



## ANNEX I: RESPIRIT PILATES PRIVACY POLICY

### I. Introduction

1. This privacy notice (or “Privacy Policy”) provides Clients and Visitors with details how Respirit Pilates collects, processes and protects their personal data through the use of Respirit Pilates` offline services or internet sites and other online products.
  2. This Privacy Policy applies to Respirit Pilates` information collection and use practices
    - a. offline when Clients directly provide information to us, and
    - b. online, when Clients and Visitors visit any of Respirit Pilates` internet sites, irrespective of the device they use.
  3. By visiting any of Respirit Pilates` sites and using its online and offline services Clients and Visitors are agreeing to Respirit Pilates` General Terms and Conditions, including this Privacy Policy.
  4. It is important that the information Respirit Pilates holds about Clients is accurate and up-to-date. It is also the responsibility of Clients to inform Respirit Pilates about any change in their personal information.
  5. Capitalized terms that are not defined in this Privacy Policy shall have the meaning set forth in our Terms and Conditions or the corresponding European legislation.
- b. data relating to the nature and frequency of the use of Respirit Pilates` services: history of attendance and cancellations
  - c. data relating to the Client`s age, habits, bodily conditions, sport and injury history. Providing Respirit Pilates with this latter data is voluntary and limited to Clients of Private Classes (hereinafter Private Clients).
2. **Visual Data** that includes photo and video footages of the Clients.
  3. **Communication Data** that includes any communication that Clients or Visitors send to Respirit Pilates whether that be through the contact form of Respirit Pilates` website, through email, text message, social media messaging, social media posting or any other communication irrespective of its form.
  4. **User Data** that includes
    - a. login data for the use of MBO
    - b. data about how Clients and Visitors use our website and any online services together with any data they post for publication on Respirit Pilates` website or through its other online services
  5. **Technical Data** that includes
    - a. data about Clients` and Visitors` use of Respirit Pilates` website and online services, such as IP address, login data, length of visit to pages, page views and navigation paths, browser details, page views, navigation path, time zone settings, viewing device, operating system and its version, carrier and country location and any similar data.

### II. Nature of processed data

1. **Client Data** that includes
  - a. data relating to any purchases of Respirit Pilates` services: name, billing address, contact details, purchase/order details, payment information and bank card details



- b. cookie information that Respirit Pilates` website stores on Visitors` computer`s or mobile device`s hard drive so that it “remembers” information about the website visit. Respirit Pilates may use both session cookies, which expire once the web browser is closed, and persistent cookies, which stay on the Visitor`s device until they are deleted.
6. **Marketing Data** that includes Client`s and Visitors` data about their preferences in receiving marketing from Respirit Pilates and their communication preferences.
7. **Other data** that we collect may include
- a. additional information about Clients and Visitors they provide Respirit Pilates voluntarily, such as gender, product and service preferences
  - b. third-party analytics to evaluate Visitors` use of Respirit Pilates` Website, compile reports, collect demographic data, analyse performance metrics and to collect and evaluate other information relating to the Website`s as well as mobile and Internet usage
  - c. information from third parties, such as Facebook and /or other social media sites, especially but not limited to Visitor`s profiles shared with Respirit Pilates.

### III. Data processing, its legal ground and purposes

1. Respirit Pilates collect and process data for specified, explicit and legitimate purposes.
2. Primary **Client Data** (II.1.a) is first and foremost collected through Clients creating their own personal account within MBO, either using its desktop version or mobile application. It is collected and processed primarily for invoicing purposes required by legislation, but also that Respirit Pilates keeps records of its contracts with Clients and can pursue legal claims if necessary. No personal information is collected from Visitors when they use the Website only, unless they provide it directly to Respirit Pilates voluntarily, e.g. by signing up for receiving marketing materials or sending information through emails or other communication means.
3. Personal information of Clients related to class attendance (II.1.b) is recorded automatically in MBO, within the Client`s account, to keep records of the contract between the Client and Respirit Pilates.
4. Personal information mentioned under II.1.c is shared by the Private Client voluntarily and it may contain certain sensitive data. This data is collected directly from the Client only in physical format on paper by Respirit Pilates Instructors. This data serves Respirit Pilates to give the highest standard individualised service to its Private Clients and to avoid offering inappropriate exercises. If this data is not provided, Private Clients understand that they cannot get a service tailored to their needs and they will retain all responsibility regarding the exercises offered by Respirit Pilates.
5. **Visual Data** (II.2) is taken by Respirit Pilates` instructors or its service providers, within the premises of Respirit Pilates and/ or during its events. This data is collected for internal training and marketing purposes and never to serve identification purposes. Our lawful ground for processing is clients` consent and our legitimate interest to showcase our business to the wider public.
6. **Communication Data** (II.3) is collected by Clients and Visitors voluntarily providing it, and it is processed for the purposes and legitimate interest of communicating with Clients and Visitors, for record keeping and for the



establishment, pursuance or defence of legal claims.

7. **User Data** (II.4) is processed to
  - a. operate and protect the client accounts within MBO.
  - b. Operate the website and to ensure that relevant content is provided to Visitors as well as to ensure the Website's security.

Respirit Pilates' lawful ground for this processing is its legitimate interest to properly administer the Website and its business and business tools.
8. The source for **Technical Data** (II.5) is mostly analytics tracking systems. Respirit Pilates processes this data to analyse the Visitors' use of its Website and other online services, to administer and protect the business and Website, to deliver relevant website content and advertisements to Visitors and to understand the effectiveness of its advertising. Respirit Pilates' lawful ground for this processing is its legitimate interest to properly administer and grow its business and to decide on its marketing strategy.
9. Respirit Pilates automatically receives cookie information (II.5.b) using cookie technology. If Visitors do not want Respirit Pilates to place a cookie on their hard drive, they may be able to turn that feature off on their computer or mobile device. Visitors take the responsibility to consult their Internet browser's documentation for information on how to do it and how to delete persistent cookies. Visitors also understand that if they disable or refuse cookies, some parts of the Website may become inaccessible or not function properly.
10. **Marketing Data** (II.6) is processed to enable Clients and Visitors to partake in promotional events and to enable Respirit Pilates to deliver relevant website content and advertisements to

its Visitors and Clients as well as to understand the effectiveness of its advertising. Respirit Pilates' lawful ground for this processing is its legitimate interest to properly administer and grow its business and to decide on its marketing strategy.

11. Respirit Pilates may get **additional client information** from surveys (II.7.a), which will never identify Clients and Visitors personally.
12. By accessing and using the Website, Visitors consent that third-party analytics services (e.g. Google Analytics) use Technical Data about them (II.7.b). These third parties may use cookies, pixel tags and / or other technologies to collect such Other Data for such purpose.
13. We may use Client Data, User Data, Technical Data, Marketing Data and Other Data to deliver relevant website content and advertisements to Clients and Visitors, including Facebook adverts or other display advertisements, and to measure or understand the effectiveness of the advertising Respirit Pilates serves its Clients and Visitors. Respirit Pilates may also use such data to send other marketing communications. Respirit Pilates' lawful ground for this processing is either consent or legitimate interest of growing its business.
14. Respirit Pilates' lawful ground of processing Clients' and Visitors' personal data for marketing purposes is either their consent or Respirit Pilates' legitimate interest to grow its business.
15. Respirit Pilates may send marketing communication if
  - a. a Client has purchased any of its services, or
  - b. a Client has created a personal profile within MBO, or



- c. a Visitor asked for information about its services, or
- d. a Visitor agreed to receive marketing communication

and in each above case he has not opted out of receiving such communication since. If Clients opt out of receiving marketing communication, this opt-out does not apply to personal data necessary for other purposes.

16. Respirit Pilates retains personal data for as long as necessary to fulfil the purposes they have been collected for, including the purposes of satisfying any legal, accounting or reporting obligations.

For tax purposes the law requires Respirit Pilates to keep personal information about Clients for 10 years after they stop being clients.

In some circumstances Respirit Pilates may anonymise personal data for research or statistical purposes, in which case Respirit Pilates may use the information indefinitely without any further notice to Clients and Visitors.

#### IV. Disclosure of data

1. Respirit Pilates is the Controller of Clients` and Visitors data in cases where they have shared their data directly with Respirit Pilates. Even in such cases Respirit Pilates may have to share their data with its service providers, who will become data Processor on their behalf. In most cases these service providers are as well joint controllers with Respirit Pilates as Clients` and Visitors may share their data directly with them, too.
2. Mindbody Inc. – MBO (joint controller) is a US-based company providing Respirit Pilates its online booking system, both as desktop and mobile application. Clients understand that if

they want to use Respirit Pilates` services, they must have a personal account within MBO.

The use of MBO is governed by MBO`s

Privacy Policy:

<https://www.mindbodyonline.com/privacy-policy>

Mobile App User Agreement:

<https://www.mindbodyonline.com/mobile-app-user-agreement>

3. Paysafe Holdings UK Limited (Processor) ensures that Clients` payments made online within their MBO account are received by Respirit Pilates. To clear bank card transactions, Paysafe has access to some personal data of Clients (II.1.a) through MBO.

Paysafe`s Comprehensive Privacy Policy is accessible here:

<https://www.paysafe.com/comprehensive-privacy-policy/>

4. Respirit Pilates sends its Newsletters to its contacts through Mailchimp, a US-based marketing platform, operated by The Rocket Science Group, LLC (joint controller). Respirit Pilates stores its Clients` and Visitors` name and email address within Respirit Pilates` Mailchimp account.

Mailchimp`s privacy policy is accessible here:

<https://mailchimp.com/legal/privacy/>

5. Godaddy Inc. (joint controller) provides hosting and website builder services for Respirit Pilates. It is through Godaddy Inc`s servers in the UK that Respirit Pilates collects Technical Data (II.4) from its Visitors.

By using Godaddy`s services the following legal documents apply:

Privacy Policy

<https://uk.godaddy.com/agreements/ShowDoc.aspx?pageid=privacy>



Data Processing Agreement

<https://uk.godaddy.com/agreements/ShowDoc.aspx?pageid=27912>

Cookie policy

<https://uk.godaddy.com/agreements/ShowDoc.aspx?pageid=24668>

6. Balanced Media Kft. (data processor) is Respirit Pilates` marketing agency specialised in social media marketing and website design. For website integration reasons they have access to certain features of MBO and for marketing reasons they process visual data of Clients.
7. Respirit Pilates` contracted instructors (data processors) have access to certain data of Clients through MBO to provide the most adequate service to them.
8. Respirit Pilates may publish certain images on Facebook and Instagram (data processor) for marketing purposes. In these cases these social media sites` privacy policy also applies.
9. Whenever Clients` and Visitors` data is transferred out of the European Economic Area, Respirit Pilates ensures the safeguards laid out in Chapter 5 of the General Data Protection Regulation of the European Union.

#### **V. Data security**

1. Respirit Pilates takes appropriate and reasonable technical and organizations measures to protect all Data from loss, misuse, unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in the processing and the nature of the Data in question. These measures are included into Respirit Pilates` internal Security Policy.
2. Primary Client Data is stored within each Client`s personal MBO account. This account requires a username and a password to log in. Account passwords are hashed and Respirit

Pilates cannot see the passwords of Clients. Clients understand that it is their responsibility to keep their username and password secure and never disclose it to third parties.

3. Clients understand that no security system is impenetrable, especially if it has a link to the Internet. Respirit Pilates therefore cannot guarantee the absolute security of its Clients` data.

#### **VI. Data retention**

1. Respirit Pilates retains personal data for as long as necessary to fulfil the purposes they have been collected for, including the purposes of satisfying any legal, accounting, contractual or reporting requirements.
2. Respirit Pilates is obliged to retain personal data relating to invoicing for 10 accounting years. Data necessary to prove contractual requirements will be retained for the general limitation period applicable in Luxembourg.

#### **VII. Legal rights of Clients**

1. In relation to their personal data Clients have rights
  - To be informed about the collection and use of their personal data
  - To access their personal data
  - To have inaccurate personal data rectified or completed if it is incomplete
  - To have their personal data erased
  - To request the restriction or suppression of the processing of their personal data
  - To object the processing of their personal data
2. If a Client wishes to exercise any of the rights set above, s/he can send us a message to Respirit Pilates` contact details below. Respirit Pilates responds to all legitimate requests within one



month after the verification of the requesting party`s identity.

#### **VIII. Contact details**

Respirit Pilates  
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L-8041 Strassen  
Luxembourg  
T: +352 621 621 323  
[www.respirit-pilates.com](http://www.respirit-pilates.com)  
[respirit.pilates@gmail.com](mailto:respirit.pilates@gmail.com)