

## CrossFit.com Privacy Policy

CrossFit, Inc. respects your privacy and is committed to protecting the Personal Information (defined below) that you may provide us while using this Web Site (as defined below). We currently operate the website CrossFit.com, including all of its subsites (typically any web pages which end in crossfit.com, including, without limitation, the following subsites: games.crossfit.com, journal.crossfit.com and crossfitkids.com) and all software, products, features and services made available, displayed or offered by or through our web site or subsites (collectively, the “**Web Site**”). From time to time we may add new subsites to the Web Site that may not initially be listed above, but such subsites will provide a link to this Privacy Policy and will be governed by this Privacy Policy and the CrossFit Web Site Terms and Conditions of Use (the “**Terms of Use**”). This Web Site is published and maintained by CrossFit, Inc., with offices located at 1250 Connecticut Ave., N.W., Ste. 200, Washington D.C., 20036 (“**CrossFit**”). CrossFit, together with its subsidiaries, are collectively referred to in this Privacy Policy as “we,” “us,” “our,” or other similar pronouns, or “The CrossFit Family.”

### **What and Who This Applies To**

This privacy policy (“**Privacy Policy**”) governs your use of CrossFit’s Web Site. As we update and expand our services, this Privacy Policy may change and this page will be updated accordingly. If we consider any of these changes to be significant, we may notify you of such changes in other ways as well. This Privacy Policy is incorporated into, and part of, the Terms of Use, which governs your use of this Web Site in general. This Privacy Policy covers all of CrossFit’s Web Site. It does not, however, apply to entities that CrossFit does not own or control, such as third party advertisers, sponsors, licensors, licensees, service providers and CrossFit affiliate gyms or trainers holding CrossFit certificates.

This Privacy Policy does not apply to information that you may provide to us, or that we may obtain, other than through our Web Site, such as by phone, through postal mail, in-person such as at events and competitions and through other live and print media. You may obtain copies of our privacy policies applicable to information collected other than through our Web Site, by sending us a request in writing that specifies how and when your information was provided to us.

This Web Site is intended for users who are located in the United States of America and Canada. This Privacy Policy shall be interpreted under the laws of the United States. By accessing or using the Web Site, you agree to our privacy practices outlined here.

### **Purpose**

Your privacy is a serious matter to us. We are committed to respecting the privacy rights of our Web Site visitors and users. In order to make your visits to our Web Site and use of the services available through our Web Site as worthwhile as possible, we may ask you for Personal Information and we may collect certain information from your computer when you visit us or use certain features on the Web Site. “**Personal Information**” includes, for example, your name; home and/or business address; e-mail address; telephone, wireless and/or fax number; short message service or text message address or other wireless device address; instant messaging address; demographic information (such as gender or nationality); health information; exercise

and diet habits; and/or other information that may identify you as an individual or allow online or offline contact with you as an individual. This privacy statement explains, in general, what Personal Information and other information is collected on our Web Site, how the information is used, and with whom we may share such information. Please take a few minutes to read our Privacy Policy so that you understand how CrossFit treats your information.

### **Right to Opt In and Opt Out**

You may have the right to “opt in” and “opt out” of certain of our uses of your Personal Information. For example, at the time you are requested to provide Personal Information on this Web Site, you may have the opportunity to elect to, or not to: (1) receive correspondence from us, or (2) have your Personal Information shared with other entities (outside of The CrossFit Family) for their marketing purposes. You may also make this request by sending an e-mail to [opt-out@crossfit.com](mailto:opt-out@crossfit.com). Users may opt not to receive our electronic newsletters or those of third parties when providing Personal Information. Users who opt in may remove themselves from mailing lists at any time through the account-management pages or by following the instructions at the end of the e-mail they received from us. If you opt not to provide certain Personal Information when registering for or using our Web Site, however, you may not be able to use some of our services such as message boards, voting on athletes in the CrossFit Games Open or participate in some of our events, such as the CrossFit Games Open.

Please understand that if you opt out of receiving promotional correspondence from us, we may still contact you in connection with your relationship, activities, transactions and communications with us. Also, a request to have us stop sharing your Personal Information with other entities for marketing purposes will only apply as of the date of your request, and we will not be responsible for any communications that you may receive from entities that received your Personal Information prior to such request. In these cases, please contact that entity directly.

### **What Information is Collected on this Web Site?**

#### **User-Provided Information**

##### **General**

We collect Personal Information from users of our Web Site, for example, through such users’ submissions, transactions and completion of online forms on our Web Site. Such information is collected, for example, when users register or subscribe for accounts or features on our Web Site, sign up for or upload or submit information or data to us in connection with a certificate course, competition or event, vote on participants in competitions or events, enter sweepstakes and contests, complete surveys, use software, applications or tools made available to you by or on behalf of us, contribute to a chat room, bulletin board, comment section, list serve, blog, vlog, wiki or other open forum that we may make available on or through our Web Site, submit a comment or question to us using a “contact us” or similar feature on our Web Site, send us an e-mail, or in any other way submit Personal Information to us via our Web Site. We also collect information regarding your participation, fitness, nutrition, health and results from our competitions, events, certificate courses, seminars and programs, such as the CrossFit Games

Open and any application, web pages or tools made available to you to track, log or collect data or information related to your health, fitness, nutrition and diet.

You may be able to send information from our Web Site to your friends and family members through our Web Site by clicking on an “E-mail to Friend” or similar button on our Web Site or in an e-mail that we have sent you. In some of these cases (unless you simply forward our e-mail on your own), you may provide the name and e-mail address of your friend or family member to us. Such information will be treated in accordance with this Privacy Policy and applicable law.

### **Personal Health Information**

The Web Site may, from time to time, ask users to provide certain personal health information, and we will collect this data, which includes (for example) health conditions, exercise habits, diet and nutritional data, body type, and other characteristics. This information is optional for the user to provide. CrossFit will use this information to help create a better experience and fitness program to provide to its users. For example, it may monitor the demographics, fitness characteristics, and location of attendees or participants in an event, competition or challenge sponsored by CrossFit, and may use that information to understand where demand for certain services are to best utilize its resources to provide them. In addition, CrossFit may share some of your personal health information with its subsidiaries, entities it owns or controls, its service providers, or other third parties. To protect your privacy, if CrossFit shares your personal health information with a subsidiary, an entity we own or control, or one of our service providers, such subsidiary, entity or service provider will be required to agree to and comply with the terms of this Privacy Policy. If CrossFit shares your personal health information with a third party other than one described in the preceding sentence, we will only do so in a way that anonymizes your personal health information and aggregates it with other users’ personal health information.

### **Web Site Usage Information**

#### **Cookies**

We may use “cookies” to keep, and sometimes track, information about you. Cookies are small data files that are sent to your browser or related software from a Web server and stored on your computer’s hard drive or otherwise persist on your system or device. They are used to make CrossFit’s Web Site easier to use, to make its advertising better, and to protect both you and CrossFit. Cookies track where you travel on our Web Site and what you look at and purchase. They may store your username and/or password. A cookie may enable us to relate your use of our Web Site to other information about you, including your Personal Information. All of these purposes serve to improve and personalize your experience on our Web Site.

Most Web browsers can be set to inform you when a cookie has been sent to you and provide you with the opportunity to refuse that cookie. Additionally, if you have a Flash player installed on your computer, your Flash player can be set to reject or delete Flash cookies. However, refusing a cookie may, in some cases, preclude you from using, or negatively impact the display or function of, the Web Site or certain areas or features of the Web Site.

## **Clear GIFs**

We may use “clear GIFs” (aka “**Web beacons**” or “**pixel tags**”) or similar technologies, in the Web Site and/or in our communications with you to enable us to know whether you have visited a Web page or received a message. A clear GIF is typically a one-pixel, transparent image (although it can be a visible image as well), located on a Web page or in an e-mail or other type of message, which is retrieved from a remote site on the Internet enabling the verification of an individual’s viewing or receipt of a Web page or message. A clear GIF may enable us to relate your viewing or receipt of a Web page or message to other information about you, including your Personal Information.

## **IP Address and Clickstream Data**

Our server automatically collects data about your server’s Internet address when you visit us. This information, known as an Internet Protocol address, or IP Address, is a number that’s automatically assigned to your computer by your Internet service provider whenever you’re on the Internet. When you request pages from our Web Site, our servers may log your IP Address and sometimes your domain name. Our server may also record the referring page that linked you to us (e.g., another Web site or a search engine); the pages you visit on this Web Site; the Web site you visit after this Web Site; the ads you see and/or click on; other information about the type of Web browser, computer, platform, related software and settings you are using; any search terms you have entered on this Web Site or a referral site; and other Web usage activity and data logged by our Web servers. We use this information for internal system administration, to help diagnose problems with our server, and to administer our Web Site. Such information may also be used to gather broad demographic information, such as country of origin and Internet Service Provider. We may also link this information with your Personal Information.

Any or all of these activities with regard to Web Site usage information may be performed on our behalf by our service providers.

## **How is the Personal Information used?**

We will use the Personal Information you provide to our Web Site for many different purposes to provide you with our services and features. For example, such information may be necessary to register you for certificate courses, seminars, competitions, events and newsletters, respond to your requests and messages, provide you with news, event information and other offerings, for feedback purposes, and for marketing and promotional purposes. We may also use your Personal Information for internal record keeping, to analyze and track user progress through our fitness programs, and compare you to other persons or users of the Web Site or other websites, software, applications or tools in various ways.

We may match information collected from you through different means or at different times, including both Personal Information and Web Site usage information, and use such information along with information obtained from other sources, including third parties. Also,

advertisements and other content displayed to you on the Web Site may be customized to your interests and preferences, based on your Personal Information and Web Site usage information, including (but not limited to) non-personally identifying information, which we may obtain from you or from other sources. In addition, we may send you notices (for example, in the form of e-mails, mailings, and the like), and otherwise correspond with you, about products, services, companies and events, sponsored, organized or operated by us and others, that we think might interest you. You may opt out of receiving such notices from us by following the instructions in the **Right to Opt In and Opt Out** section above.

We may analyze user behavior as a measure of interest in, and use of, our Web Site and e-mails, both on an individual basis and in the aggregate.

### **Do we share Personal Information and Web Site Usage information with others?**

#### **Public Forums**

When you contribute to a public area or feature of our Web Site, such as a message board, chat room, posting to comments, bulletin board, list serve, blog, vlog, wiki or other open forum that we may make available on or through our Web Site, the information that you submit will be made available to the general public. Such information may, for example, be accessed by everyone on the internet, be indexed by third party search engines, and be imported, exported, distributed, and redistributed by us and others without privacy limitations. Such information may be associated with you by such outside parties based on what you provide or disclose.

For these reasons, we recommend that you do not submit any sensitive information, including your full name, home address, phone number, other information that would enable other users to locate you, or financial information on these areas of our Web Site. Instead, make up a username that does not disclose your personal identity.

#### **Event and Competition Participation**

When you register (whether as a participant, athlete, fan, visitor or spectator), participate, compete, or submit results, feedback or information for any of our competitions, events, certificate courses, seminars or other activities, your submissions, records and results are kept by CrossFit. This information may include Personal Information, as well as your results in the events, video files, audio files, photographs, workout plans, workout, health and nutrition data, logs and journals, stories written by users, and other information. These records and media are used to determine your performance, eligibility for prizes, and placement. Additionally, the Web Site may use this information in various other ways, such as data analysis, communicating results news via different media or websites, promotional use, or other general public information purposes, through various media, means and methods that currently exist or that may be developed in the future. For a more detailed description of the terms and conditions on which your submissions, records and results may be used by CrossFit, please see the Terms of Use.

#### **Third-Party Offers**

We may provide visitors an opportunity to receive offers from other entities (outside of The CrossFit Family) who have services, products and offers that we think might be of interest to you. Unless you elect not to receive such offers by following the instructions in the **Right to Opt In and Opt Out** section above, we may from time to time provide your Personal Information to these entities so that they may send you these offers. If you change your mind and no longer want us to share your Personal Information with these types of third parties, follow the instructions to opt out in the **Right to Opt In and Opt Out** section above.

### **Co-sponsored Events, Contests, Sweepstakes and Offerings**

Some of our certificate courses, events, competitions, seminars, programs, contests, sweepstakes and other offerings may be co-sponsored by another company or companies. In those situations, the information we obtain from you in connection with such contest, sweepstake or offering may be shared with our co-sponsor, unless you instruct us not to by following the instructions in the **Right to Opt In and Opt Out** section above. In those situations, our co-sponsors will have the right to use your information for their own purposes, in accordance with their own policies. We are not responsible for how our co-sponsors may use your information.

### **Payments**

When you make any payments, deposits, or other transactions, we will share transaction information with only those third parties necessary to complete the transaction. We will require those third parties to agree to respect the privacy of your information.

### **Service Providers**

We may use third-party partners to help operate our Web Site, collect and analyze data and information, host, operate or support software, applications and tools and deliver our products and services, and may share your information with our subsidiaries, entities owned, related to or controlled by us, service providers and other third parties that provide software, products or services for or through this Web Site or for our business (such as Web site or database hosting companies, address list hosting companies, e-mail service providers, analytics companies, distribution companies, fulfillment companies, and other similar service providers that use such information on our behalf). This is intended to help improve or promote our services provided. If you would like additional information on the policies we enforce with respect to our service providers, please contact us as described below.

### **Aggregate Statistics**

We may disclose aggregate statistics regarding user behavior and health, fitness, workout and nutrition data as a measure of interest in, and use of, our Web Site and e-mails to third parties in the form of aggregate data, such as overall patterns or demographic reports that do not describe or identify any individual user.

## **Legally Compelled Disclosures**

We may disclose user information to government authorities, and to other third parties when compelled to do so by government authorities, or otherwise as required or permitted by law, including but not limited to in response to court orders and subpoenas. We also may disclose user information when we have reason to believe that someone is causing injury to or interference with our rights or property, other users of the Web Site, or anyone else that could be harmed by such activities. If we are required or compelled to disclose your user information by a government authority, we may attempt to notify you of such disclosure if we are permitted to do so by law.

## **Business Transfer**

In the event that CrossFit, any entity of The CrossFit Family, or substantially all of its assets, are acquired by one or more third parties as a result of an acquisition, merger, sale, reorganization, operation of law, change of control, consolidation or liquidation, your Personal Information may be one of the transferred assets. The terms of this privacy policy will continue to apply to your Personal Information that is transferred to the new entity.

## **Third-Party Ad Servers**

We may use third-party advertising companies to serve ads when you visit our Web Site. If so, a list of these ad serving companies will be available in the FAQ section of CrossFit.com. These companies may use information (generally not including your name, address, e-mail address or telephone number) about your visits to this and other web sites in order to provide advertisements about goods and services of interest to you. These companies may employ cookies and clear GIFs to measure advertising effectiveness. Any information that these third parties collect via cookies and clear GIFs is generally not personally identifiable (unless, for example, you provide personally identifiable information to them through an ad or e-mail message). We encourage you to read these businesses' privacy policies if you should have any concerns about how they will care for your Personal Information. If you would like more information about this practice and to know your choices about not having this information used by these companies, see the Network Advertising Initiative's consumer Web site at <http://www.networkadvertising.org/consumer/>.

## **Wireless Addresses**

If the e-mail address you provide to us is a wireless e-mail address, you agree to receive messages at such address from CrossFit, the rest of The CrossFit Family and the rest of the third parties with which we share your e-mail address (unless and until you have elected not to receive such messages by following the instructions in the **Right to Opt In and Opt Out** section above). You understand that your wireless carrier's standard rates apply to these messages, and that you may change your mind at any time by following the instructions in the **Right to Opt In and Opt Out** section above. You represent that you are the owner or authorized user of the wireless device on which messages will be received, and that you are authorized to approve the applicable charges.

### **Short Message Service**

We may make available a service through which you can receive messages on your wireless device via short message service (“**SMS Service**”). If you subscribe to one of our SMS Services, you thereby agree to receive SMS Service messages at the address you provide for such purposes. Such messages may come from CrossFit, the rest of The CrossFit Family and/or the rest of the third parties with which we share your address (unless and until you have elected not to receive such messages by following the instructions in the **Right to Opt In and Opt Out** section above).

You understand that your wireless carrier’s standard rates apply to these messages, and that you may change your mind at any time by following the instructions in the **Right to Opt In and Opt Out** section above. You represent that you are the owner or authorized user of the wireless device you use to sign up for the SMS Service, and that you are authorized to approve the applicable charges. To use the SMS Service, you must be 18 years of age or older and reside in the United States. You must first register and provide all required Personal Information, which may include, for example, your name, SMS address, wireless carrier and, if fees are applicable to the SMS Service you subscribe to, billing information (either your credit card information or mobile service carrier information if applicable fees will be billed through your carrier). We may also obtain the date, time and content of your messages in the course of your use of the SMS Service. We will use the information we obtain in connection with our SMS Service in accordance with this Privacy Policy. If fees are charged to your wireless account invoice, we may provide your carrier with your applicable information in connection therewith. Your wireless carrier and other service providers may also collect data about your wireless device usage, and their practices are governed by their own policies.

You acknowledge and agree that the SMS Service is provided via wireless systems which use radios (and other means) to transmit communications over complex networks. We do not guarantee that your use of the SMS Service will be private or secure, and we are not liable to you for any lack of privacy or security you may experience. You are fully responsible for taking precautions and providing security measures best suited for your situation and intended use of the SMS Service. We may also access the content of your account and/or wireless account with your carrier for the purpose of identifying and resolving technical problems and/or service-related complaints.

By signing up for the SMS Service, you consent to receiving, from time to time, further messages which may include news, promotions and offers from us, our subsidiaries, entities owned, related to or controlled by us and partners, and you consent to our sharing of your Personal Information with such parties for such purposes, unless and until you have opted out of these activities by following the instructions in the **Right to Opt In and Opt Out** section above. Please follow the instructions provided to you by third parties to unsubscribe from their messages.

### **Your Access Rights**

You may review, correct or change the Personal Information that is stored in your user account on this Web Site by visiting the account management area of your account on this Web Site.

You may send us new or updated information at any time. We will endeavor to respond to your request to access, update or delete your information as soon as practicable. Before we are able to provide you with any information, correct any inaccuracies or delete any information, however, we may ask you to verify your identity and to provide other details to help us to respond to your request.

### **Security**

CrossFit will take reasonable steps to protect the security and integrity of all Personal Information provided to this Web Site. We require a personal username (log-in name) and a password in order for users to access their Personal Information. We restrict access to personal information to CrossFit employees, contractors and agents who need to know that information in order to process it on our behalf. We keep any information transmitted to CrossFit on a secured service behind a firewall. When you enter sensitive information (credit card numbers, passwords, etc.), we encrypt that information using secure socket layer technology (SSL) or other reasonable measures.

### **Inherent Risks**

Due to the inherent nature of the Internet as an open global communications vehicle, we cannot guarantee that information, during transmission through the Internet or while stored on our system or otherwise in our care, will be absolutely safe from intrusion by others, such as hackers.

If you contact us by e-mail or a “contact us” or similar feature on our Web Site, you should be aware that your transmission might not be secure. A third party could view information you send by these methods in transit.

You may be able to create an account on our Web Site with a username and password, for example, to use the CrossFit Journal, CrossFit message board, CrossFit Games Open web site or other features. If so, you are responsible for maintaining the strict confidentiality of your account password, and you shall be responsible for any access to or use of the Web Site by you or any person or entity using your password, whether or not such access or use has been authorized by or on behalf of you, and whether or not such person or entity is your employee or agent. You agree to (a) immediately notify CrossFit of any unauthorized use of your password or account or any other breach of security, and (b) ensure that you exit from your account at the end of each session. It is your sole responsibility to control the dissemination and use of your password, control access to and use of your account, and notify CrossFit when you desire to cancel your account on this Web Site. We will not be responsible or liable for any loss or damage arising from your failure to comply with this provision.

We will have no liability for disclosure of your information due to errors or unauthorized acts of third parties during or after transmission.

In the unlikely event that we believe that the security of your Personal Information in our possession or control may have been compromised, we may seek to notify you of that development. If a notification is appropriate, we would endeavor to do so as promptly as

possible under the circumstances, and, to the extent we have your e-mail address, we may notify you by e-mail. You consent to our use of e-mail as a means of such notification.

### **Phishing**

With identity theft a continuing problem, it has become increasingly common for unauthorized individuals to send e-mail messages to consumers, purporting to represent a legitimate company such as a bank or on-line merchant, requesting that the consumer provide personal, often sensitive information. Sometimes, the domain name of the e-mail address from which the e-mail appears to have been sent, and the domain name of the web site requesting such information, appears to be the domain name of a legitimate, trusted company. In reality, such sensitive information is received by an unauthorized individual to be used for purposes of identity theft. This illegal activity has come to be known as “phishing.”

If you receive an e-mail or other correspondence requesting that you provide any sensitive information (including your Web Site password or credit card information) via e-mail or to a web site that does not seem to be affiliated with our Web Site, or that otherwise seems suspicious to you, please do not provide such information, and report such request to us at [customerservice@crossfit.com](mailto:customerservice@crossfit.com).

### **Consent to Processing**

By providing Personal Information to this Web Site, you understand and consent to the collection, maintenance, processing and transfer of such information in and to the United States and other countries and territories.

### **Third-Party “Linked-To” Web Sites**

When you are on our Web Site you may have the opportunity to visit, or link to, other sites not operated by CrossFit, including other web sites operated by other members of The CrossFit Family or by unrelated third parties. These sites may collect Personal Information about you. CrossFit does not control sites that are operated by these entities and is not responsible for the information practices of these sites. This Privacy Policy does not address the information practices of those other web sites, and applies solely to information collected by CrossFit on this Web Site. The privacy policies of Web sites operated by other members of The CrossFit Family are located on those sites.

### **Children Under Age 13**

We are a general audience site, and do not knowingly request Personal Information from anyone under 13 years of age. If you are under the age of 13, please do not attempt to post on the message board, participate in blogs, discussions and chatrooms, register for any events, or otherwise provide any information to the Web Site. If we learn that we have collected personal information from a child under 13, we will delete that information as quickly as possible. No information collected from children is used for any marketing or promotional purposes whatsoever, either inside or outside of CrossFit.

We strongly recommend that minors 13 years of age or older ask their parents for permission before sending any information about themselves to anyone over the internet and we encourage

parents to teach their children about safe internet practices. Parents may wish to consult the resources on children's privacy and safe internet practices that are available through the Federal Trade Commission at <http://www.ftc.gov/bcp/menus/consumer/data/child.shtm>.

If we make any material change to this notice or the informational practices with regard to children that were in effect when your consent to the collection of your child's personal information was obtained, we will, as required by law, send you a new notice and request your consent.

We take seriously our obligation to safeguard the confidentiality, security and integrity of personal information collected from our users, and have established and will maintain procedures that are designed for that purpose. Children and parents should be aware, however, that no system is completely secure from hackers, network failure and error, and we cannot guarantee the confidentiality, security and integrity of information maintained on our service. Please see the section entitled "**Security**" elsewhere in this Privacy Policy for further details.

We strongly recommend that minors 13 years of age or older ask their parents for permission before sending any information about themselves to anyone over the internet and we encourage parents to teach their children about safe internet practices. We also strongly suggest that you have installed and use "Parental Controls" for your web browser.

#### **Changes to this Privacy Policy**

CrossFit reserves the right to change or update this Privacy Policy, or any other of our policies or practices, at any time, and will notify users of this Web Site by posting such changed or updated Privacy Policy on this page. Any changes or updates will be effective immediately upon posting to this Web Site. Under certain circumstances, we may also elect to notify you of changes or updates to our Privacy Policy by additional means, such as posting a notice on the front page of our Web Site to sending you an e-mail.

#### **Contact Us**

If you have any questions or comments regarding our privacy practices, you may contact us at [privacy@CrossFit.com](mailto:privacy@CrossFit.com).

**Effective Date: February 27, 2011**