

GOLFTEC Privacy Policy

Last Updated: January 20, 2023

This Privacy Policy (“**Privacy Policy**”) describes how GOLFTEC Enterprises, LLC and its affiliates and subsidiaries, including GOLFTEC ST LLC, d/b/a SKYTRAK, and GOLFTEC’s independent franchisees (collectively, “**GOLFTEC**”, “**we**”, “**us**” or “**our(s)**”), collects, uses, and shares your Personal Data when you use our Goods and Services, including when you interact with us through our various Sites and/or mobile Apps. This Privacy Policy also describes the rights you have related to your Personal Data. Please take a moment to familiarize yourself with our privacy practices and contact us if you have any questions.

We follow this Privacy Policy in accordance with applicable law in the places where we operate. In some cases, we may provide additional privacy notices specific to certain, products, practices, or geographies. Those terms are to be read in conjunction with this Privacy Policy.

Please be advised that our Services may contain links to other websites that are not operated by us. If you click on a third-party link, you will be directed to that third party's site. We strongly advise you to review the privacy policy of every site you visit. We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party sites or services. TO THE MAXIMUM EXTENT PERMITTED BY LAW, WE ARE NOT RESPONSIBLE FOR THE PRIVACY PRACTICES OF ANY THIRD-PARTY SITES.

By interacting with GOLFTEC through your use of our Goods and Services, you expressly and directly consent and agree to the practices set forth below.

For California Consumers

If you are a California consumer, GOLFTEC’s [CCPA Privacy Notice](#) applies to you.

For UK/European Data Subjects

If you are a United Kingdom or European data subject, GOLFTEC’s EU/UK Privacy Addendum applies to you.

For Japan Data Subjects

If you are a Japan data subject, GOLFTEC’s Japan Privacy Addendum applies to you.

For Canada Data Subjects

If you are a Canada data subject, GOLFTEC’s Canada Privacy Addendum applies to you.

For Hong Kong Data Subjects

If you are a Hong Kong data subject, GOLFTEC's Hong Kong Privacy Addendum applies to you.

For Singapore Data Subjects

If you are a Singapore data subject, GOLFTEC's Singapore Privacy Addendum applies to you.

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- 1. Who We Are**

For the purposes of this Privacy Policy, GOLFTEC includes the following entities:

- GOLFTEC Enterprises, LLC
- GOLFTEC Canada Franchising, LLP
- GOLFTEC Canada ULC
- GOLFTEC Canada Holdings, Inc.
- GOLFTEC Franchising LLC
- GOLFTEC Franchise Services Inc.
- GOLFTEC Management LLC
- GOLFTEC ST LLC D/B/A SKYTRAK
- Golf Digest Online Inc.
- Franchisees (defined in Section 7 below)

2. GOLFTEC Values Your Privacy Rights

GOLFTEC respects, recognizes, and values your fundamental privacy rights, and we strive to protect those rights by complying with applicable laws, and by adhering to reasonable privacy and data protection best practices in the respective jurisdictions in which we operate.

Whenever reasonably and commercially practicable, and/or whenever required by applicable law, we will give you the ability to access, correct, transfer, restrict and/or delete your Personal Data. In some circumstances, if you choose to exercise some or all of those rights, you may not be able to access some or all of our Services. We also do not sell your data, even under the definition of “sale” in Nevada or California.

3. What is Personal Data

We consider any data that can directly identify you (such as your name or email address) or that can reasonably be used to identify you (such as your device ID or phone number) as Personal Data. We do not consider aggregated data as Personal Data for the purposes of this Privacy Policy.

4. Personal Data We Collect from You

When you visit a GOLFTEC location, create a GOLFTEC or SKYTRAK account, interact with our Site or Apps, purchase and/or use our Goods or Services, contact us, interact with us on social media, or otherwise interact with GOLFTEC, we may collect the following type of information:

a. *Personal Data*

- **Account Information.** Your GOLFTEC and SKYTRAK account details, including email address, account status, gender, and age.
- **Device Information.** Data from which your device could be identified, such as device serial number, mobile device unique ID, mobile device’s IP address, mobile operating

system, the type of mobile Internet browser, unique device identifiers and other diagnostic data.

- **Contact Information.** Data such as name, email address, physical address, phone number, or other contact information.
- **Audio/Video Information.** Your swing and various parts of your lessons, fittings, or evaluations will be recorded on video during your lessons. Images and audio recordings may also be collected. You may also, at your discretion, submit a video of your swing to our Sites or Apps.
- **Transaction Information.** Data about purchases of our Goods and Services.
- **Usage Data.** Data about your activity on and use of our Services, including browsing history; search history; Sites/Apps interaction; crash data, performance and other diagnostic data; and other usage data.
- **Location Information.** Your physical location, generally and specifically. For example, depending on how you use our Services and Apps, we may track your location as you play a round of golf.
- **Fitness and Biomechanical Information.** Details relating to your movement, biomechanics, fitness and exercise information where you choose to share them.
- **Other Information You Provide to Us.** Details such as the content of your communications with GOLFTEC, including interactions with customer support, marketing channels, and contacts through social media channels.

b. Employment Applications

We collect Personal Data such as your name, address, e-mail, and phone number when you apply for employment with us through the Sites. In addition, we may collect information relating to your education and employment history when you submit that information as part of an employment application.

5. Information We Collect from Other Sources

GOLFTEC may receive Personal Data about you from other sources:

- **GOLFTEC Partners.** We may receive Personal Data about you from our various partners, including vendors; resellers and retailers of our SKYTRAK products; and/or third-party applications that we integrate with.
- **Other Individuals.** We may receive Personal Data about you from other individuals when they refer you for our Services or send you a product or a gift card.

6. GOLFTEC'S Use of Personal Data

GOLFTEC generally requires the Personal Data we collect about you to properly deliver our Goods and Services and will only use your Personal Data in a way that complies with applicable law. We use your Personal Data for the following purposes:

- **Provide Our Services.** GOLFTEC uses collected Personal Data to provide the Services, which may include development and improvement of the Services, internal purposes such as auditing or data analysis, or troubleshooting.
- **Process Your Transactions.** To process transactions with you, GOLFTEC must collect data such as your name, what you're purchasing, and shipping address.
- **Communicate with You.** To respond to communications, reach out to you about your transactions or account, promote or market our or our partners' goods, services or events, provide other relevant information such as news and special offers, or request information or feedback. From time to time, we may use your Personal Data to send important notices, such as communications about purchases and changes to our terms, conditions, and policies. Because this information is important to your interaction with GOLFTEC, you may not opt out of receiving these important notices.
- **Security and Fraud Prevention.** To protect individuals, employees, and GOLFTEC and for loss prevention and to prevent fraud.
- **Comply with Law.** To comply with applicable law — for example, to satisfy tax or reporting obligations, or to comply with a lawful governmental request.
- **Other Lawful Purposes.** As otherwise permitted by applicable law.

a. *How We Use Geolocation*

When using our Apps, GOLFTEC will request permission to obtain your specific location to better provide you with location-specific information, including promotions. In that case, the App will utilize location services on your mobile device to collect and use location data, including the real-time geographic location of your device. We may use GPS, Bluetooth, your device's unique identifier, and/or your IP Address, and other technologies to determine your device's geolocation. You may choose in your App settings whether the location services will be always running or only when the App is in use. You may also choose to disable location services through our App in the "Settings" function of your mobile device, but if you do so, you will not receive any notifications or Services that require a geolocation.

Please note that even if you disable location services, given how we deliver our Services, we will be able to determine your device's location in a very broad sense (i.e., what city the device is located in).

7. GOLFTEC's Sharing of Personal Data

There are some circumstances where we may disclose or share your Personal Data with a third party for a legitimate business purpose as described below:

- **With service providers:** We may share your Personal Data with service providers that provide services for or on behalf of GOLFTEC, monitor and analyze the use of our Services, to contact you, or to process your payments.
- **For business transfers:** We may share or transfer your Personal Data in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another person or entity or any other type of corporate reorganization, or as a result of a liquidation or bankruptcy proceeding.

- **With Affiliates:** We share your Personal Data with GOLFTEC affiliate entities.
- **With Franchisees:** GOLFTEC Franchising, LLC, GOLFTEC Canada ULC and GOLFTEC Franchise Services Inc. offer GOLFTEC franchises. Those franchisees (“**Franchisees**”), their staff and partners, have agreed to and are bound by the terms of this Privacy Policy.
- **With other Users:** When you share Personal Data or otherwise interact in the public areas with other Users, such information may be viewed by some or all Users and may be publicly distributed outside. If you interact with other Users or subscribe through a Third-Party Social Media Service, your contacts on the Third-Party Social Media Service may see your name, profile, pictures and descriptions of your activity. Similarly, other Users will be able to view descriptions of your activity, communicate with you and view your profile.
- **With third parties for legal or security reasons if we reasonably believe that disclosing the information is needed to:** comply with any valid legal process, governmental request, or applicable law, rule, or regulation; investigate, remedy, or enforce potential violations of our Terms of Service or other agreements or policies; protect the rights, property, and safety of us, our users, or others; or detect and resolve any fraud or security concerns.
 - With third parties for employment purposes.
 - With other parties with your consent.

We do not share your Personal Data for marketing services by third parties.

8. How We Protect Your Information

The security, integrity, and confidentiality of your Personal Data is important to us, and we have taken such security measures as necessary to steps beyond what is legally required to keep your Personal Data safe. We have implemented, technical, administrative, and physical security measures that are designed to protect Personal Data from unauthorized access, disclosure, use, and modification. We regularly review our security procedures and make appropriate changes. However, please understand that no method of transmission over the internet, or method of electronic storage is 100% secure. While we strive to use commercially reasonable means to protect your Personal Data, we cannot guarantee its absolute security.

9. Retention of Your Personal Data

We may retain Personal Data for as long as necessary to fulfill our business purposes and as is required or permitted under applicable laws.

10. How We Use Cookies and Other Tracking Technologies and Interest-based Advertising

GOLFTEC’s Sites, Apps, online Services and advertisements may use Cookies and other technologies such as web beacons. We use these technologies to better understand user behavior for the following purposes:

- For technical reasons to ensure that you can access the Services we're providing and that those Services are operating properly. These are generally Communication Cookies which enable network traffic to and from GOLFTEC's systems, or Strictly Necessary Cookies which are the cookie technologies required to enable access to the Services. These types of Cookies are considered essential cookies.
- For analytical purposes to better understand how the Services are performing; how effective our advertising is; how to better personalize our advertising; and/or to remember choices you make. These are generally Analytical Cookies and are considered non-essential cookies.

a. *Controlling Cookies and Interest-Based Advertising*

You have the right to accept or reject Cookies. You can exercise your Cookie preferences by activating the setting on your web browser that allows you to refuse the setting of all or some Cookies. However, if you use your browser settings to block some or all Cookies, including Essential Cookies, you may not be able to access or use some or all of our Services. Blocking or deleting Cookies will not prevent device identification and related data collection from occurring when you access our Services nor will it prevent general, non-tailored marketing from being displayed.

b. *How We Use Google Analytics*

We use Google Analytics to monitor and analyze the use of our Services. Google Analytics is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Services. For more information on the privacy practices of Google, please visit the Google Privacy & Terms web page: <https://policies.google.com/privacy?hl=en>.

c. *Facebook Insights and Pages*

GOLFTEC and our Franchisees create and maintains Facebook Pages. To operate Facebook Pages, we have entered into agreements with Facebook that define the terms of use and the privacy policy for use of the Facebook Pages, among other things. These terms are mostly based on the Facebook Terms of Service: <https://www.facebook.com/terms.php> and Facebook Privacy Policy <https://www.facebook.com/policy.php>.

We use the Facebook Insights function in connection with the operation of the Facebook Pages in order to obtain anonymized statistical data about our Users. For this purpose, Facebook places a Cookie on the device of the user visiting our Facebook Pages. Each Cookie contains a unique identifier code and remains active for a period of two years, except when it is deleted before the end of this period. Facebook receives, records and processes the information stored in the Cookie, especially when the user visits the Facebook services, services that are provided by other members of the Facebook pages and services by other companies that use Facebook services.

d. *Interest-Based Advertising*

Some companies may use information collected on our Sites to deliver advertisements on our behalf or on behalf of other companies, targeted to your interests and preferences, on our Sites or on other websites or applications you may visit, or on your devices, or on your social media feed and to gauge effectiveness. If you would like to opt-out of having interest-based information collected by certain entities during your visits to our Sites or other websites, please visit <https://optout.aboutads.info/?c=2&lang=EN>.

e. Do Not Track Mechanisms

Our Services do not respond to Do Not Track signals. However, some third-party websites do keep track of your browsing activities. If you are visiting such websites, you can set your preferences in your web browser to inform websites that you do not want to be tracked. You can enable or disable DNT by visiting the preferences or settings page of your web browser. For more details, please visit www.donottrack.us.

11. Collection of Personal Data from Children

GOLFTEC'S Sites and Apps are not targeted to children under thirteen (13) years old, and it does not intend to collect Personal Data from children under the age of thirteen (13). Parents and legal guardians may choose to provide information about their children, even if under the age of thirteen (13), for the purposes of using our Goods and Services, including, without limitation, the Site. If you are aware of a User under the age of thirteen (13) who has provided Personal Data to GOLFTEC without appropriate parental consent, please contact us at privacy@golftec.com.

We also may limit how we collect, use, and store some of Personal Data of Users between thirteen (13) and eighteen (18) years old. In some cases, this means that we will be unable to provide certain functionality of the Services to these Users. If we need to rely on consent as a legal basis for processing your information and your country requires consent from a parent, we may require your parent's consent before we collect and use that information.

Parents who have already given us permission to collect and use their children's Personal Data can, at any time:

- Review or correct the child's Personal Data
- Request all of the child's Personal Data to be deleted from our systems. However, since the Personal Data collected is necessary for us to provide our Services, this will mandate we close your child's account with us.

These can be accomplished in the GOLFTEC Clubhouse account for the child (accessible via the parent's account), or you can contact us (please see Section 14 "Contacting Us").

<https://policies.golftec.com/privacy/>

12.Changes to this Privacy Policy

From time to time, we may change this Privacy Policy. We will let you know via email and/or a prominent notice on our Services and update the "Last updated" date at the top of this Privacy Policy. If a change is material, we will provide at least thirty (30) days' notice prior to any new terms taking effect. What constitutes a material change will be determined at our sole discretion.

You are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page.

<https://policies.golftec.com/privacy/>

13.Contacting Us

If You have any questions about this Privacy Policy, you can contact the GOLFTEC Privacy Office through one of the means below:

North American Toll Free:	877.4.GOLFTEC (877.446.5383)
Global Headquarters:	+1 303.379.6668
Online Privacy Inquiries:	https://www.golftec.com/privacy
Global Privacy Office Email:	privacy@golftec.com
By Mail:	GOLFTEC Enterprises, LLC Attn: Global Privacy Office 67 Inverness Drive East, Suite A Englewood CO, 80112 USA

14.Definitions

“App(s)” means the software programs provided by GOLFTEC, which are downloadable on your electronic devices, including GOLFTEC Clubhouse App and the SkyTrak apps.

“Cookies” means cookies, web beacons, and similar technologies we use to track your activities while using our Services and store certain information.

“Do Not Track” or **“DNT”** means a web browser setting that requests that a web application disable its tracking of an individual user.

“Facebook Pages” means public profile pages created by GOLFTEC or Franchisees on the Facebook social network.

“Franchisees” is defined in Section 7.

“**Goods**” means the products that we provide to you at our centers or online, including merchandise, hardware, launch monitors, and any other product necessary for the use of our Services.

“**Personal Data**” means any information that relates to an identified or identifiable individual. Personal data includes any information that identifies, relates to, describes, or is capable of being associated with, or could reasonably be linked, directly or indirectly, with you.

“**Services**” means the services we provide to you, including golf lessons, events, and fittings, and other services we provide at our centers or online, and our Sites and Apps and services provided on those Sites and Apps.

“**Sites**” means the GOLFTEC website and the GOLFTEC Clubhouse website. Localized versions of these websites are accessible at:

(US/Canada English)

<https://www.golftec.com>

<https://clubhouse.golftec.com>

(Canada French)

<https://www.golftec.ca>

<https://clubhouse.golftec.ca>

(Japan)

<https://golftec.golfdigest.co.jp>

<https://clubhouse.golfdigest.co.jp>

(Hong Kong)

<https://www.golftec.com.hk>

<https://clubhouse.golftec.com.hk>

(Singapore)

<https://www.golftec.com.sg>

<https://clubhouse.golftec.com.sg>

(China)

<https://www.golftec.cn>

<https://clubhouse.golftec.cn>

“**User(s)**” or “**you**” means the individual accessing or using the Goods and Services, or the company or other legal entity on behalf of which the individual is accessing or using the Goods and Services.