

PRIVACY POLICY

The Next Athletes, LLC

DBA, EmpowHER Athlete Collective

This Privacy Policy describes how your personal information is collected, used, and shared when you visit or make a purchase from thenextathletes.com or locker-room-thenextathletes.com (collectively, the “Site”). The COMPANY serves as The Next Athletes, LLC., DBA EmpowHER Athlete Collective

PERSONAL INFORMATION WE COLLECT

When you visit the Site, we automatically collect certain information about your device, including information about your web browser, IP address, time zone, and some of the cookies that are installed on your device. Additionally, as you browse the Site, we collect information about the individual web pages or products that you view, what websites or search terms referred you to the Site, and information about how you interact with the Site. We refer to this automatically collected information as “Device Information.”

When you use the service and create a profile, we need to collect information about you, which may include, but is not limited to, your name, video/links, profile picture, age/date of birth, gender, hometown (i.e., city, state/province, postal code, and country), email address, phone number, mailing address, affiliated sport, height & weight, high school graduation year, academic information (i.e., GPA, SAT or ACT scores, and Planned Major), honors & achievements, athletic information (i.e., team, position, and handedness/foot, depending on sport), and the name(s) of your parent(s) or guardian(s). You may also choose to provide additional reference information. We may also collect payment information if you subscribe to our paid Services or pay someone else's subscription.

We do not store credit card or debit card information. Stripe is our merchant and sensitive data communication is encrypted. A portion of their policy reads:

“All card numbers are encrypted at rest with AES-256. Decryption keys are stored on separate machines. None of Stripe’s internal servers and daemons can obtain plain text card numbers but can request that cards are sent to a service provider on a static allow list. Stripe’s infrastructure for storing, decrypting, and transmitting card numbers runs in a separate hosting environment, and doesn’t share any credentials with Stripe’s primary services including our API and website.”

From Other Sources. We may receive information from other sources, such as:

If you are an athlete, we may receive information from your coach, parent or guardian. If your coach invites you to create an account, we receive your name and email address from your coach to send you an invitation. Your parent, guardian or coach can add information to your profile.

If you are a parent or guardian, we receive information from your child through their account or through email submission. If your child creates an account, we receive your name and email address to verify your child's information and list your contact information on your child's account.

Please note, if you disclose any personal information relating to other people to us or to our service providers in connection with the Services, you represent that you have the authority to do so and permit us to use this information in accordance with this Privacy Policy.

To the extent permitted by applicable law, we may combine this information.

We collect Device Information using the following technologies:

- “Cookies” are data files that are placed on your device or computer and often include an anonymous unique identifier. For more information about cookies, and how to disable cookies, visit <http://www.allaboutcookies.org>.
- “Log files” track actions occurring on the Site, and collect data including your IP address, browser type, Internet service provider, referring/exit pages, and date/time stamps.
- “Web beacons,” “tags,” and “pixels” are electronic files used to record information about how you browse the Site.

Additionally, when you make a purchase or attempt to make a purchase through the Site, we collect certain information from you, including your name, billing address, shipping address, payment information (including credit card numbers, email address, and phone number. We refer to this information as “Order Information.”

When we talk about “Personal Information” in this Privacy Policy, we are talking both about Device Information and Order Information.

During the use of the Platform. The User may validly publish, at its own initiative, any content on the Platform which shall be kept by the Company:

- Posts
- Photos
- Videos
- Schedules
- Events
- Check-ins, trips, or other posts
- Comments to other posts
- Any other relevant content

The User is aware that when using the Platform, the User may decide to provide « sensitive data » within the meaning of Data Protection Law, for example, data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, concerning sexual orientation, etc. By providing such sensitive data, the User agrees to their processing by the Platform in the conditions set forth in this Privacy Policy.

RECIPIENT AND PERSONS AUTHORIZED TO ACCESS THE USERS' DATA

Only **authorized persons working for the COMPANY** [and, in some cases, its subsidiaries] can access your personal data. The COMPANY makes its best effort to ensure that these groups of people remain as small as possible and maintain the confidentiality and security of User's personal data.

The COMPANY also uses **trusted service providers** to carry out a set of operations on its behalf for hosting and payment services. The COMPANY can also use service providers in the tech industry, editors of specific tools integrated in the Platform for technical purposes.

The COMPANY only provides service providers with the information they need to perform the service and asks them not to use your personal data for any other purpose. The COMPANY does its best to ensure that these trusted service providers only process the personal data according to the COMPANY'S documented instructions and provide sufficient guarantees, in particular in terms of confidentiality, expert knowledge, reliability, and resources to implement technical and organizational measures which will meet the requirements of the applicable legislation, including for the security of processing.

The COMPANY may be required to disclose or share your personal data to comply with a legal obligation, or to enforce or apply our terms of use/sale or any other conditions you have accepted; or to protect the rights, safety or property of The Next Athletes, its customers or employees.

List of the main service providers:

Service Provider	Service	You can consult the privacy policy by clicking on the following link:
KIT UNITED 44 rue la fayette 75009 Paris France	HIVEBRITE solution	https://hivebrite.com/privacy-policy
Stripe 510 Townsend Street San Francisco CA 94103, USA	Payment Service	https://stripe.com/fr/privacy
Google Cloud Platform Gordon House, 4 Barrow St, Dublin, Ireland	Hosting of all data and content produced / provided by the User, as well	https://cloud.google.com/security/privacy/

Amazon AWS 38 avenue John F. Kennedy, L-1855. Luxembourg	as images, profile pictures and backups	https://aws.amazon.com/compliance/gdpr-center/
Sentry 132 Hawthorne Street San Francisco, CA 94107 USA	Production and storage of error logs enabling our developers to correct the code	https://sentry.io/privacy/
Sendgrid 375 Beale Street, Suite 300, San Francisco, CA 94105 USA	Sending of emails from the Platform	https://api.sendgrid.com/privacy.html
Hivebrite, Inc. 16 Nassau St, New York, NY 10038, USA	Customer support for the Platform	https://hivebrite.com/privacy-policy

HOW DO WE USE YOUR INFORMATION?

We use the Order Information that we collect generally to fulfill any orders placed through the Site (including processing your payment information, arranging for shipping, and providing you with invoices and/or order confirmations). Additionally, we use this Order Information to:

Communicate with you; Screen our orders for potential risk or fraud; and when in line with the preferences you have shared with us, provide you with information or advertising relating to our products or services.

We use the Device Information that we collect to help us screen for potential risk and fraud (in particular, your IP address), and more generally to improve and optimize our Site (for example, by generating analytics about how our customers browse and interact with the Site, and to assess the success of our marketing and advertising campaigns).

We use your information, including your personal information, for the following purposes:

Providing Support and Services. Including to provide our Services; to communicate with you about your access to and use of our Services; to respond to your inquiries; to provide troubleshooting, process your payments and provide technical support; and for other user service and support purposes;

Analyzing and Improving Services and Operations. Including to better understand how users access and use our Services, to evaluate and improve our Services and business operations, and to develop new Services; to conduct surveys and other evaluations (such as user satisfaction surveys); and for other research and analytical purposes;

Personalizing Content and Experiences. Including to tailor content we send or display on our Site and App, and in our Services; to offer location customization and personalized help and instructions; and to otherwise personalize your experiences;

Advertising, Marketing and Promotional Purposes. Including to reach you with more relevant ads and to evaluate, measure and improve the effectiveness of our ad campaigns; to send you newsletters, offers or other information we think may interest you; to contact you about our Services or information we think may interest you; and to administer promotions;

Securing and Protecting Our Business. Including to protect and secure our business operations, assets, Services, network and information and technology resources; to investigate, prevent, detect and take action regarding fraud, unauthorized access, situations involving potential threats to the rights or safety of any person or third party, or other unauthorized activities or misconduct;

Defending our Legal Rights. Including to manage and respond to actual and potential legal disputes and claims and to otherwise establish, defend or protect our rights or interests, including in the context of anticipated or actual litigation with third parties;

Auditing, Reporting, Corporate Governance, and Internal Operations. Including relating to financial, tax and accounting audits; audits and assessments of our operations, privacy, security and financial controls, risk, and compliance with legal obligations; our general business, accounting, record keeping and legal functions; and related to any actual or contemplated merger, acquisition, asset sale or transfer, financing, bankruptcy or restructuring of all or part of our business; and

Complying with Legal Obligations. Including to comply with the law, our legal obligations and legal process, such warrants, subpoenas, court orders, and regulatory or law enforcement requests.

SHARING YOUR PERSONAL INFORMATION

We share your Personal Information with third parties to help us use your Personal Information, as described above. For example, we use Circle to power our online community and Wix to power our website. We also use Google Analytics to help us understand how our customers use the Site--you can read more about how Google uses your Personal Information here: <https://www.google.com/intl/en/policies/privacy/>. You can also opt-out of Google Analytics here: <https://tools.google.com/dlpage/gaoptout>.

We may also share your Personal Information to comply with applicable laws and regulations, to respond to a subpoena, search warrant or other lawful request for information we receive, or to otherwise protect our rights.

We may share your information with our service providers, to facilitate the services they provide to us. These may include providers of services such as customer service support, payment processing, email delivery, information technology and related infrastructure provision, website hosting, and other services.

We also disclose information in the following circumstances:

Business Transfers. If (i) we or our affiliates are or may be acquired by, merged with, or invested in by another company, or (ii) if any of our assets are or may be transferred to another company, whether as part of a bankruptcy or insolvency proceeding or otherwise, we may transfer the information we have collected from you to the other company. As part of the business transfer process, we may share certain of your personal information with lenders, auditors, and third party advisors, including attorneys and consultants.

In Response to Legal Process. We disclose your information to comply with the law, a judicial proceeding, court order, or other legal process, such as in response to a court order or a subpoena.

To Protect Us and Others. We disclose your information when we believe it is appropriate to do so to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Service or this Policy, or as evidence in litigation in which we are involved.

Aggregate and De-Identified Information. We may share aggregate, anonymized, or de-identified information about users with other entities for marketing, advertising, research or similar purposes.

Data Transfers. The Users' data are stored in the European Economic Area (EEA) by the COMPANY, its subsidiaries, and its trusted service providers. However, depending on the processing, the Users' data may also be transferred in a country outside the EEA, to our trusted service providers and/or subsidiaries.

When transferring data outside the EEA, the COMPANY ensures that the data are transferred in a secured manner and with respect to the Data Protection Law. When the country where the data are transferred does not have a protection comparable to that of the EU, the COMPANY uses "appropriate or suitable safeguards".

When the service providers to whom personal data are transferred are located in the United States, these transfers are governed by the standard data protection clauses adopted by the Commission.

SECURITY OF YOUR INFORMATION

We have implemented reasonable precautions to protect the information we collect from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please be aware that despite our best efforts, no data security measures can guarantee security. Please note that the information you share may be viewable by the public.

You should take steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen, or compromised passwords or for any activity on your account via unauthorized password activity.

ACCESS TO YOUR PERSONAL INFORMATION

You may modify personal information that you have submitted by contacting us at info@thenextathletes.com. Please note that copies of information that will be updated, modified or deleted may remain viewable, to both users of our Services and the general public, in cached and archived pages of the Site or Application for a period of time.

YOUR RIGHTS AND CHOICES

We may send periodic promotional emails to you. You may opt-out of promotional emails by following the opt-out instructions contained in the email. Please note that it may take up to 10 business days for us to process opt-out requests. If you opt-out of receiving promotional emails, we may still send you emails about your account, the Services, or any other services you have requested or received from us.

If you are a European resident, you have the right to access personal information we hold about you and to ask that your personal information be corrected, updated, or deleted. If you would like to exercise this right, please contact us through the contact information below.

Additionally, if you are a European resident, we note that we are processing your information in order to fulfill contracts we might have with you (for example if you make an order through the Site), or otherwise to pursue our legitimate business interests listed above. Additionally, please note that your information will be transferred outside of Europe, including to Canada and the United States.

The User is duly informed that it disposes at any time, depending on the legal basis of the processing, a right to access, to rectification, to erasure, to restriction of processing, to data portability, and to object.

When processing is based on User's consent, the right to withdraw consent at any time, without affecting the lawfulness of the processing based on consent before its withdrawal.

The User can exercise its rights by sending an email to the following address info@thenextathletes.com or by mail at the following address 3604 Wyldwood Rd. Austin, TX 78739 provided that the User verifies his/her identity.

In addition, in the event the User considers that its rights have not been respected, the User of which the personal data is collected can lodge a complaint before the competent supervisory authority. For any additional information, you can review your rights on the websites of the competent authorities.

The competent supervisory authorities are listed on the following website:

http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm.

DO NOT TRACK

Please note that we do not alter our Site's data collection and use practices when we see a Do Not Track signal from your browser.

CHILDREN UNDER 13 OR NOT IN AT LEAST 7TH GRADE

Our Services are not designed for children under 13 or not in at least 7th grade. If it is discovered that a child under 13, or not in at least 7th grade, has provided us with personal information, we will delete such information from our systems.

DATA RETENTION

The COMPANY informs the User that the personal data related to the User Account is retained only during the length of the User's subscription on the Platform.

Following the termination of said subscription, whether by the Athlete or the company, the data collected upon the subscription as well as the content published by the User on the Platform shall be deleted after a period of (3) months after termination or expiration unless the subscription is reinstated and the subscription fee is paid within that time frame.

THIRD PARTY LINKS

Our Site and Services may contain links to third-party websites. Any access to and use of such linked websites is not governed by this Privacy Policy, but instead is governed by the privacy policies of those third party websites. We are not responsible for the information practices of such third party websites.

YOUR CALIFORNIA PRIVACY RIGHTS

This section of our Privacy Policy provides additional information solely for California residents who visit the Site or use our Services, as required under California law, including the California Consumer Privacy Act of 2018 ("CCPA").

California Privacy Rights

If you reside in California, you have the right to: (i) request the deletion of your personal information that we collected; (ii) opt-out of the sale of your personal information, to the extent a business actually sells your personal information; (iii) request that we disclose information about our collection and use of your personal information over the past 12 months including the specific pieces and categories of personal information we collected, what personal information we collect, use, disclose, or sell about you, the categories of sources of the personal information we collected about you, our business purpose for collecting the personal information, and for each category of personal information, the categories of

third parties to whom the personal information was disclosed; and (iv) be free from discriminatory adverse treatment for exercising these rights.

Please note that these rights are subject to certain exceptions under applicable law. In order to protect your privacy and verify your request, we may require additional information from you.

Instructions: You or your authorized agent can submit your request by sending us an email message to info@thenextathletes.com. We will verify your request and your identity when we log into your account or when you provide your name, email address, or other profile information so that we may match it to information that we maintain about you. We may need to collect information from the requesting party to verify their identity or their status as an authorized agent, as the case may be, and may use a two-step process to confirm requests to delete. We will confirm receipt of your request within 10 days and will respond in full within 45 days (subject to an additional 45-day extension in certain circumstances). We are only obligated to respond to a request to know twice within a 12-month period. If you have questions or concerns about our privacy practices, or how to submit requests you may Contact Us through the methods listed in the "Contact Us" section.

Information We Collect and Disclose

We have collected and use the categories of personal information from California residents within the last twelve (12) months as set forth in Section 1 for our business or commercial purposes described in Section 2. Section 3 describes the categories of third parties with whom we share your personal information. We do not disclose or sell personal information to third-parties for their "business purposes" or "commercial purposes" as such terms are defined in the CCPA, nor do we offer financial incentives associated with our collection, use, or disclosure of your personal information. Our collection, use and disclosure of personal information about a California resident will vary depending upon the circumstances and nature of our interactions with you.

Shine the Light.

California residents may request certain information regarding our disclosure of personally identifiable information about you to third parties' for their own direct marketing purposes. However, we do not currently disclose PII to third parties for their direct marketing purposes.

California Minors' Rights.

California residents under the age of 18 may submit a request to remove any content or information the resident has posted to the Services. The removal request only ensures any content or information posted by a California resident under 18 will not be publicly accessible. Such requests do not ensure complete or comprehensive destruction of the content or information from the Services or from the COMPANY's servers. To submit a removal request, contact us at the information provided below.

CHANGES

This Privacy Policy is current as of the effective date set forth above. We reserve 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 Site by posting such changed or updated Privacy Policy on this page. Any changes or updates will be effective immediately upon posting to this 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 this Site or sending you an email.

For more information about our privacy practices, if you have questions, or if you would like to make a complaint, please contact us by e-mail at info@thenextathletes.com.

COMMITMENT OF THE COMPANY

The COMPANY commits to process User's personal data in compliance the Data Protection Law and undertake to, notably, respect the following principles:

- Process User's personal data lawfully, fairly, and in a transparent manner;
- Only collect and process the Users' data for the strict purpose as described under article 2 of the present privacy policy;
- Ensure that the personal data processed are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- Do the best efforts to ensure that the personal data processed are accurate and, if necessary, kept up to date and take all reasonable steps to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- Keep personal User's data for no longer than is necessary for the purposes for which they are processed;
- Put in place all necessary technical and organizational appropriate measures in order to ensure the security, confidentiality, integrity, availability and the resilience of the process systems and services;
- Limit the access to the Users' data to the persons duly authorized to this effect;
- Guarantee to the Users their rights under the Data Protection Law in relation to the processing of their data and make the best efforts to satisfy any request, where this is possible.