



Last updated: July 29,2021

## **ELITE NEUROKINETIX – PRIVACY POLICY**

This Privacy Policy governs ENK’s privacy practices with respect to our use of information relating to your use of the ENK Platform (ENK Academy and Website) (hereinafter the “**Privacy Policy**”) and is namely intended to inform you on:

- What personal information we collect from you;
- How we use your information and with whom we are likely to share it;
- What are your choices regarding the collection, use and distribution of information;
- What types of security procedures are in place to protect your information from loss, misuse or modification of the information under our control (collectively “**Data Breach**”);
- How you can correct inaccurate information.

For your information, this Privacy Policy applies only to information collected by ENK as part of your use of the ENK Platform. This Privacy Policy does not apply to any information collected online or offline by any other entity, whether or not that entity is affiliated with ENK.

All capitalized terms found in this Privacy Policy have the meaning ascribed to them in the “TERMS AND CONDITIONS OF USE” of the ENK Platform accessible through the following link: <https://enkacademy.com/assets/Terms and Conditions - ENK - July 29 - 2021.pdf>.

### **Security**

We know how important your personal information is to you and we take our responsibility to protect any information that you provide to us very seriously. “**Personal Information**” is generally defined by applicable privacy and data protection laws as any information that relates to an identified or identifiable individual and includes any information or set of information that identifies or could be used to identify an individual, either directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or by one or more factors specific to the physical, physiological, genetic, economic, mental, cultural or social identity of that individual. Personal Information does not include information that is anonymized or de-identified in such a way that an individual cannot be identified.

In order to protect any Personal Information that we collect about you, we have implemented physical, electronic and administrative measures to prevent unauthorized access to or unauthorized

disclosure of your information.

ENK maintains secure data networks protected by firewalls and systems access with passwords that comply with industry standards. We have anti-virus software and we update them to industry standards regularly. Only authorized individuals have access to and/or have the right to disclose information provided by you in connection with your use of the ENK Platform and only to the extent such access and/or disclosure is necessary for the purposes of the ENK Platform. Such authorized individuals are aware of this Privacy Policy and will use and access your Personal Information in accordance with this Privacy Policy.

Although we take all reasonable measures to Personal Information that you share with us, no transmission of information via the Internet can be 100% guaranteed and information stored electronically is never completely immune to an attack. Therefore, we cannot guarantee the security of the Personal Information you provide to us.

### **Your Personal Information**

In order to better understand and meet the needs of the ENK Platform Users, ENK collects your data as well as Personal Information. Personal Information is information that identifies you or that may be used to contact you. When you register for an ENK Account, ENK may collect the following Personal Information:

For all Users:

- Full name
- Email
- Picture
- Gender
- Date of birth
- Location (Country, Province, City)
- Twitter handle

Specifically for Participants:

- Sports played
- Playing position(s)
- Jersey number
- Height
- Weight
- Wingspan
- Past injuries
- GPA
- Current school
- Academic program interest
- Reference(s)

- Video content showing images of yourself

Specifically for Coaches:

- Role
- Sports currently coaching
- Year(s) of coaching experience
- Level of play

In addition, ENK may collect the following information regarding your use of the ENK Platform:

- Date and place of use;
- Frequency of use;
- Average duration of use;
- Time spent responding to any questionnaire.

Such information is used to gather aggregated statistic of user data. “**Aggregated Statistics**” refers to data and information related to your use of the ENK Services or the ENK Platform that is used, processed or compiled by ENK in an aggregate and anonymized manner, including to compile statistical and performance information related to the provision and operation of the ENL Services and the ENK Platform.

ENK may also collect any other information about you from third-party service providers and Partners including those that have entered into a service agreement with ENK for the provision of the ENK Platform. ENK will collect the information you provide when you use the ENK Platform. When you agree to use the ENK Platform, you agree that ENK and its service providers may collect, use, retain and share your User Content and your Personal Information to the Coaches to coordinate and monitor the team and individual Participant’s performance in the drills and exercises and access reports thereof.

ENK may also collect your Personal Information when you fill in a request for information form or when you contact us by email. If you wish to receive publications from ENK, please consult the Homepage section on the Website and fill in the subscription form for the mailing list. A person who subscribes to the mailing list can, at any time upon receipt of a publication from ENK, unsubscribe from this list.

In light of the foregoing, you acknowledge and understand that ENK does not collect any personal health information, that ENK is not a health care provider, and that the ENK Platform does not offer a health plan or any form of health care.

### **Our Use of Your Information**

ENK may use your Personal Information in several ways. Unless specifically provided in this

Privacy Policy, ENK shall not share, sell, lease or exchange your Personal Information with third parties.

We use your Personal Information to enable us, among other things, to create your ENK Account, to verify the identity of Users for security purposes, for internal purposes in order to optimize the functionalities and modules of the ENK Platform.

In addition, we use your Personal Information to enable us to operate the ENK Platform and provide you with services, reports, exercises, and drills related to your playing position.

With your express consent, we may share your Personal Information, along with your User Content and performance reports, with other Participants and with particular Partners.

ENK may share anonymized data with researchers and Partners to conduct further research on health, wellness, movement, safety, and fitness. Before we share raw or aggregate data, it shall be de-identified so that the data may no longer be personally associated with any User.

ENK may use your Personal Information to contact you for surveys in order to follow the evolution of your health, wellness, and performance, and better serve you.

ENK may hire third-party companies to provide services on its behalf (e.g., hosting the Website or analyzing data). We may provide your Personal Information to such service providers so that they may perform such services in Canada, and you agree that ENK may share such information for such purposes.

We may also disclose your Personal Information if we believe that we must do so under the law; to comply with legal procedures or with a government request or order; to enforce the “TERMS AND CONDITIONS OF USE” of the ENK Platform accessible via the following link: <https://enkacademy.com/assets/Terms and Conditions - ENK - July 29 - 2021.pdf>; and/or to protect the rights, property or safety of ENK, its Users, its Partners or the public. ENK may transfer or otherwise disclose your Personal Information in connection with a merger, sale, consolidation or other corporate change, in accordance with applicable law.

### **Data storage and International Transfers**

ENK is based in Quebec, Canada. Sensitive Personal Information, such as, but not limited to, your name, date of birth and picture, shall be kept in secure locations and on servers controlled by ENK that are located in Canada, either at the offices of ENK or at the offices of its third-party service providers. Other types of Personal Information obtained by or through your use of the ENK Platform might be stored outside of Canada. In such a case, we will take all steps reasonably necessary to ensure that your Personal Information is treated securely and in accordance with this Privacy Policy and no transfer of your personal information will take place to an organization or a country unless there are adequate controls in place to ensure the security of your Personal

Information and other confidential data as well as privacy protection laws that are at least as comprehensive as those in Canada.

**Your consent to this Privacy Policy followed by your submission of Personal Information or by your use of the ENK Platform represents your agreement to such transfer(s).**

### **Access and Modifications to Personal Information**

The *Act Respecting the Protection of Personal Information in the Private Sector* (CQLR, chapter P-39.1) (the “Act”) or any federal privacy and data protection act that might apply sets out the terms and conditions for access and the procedures for the correction of information. Any request under the Act or any other privacy and data protection legislation shall be made in writing to Pamela Champagne, the person responsible for access to information by any one of the following means of communication:

i) By certified mail, prepaid postage, and with acknowledgment of receipt:

Elite NeuroKinetix Inc.

A/S Pamela Champagne

23F-1200 boul. De Maisonneuve O

Montreal (Quebec) H3A 0A1

Canada

ii) By email to the following email address: [info@eneurokinetix.com](mailto:info@eneurokinetix.com)

Users may, upon a written request to ENK, receive confirmation that ENK is in possession of their Personal Information and obtain a copy thereof in a reasonable delay. Users may request, as necessary, the rectification of their Personal Information at any time.

### **Your Information and the ENK Platform**

It is not necessary to give us any Personal Information to visit the ENK Platform, however, you understand that not providing ENK with your Personal Information may prevent you from accessing some or most of the ENK Services. We may, however, collect Personal Information from our Users through the ENK Platform, including when setting up their Account. If you decide to provide us with information, we may provide you with information about products, services and/or events that may be of interest to you.

When you create an ENK Account, we may ask you for certain information to set up your account. You do not have to create an ENK Account to access the Website, but you do need one to access the ENK Academy.

Please note that this Privacy Policy does not apply to any information you may provide publicly in the user forums of the ENK Platform, as the case may be (such as chat rooms, bulletin boards or similar Web pages). You should keep in mind that whenever you publicly disclose information about yourself online, this information may be collected and used by people you do not know. We shall not be liable for any actions or policies of any third parties that collect any information that users may disclose in such forums or other public sites, if any, of the ENK Platform.

### **Cookies and Web Beacons**

The ENK Platform may use cookies and similar technologies from time to time to better recognize you when you return to the ENK Platform. A cookie is a small data file stored on a User's device by a Web server. Cookies are used to help us identify you when you return to the ENK Platform in order to adapt the information you receive while browsing the ENK Platform. You are always free to block cookies if your device allows it, but this may prevent you from accessing parts of the ENK Platform.

Our Web pages or email messages may contain small graphic images called "Web beacons" (also sometimes called "pixel tags") that allow us to track and collect certain limited information about our Users on the ENK Platform, such as the type of device requesting the Web beacon, the IP address of the device to which the Web beacon is transmitted and the time during which the Web beacon is viewed. Web beacons may be invisible to the user but, in general, any electronic image viewed as part of a Web page or email, including HTML content, may act as a Web beacon. We may use Web beacons to count the number of visitors on our Web pages or track browsing habits of our users on the ENK Platform and we may include Web beacons in emails to count how many messages have actually been opened or have prompted a reaction. We use Web beacons to compile statistics about our Platform; we do not link the information collected by our Web beacons to the personally identifiable information you provided when you registered on the ENK Platform.

### **Other Data Collection**

When you visit the ENK Platform, we may collect and store certain non-personally identifiable information in log files such as: the domain name, the hosting company from which you access the Internet (e.g., aol.com or unh.edu), the IP address of the device you are using, the browser software you are using and your operating system, the date and time you access the ENK Platform, the Website's Internet address from which you connected to the ENK Platform, the Website you visit when you leave the ENK Platform and the number of "clicks" you have made on the ENK Platform. We collect this information to analyze trends, manage the ENK Platform and collect broad demographic information for global purposes. We may also determine the technology made available by your browser in order to offer you the most appropriate version of the Web page. We may also use information collected about our users to provide customized content, advertisements, products and services or to improve content, navigation on the ENK Platform or for any other internal purpose.

## **Your Choices Regarding Disclosure and Modifications to Your Personal Information**

If you do not want your Personal Information to be used as described in this Privacy Policy, please unregister from the ENK Platform, terminate your use of it and/or close your ENK Account. Even if you stop using the ENK Platform or unregister in accordance with the foregoing and subject to the provisions of the Act or of any other privacy and data protection legislation that may apply, Personal Information may remain in ENK's database. However, ENK will keep your Personal Information only as long as is reasonably necessary or relevant for the identified purposes or as required by law. Once your Personal Information is no longer reasonably necessary or relevant for the identified purposes, or required by law to be retained, your personal information shall be destroyed, erased or de-identified.

## **Notice of Amendment**

ENK reserves the right to amend this Privacy Policy at any time, the whole as set forth in the provisions of the TERMS AND CONDITIONS OF USE accessible here: <https://enkacademy.com/assets/Terms and Conditions - ENK - July 29 - 2021.pdf>. Only the current Privacy Policy, as presented on the ENK Platform, shall be deemed effective. By using the ENK Platform, and/or by providing us with your Personal Information, you consent and agree to the terms and conditions of this Privacy Policy and any amendments made thereto by your continued use thereof.

## **Children's Privacy**

The ENK Platform is not designed for children that are of less than fourteen (14) years of age. Children under fourteen (14) years of age are not permitted to use the ENK Platform and ENK Services or register an ENK Account without the express consent of a parent or legal guardian.

## **Links**

The ENK Platform may contain links to sites not affiliated with ENK. ENK is not responsible for the privacy practices of any other entities or of their websites and/or mobile applications.

## **To Contact Us**

We invite you to send us your questions and comments on security and privacy protection at: [info@eneurokinetix.com](mailto:info@eneurokinetix.com).