data:

- (i) PepTalk shall ensure that Personal Data is stored securely using modern software that is kept-up-to-date.;
- (ii) Access to Personal Data within PepTalk's organisation shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information;
- (iii) When Personal Data is deleted this should be done safely such that the data is irrecoverable;
- (iv) Appropriate back-up and disaster recovery solutions shall be in place; and
- (v) PepTalk regularly reviews its processes and procedures to protect your information from unauthorised access and use, accidental loss and/or destruction.

9. Your Rights.

9.1 You have the following rights in respect of the Personal Data that PepTalk holds:

- (i) the right to ask for a copy of Personal Data that PepTalk holds about you (the right of access);
- (ii) the right (in certain circumstances) to request that PepTalk deletes Personal Data held on you where PepTalk no longer has any legal reason to retain it (the right of erasure or to be forgotten);
- (iii) the right to ask PepTalk to update and correct any out-of-date or incorrect Personal Data that PepTalk holds about you (the right of rectification);
- (iv) the right to opt out of any marketing communications that PepTalk may send you and to object to PepTalk using / holding your Personal Data if PepTalk has no legitimate reasons to do so (the right to object);
- (v) the right (in certain circumstances) to ask PepTalk to 'restrict processing of data'; which means that PepTalk would need to secure and retain the data for your benefit but not otherwise use it (the right to restrict processing); and
- (vi) the right (in certain circumstances) to ask PepTalk to supply you with some of the Personal Data that it holds about you in a structured machine-readable format and/or to provide a copy of the data in such a format to another organisation (the right to data portability).

10. Third Party Websites.

10.1 The Site may from time to time, contain links to and from the websites of its partners, advertisers and affiliates, or to any other third party. If you follow a link to any of these websites, please note that these websites have their own terms of use and privacy policies and that PepTalk does not accept any responsibility or liability for these policies. Please check these policies before you submit any Personal Data to these websites.

11. How PepTalk will communicate changes to this Privacy Policy.

11.1 PepTalk may update this Policy to reflect changes in how it collects, stores and/or uses your Personal Data. The most recent version of the Policy will always be available via the Site. Where appropriate, PepTalk will provide you with notice of any significant changes to how it uses your information.

12. Cookies.

- 12.1 The Site uses tracking and other technologies, which may include cookies, local storage, web beacons, embedded scripts and location data to collect information about you and distinguish you from other users of the Site. Some of these technologies may place a cookie on your device, transfer a unique identifier for your device to a browser or otherwise use means to track or access your interactions and access.
- 12.2 This helps PepTalk to provide you with a good user experience when you browse the Site (for example, by saving your preferences) and also allows PepTalk to improve the Site and Services.
- 12.3 The information that PepTalk may collect includes (but is not limited to):
- (i) Details of your visit to the Site (date, time etc);
 - (ii) Your navigation of the Site, including links clicked on and dwell time;
 - (iii) Your route to the Site, including: websites or advertisements visited, and search terms used;
 - (iv) Your IP address or other device indicator;
 - (v) Location data from your device, unless disabled, in which case approximate location data is gathered is your IP address;
 - (vi) Device and connection information, including operating system.
- 12.4 Cookies can be disabled by adjusting the browser and/or privacy settings on your device. However PLEASE NOTE, IF YOU DISABLE OR RESTRICT CERTAIN COOKIES OR OTHER TECHNOLOGY ON YOUR DEVICE, YOU MAY NOT BE ABLE TO ACCESS CERTAIN PARTS OF THE SITE INCLUDING THE SERVICES.
- 12.5 PepTalk do not currently honour “Do Not Track” signals.

13. International Transfers.

- 13.1 Your information will be collected, process and stored directly on or transferred to servers in the United States. In addition, it may be transferred to other countries where PepTalk has business operations. No matter where your Personal Data is collected, processed or stored, PepTalk will put appropriate safeguards in place to protect your Personal Data and safeguard your rights in accordance with this Policy.

14. Children’s data.

- 14.1 The Children’s Online Privacy Protection Act 1998 (US) requires that online service providers obtain parental consent before they knowingly collect personally identifiable information online from children who are under thirteen (13). PepTalk does not knowingly collect or solicit personally identifiable information from children under thirteen (13). If you are a child under thirteen (13), please do not attempt to register with or otherwise use the Site or send PepTalk any personal information. If PepTalk learns that it has collected personal information from a child under thirteen (13), it will promptly delete that information. If you believe that a child under thirteen (13) may have provided PepTalk with personal information, please contact:

15. California specific privacy rights.

15.1 As detailed herein, PepTalk does not share your Personal Data with any third party for their own marketing purposes without your express consent.

15.2 Should you request a copy of your Personal Data held by PepTalk, please contact www.getapeptalk.com/us/contact.

16. Google User Data.

16.1 Notwithstanding anything else contained in this Privacy Policy, if you provide PepTalk with access to any of your Google data (including calendar data), PepTalk's use of that data will be subject to these additional restrictions:

- (i) PepTalk will only use access to read, write, modify or control Gmail message bodies (including attachments), metadata, headers, and settings to provide a web email client that allows users to compose, send, read, and process emails and will not transfer this Gmail data to others unless doing so is necessary to provide and improve these features, comply with applicable law, or as part of a merger, acquisition, or sale of assets;
- (ii) PepTalk will not use this Gmail data for serving advertisements;
- (iii) PepTalk will not allow humans to read this data unless we have your affirmative agreement for specific messages, doing so is necessary for security purposes such as investigating abuse, to comply with applicable law, or for PepTalk's internal operations and even then only when the data have been aggregated and anonymized.

17. How you can contact PepTalk.

17.1 If you have any questions/comments on the contents of this Policy please contact: www.getapeptalk.com/us/contact or write to PepTalk at the address shown in paragraph 1.