

MIND GYM STORE AND LMS PRIVACY NOTICE

INTRODUCTION

This privacy notice informs you how Mind Gym plc (“we”, “us”, “our”) will collect and use your personal data when you purchase an e-workout through the Mind Gym Store and then access it through our learning management system (“LMS”). This privacy notice covers both stages.

We use a third party service provider to operate the Mind Gym Store. The service provider is Shopify Inc., 150 Elgin Street, Suite 800, Ottawa, ON K2P 1L4, Canada (“Shopify”) and generally they process your personal data on our behalf as our processor.

THE PERSONAL DATA WE COLLECT

Mind Gym plc will collect personal data relating to you when you use the Mind Gym Store and LMS. This may include:

- your name, email address, postal address, phone number, marketing communications opt-in, order details and tax status (for UK VAT) (“**Store account data**”) which are collected directly from you (for more details on what is collected and why, please visit the applicable privacy notice published by Shopify [here](#));
- details about individual e-workout purchases (or purchases commenced but not completed) made through your account (“**transaction data**”) which are collected by Shopify (please note we will not have any access to your payment card details)
- your name and email address, which you will need to provide in order to create an account to use our Learning Management System (“LMS”) which you will need in order to access the e-Workouts you have purchased (**LMS account data**);
- data about your use of the Mind Gym Store and LMS (“**usage data**”). The usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. These will be collected by Shopify when using the Mind Gym Store and by us when using the LMS;
- information that you may post for publication on the Mind Gym Store or LMS, such as ratings, reviews and feedback on the e-Workouts (“**publication data**”), which you may provide to us using a feedback form on the Mind Gym Store or such other method as we make available from time to time;
- your email address and other information, if you choose to provide this information to us in the feedback form or by another means for the purpose of receiving follow-up and/or other emails from us (“**communications data**”).

What we use the personal data for

We will use the personal data for the following purposes:

- we will use the Store account data and the LMS account data (collectively “**account data**”) for the purposes of operating the Mind Gym Store and LMS, providing our eWorkouts, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you;
- we will use the transaction data for the purpose of supplying the e-Workouts and keeping proper records of those transactions and also communicating with you to ensure that, where you have not completed the checkout process, this was intentional on your part;
- we will use the usage data for the purpose of analysing the usage of our the Mind Gym Store and the LMS (including to provide you with a personalised report of your performance and completion of eWorkouts); and to analyse and understand how our eWorkouts are used so that we can identify any problems with them and improve their content and functionality (we will only use aggregated data for this purpose which is not linked to the other identifying information we collect); we will also usage data to enable your device and our platform to communicate and transmit digital content;
- we will use your account data for the purpose of receiving follow-up emails about your evaluation of the Mind Gym Store Front, the LMS and eWorkouts you have accessed.
- we will use your account data and any other information you choose to give us for the purpose of receiving marketing emails and other communications about our products and services, such as our e-newsletter(where you have indicated that you wish to receive these communications).You will be give the opportunity of unsubscribing to these communications each time they are sent to you by sending an email to service@themindgym.com.

Our legal basis for using the personal data

Our legal basis for the processing purposes described above is that processing personal data is necessary for the purposes of our legitimate interests or the performance of a contract entered into between us and you as follows:

- Where we use your personal data for the purposes of enabling you to access and use the Mind Gym Store Front, the platform and our eWorkouts, the legal basis is performance of a contract with you.
- Where we use your personal data for the purposes of analysing and understanding use of, and feedback on, our eWorkouts so that we can identify problems and improve their content and functionality, the legal basis is our legitimate interests are improving our products and services for the benefit of all who use them and to sustain and grow our business by ensuring that our products and services continually evolve to be market-leading and competitive.
- Where we use your personal data for the purposes of sending you emails, the legal basis is our legitimate interests are promoting our products and services and maintaining relationships with all who have participated in our eWorkouts in order to drive sales and sustain and grow our business.

Retention

We will retain data only for so long as is necessary for the purposes for which we hold it. This may vary according to the type of personal data and the purposes for which we use it. If you would like to know what that means in respect of your personal data, please contact us by emailing legal@themindgym.com.

In determining how long we retain personal data, we take into consideration the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of the personal data, the purposes for which we process it and whether we can achieve those purposes through other means, our legal obligations, good industry practice, the guidance of relevant UK authorities such as HM Revenue & Customs, and also tax, accounting and health and safety rules.

Access to your personal data by others

Shopify

As mentioned in the Introduction, we use Shopify to operate the Mind Gym Store. Other than in relation to processing your payment for an eWorkout, Shopify are acting on our behalf – they are our “processor”. Please see here for some more information about how Shopify process your personal data on our behalf: <https://www.shopify.com/legal/privacy/customers>

Shopify also place cookies on your browser in order to provide their services to us. You can find more information about this here under the heading “Merchant Storefronts”: <https://www.shopify.com/legal/cookies>

Payment processors

When you pay for your e-Workout you will have the option of using any one of a number of different payment mechanisms offered by different providers (including Shopify). Any information you provide to the relevant provider will be subject to the relevant provider’s own privacy policy.

These are set out here:

Shop Pay: shop/shop pay: <https://www.shopify.com/legal/privacy/app-users>

Apple Pay: <https://support.apple.com/en-us/HT210665>

Google Pay: https://payments.google.com/payments/apis-secure/get_legal_document?ldo=0&ldt=privacynotice&ldl=en-GB

We do not have any access to that information and so it is not covered by this privacy notice.

Any changes we make to this privacy notice in the future will be posted on this platform. Please see our full **privacy notice** (<https://themindgym.com/privacy-policy/>) for further information about our processing of personal data and your rights in respect of personal data about you. Please contact legal@themindgym.com with any requests, questions or concerns relating our use of your personal data.

