

TULLY PRIVACY POLICY

Last Updated: March 4, 2024

This Privacy Policy describes how Helo Systems, Inc. d.b.a. Tully (“**we**”, “**us**,” “**our**,” or the “**Company**”) collects, uses and discloses information about individuals who use our website (www.tully.app), applications, services, tools and features (collectively, the “**Services**”). For the purposes of this Privacy Policy, “**you**” and “**your**” means you as the user of the Services, whether you are a customer, website visitor, or another individual whose information we have collected pursuant to this Privacy Policy. Please note that the Services are designed for users in the United States only and are not intended for users located outside the United States.

Please read this Privacy Policy carefully. By using, accessing, or downloading any of the Services, you agree to the collection, use, and disclosure of your information as described in this Privacy Policy. If you do not agree to this Privacy Policy, please do not use, access or download any of the Services.

1. CHANGES TO THIS PRIVACY POLICY

We may modify this Privacy Policy from time to time in which case we will update the “Last Updated” date at the top of this Privacy Policy. If we make material changes to the way in which we use information we collect, we will use reasonable efforts to notify you (such as by emailing you at the last email address you provided us, by posting notice of such changes on the Services, or by other means consistent with applicable law) and will take additional steps as required by applicable law. If you do not agree to any updates to this Privacy Policy, please do not access or continue to use the Services.

2. HOW WE COLLECT AND USE YOUR INFORMATION

When you access or use the Services, we collect certain categories of information about you from a variety of sources.

Information We Collect Directly from You

Some features of the Services may require you to directly provide us with certain information about yourself. You may elect not to provide this information but doing so may prevent you from using or accessing these features. Information that you directly submit through our Services may include:

- **Basic contact details** (e.g., name, address, phone number, email, organization name, role/designation). We collect basic contact details to communicate with you, provide you with products and services, and to market to you.
- **Account information** (e.g., username, password, security questions). We collect account information to maintain and secure your account with us. If you choose to use the Services and register an account, you are responsible for keeping your account credentials safe. We highly recommend that you do not share your username, password, or other access details with anyone else. If you believe your account has been compromised, please contact us immediately.
- **Payment information** (e.g., bank account, credit or debit card information, billing address). We enable our third-party payment provider, QuickBooks, to collect payment information to process your payment in order to provide you with products or services you have requested.

- **Roster information** (e.g., name, gender, class year, team/sport, date of birth, email) We collect roster information to provide to assign Athlete Performance Metrics to specific athletes and provide the Services.
- **Athlete Performance Metrics** (e.g., performance metrics uploaded to the Services by a coach.) We collect measurements to perform the Service. The Athlete Performance Metrics allow coaches to assign metrics that they want to collect, track, and analyze for each athlete in the Roster.
- **Athlete Performance Metric Measurements** (e.g., performance metric measurements uploaded to the Services by a coach or athlete.) We collect Athlete Performance Metrics to provide and improve the Service.
- Any other information you choose to include in communications with us, for example, when contacting us through the Services.

Information We Collect Automatically

We also automatically collect certain information about your interaction with the Services (“**Usage Data**”). To do this, we may use cookies and/or Google Analytics (“**Tracking Technologies**”). Usage Data may include:

- **Device information** (e.g., unique device identifier, device type, IP address, operating system)
- **Browser information** (e.g., browser type)
- **Other information regarding your interaction with the Services** (e.g., log data, date and time stamps, clickstream data)

We use Usage Data to run analytics, better understand user interaction with the Services, and improve the Services. For more information on how we use Tracking Technologies and your choices, see the section below, *Cookies and Other Tracking Technologies*.

Information We Obtain from Coaches

Finally, we may obtain information about you from your coach. Such information may include:

- Your name;
- Those performance metrics that your coach elects to measure;
- If applicable, your class year;
- Your gender;
- If you choose, your date of birth;
- Your email associated with your team, school, or athletic facility;
- The team, school, or athletic facility that you are affiliated with.

Any information we obtain from third parties will be treated in accordance with this Privacy Policy. We are not responsible or liable for the accuracy of the information provided to us by third parties, including your coach, and are not responsible for their or any third party’s policies or practices. For more information, see the section below, *Third Party Websites and Links*.

In addition to the foregoing, we may use any of the above information to provide the Services, comply with any applicable legal obligations, to enforce any applicable terms of service, and to protect or defend the Services, our rights, and the rights of our users or others.

3. COOKIES AND OTHER TRACKING TECHNOLOGIES

Most browsers accept cookies automatically, but you may be able to control the way in which your devices permit the use of Tracking Technologies. If you so choose, you may block or delete our cookies from your browser; however, blocking or deleting cookies may cause some of the Services, including certain features and general functionality, to work incorrectly. If you have questions regarding the specific information about you that we process or retain, as well as your choices regarding our collection and use practices, please contact us using the information listed below.

To opt out of tracking by Google Analytics, click [here](#).

Your browser settings may allow you to transmit a “do not track” signal, “opt-out preference” signal, or other mechanism for exercising your choice regarding the collection of your information when you visit various websites. Like many websites, our website is not designed to respond to such signals, and we do not use or disclose your information in any way that would legally require us to recognize opt-out preference signals. To learn more about “do not track” signals, you can visit <http://www.allaboutdnt.com/>.

4. HOW WE DISCLOSE YOUR INFORMATION

In certain circumstances, we may disclose your information to third parties for legitimate purposes subject to this Privacy Policy. Such circumstances may include:

- With our affiliates or otherwise within our corporate group
- With vendors or other service providers (e.g., payment processors, data analytics vendors, cloud storage providers, fulfillment partners, IT service management vendors, email marketing services vendors, security vendors)
- With third parties for marketing purposes
- When you request us to share certain information with third parties, such as your coach or athletic facility
- In connection with or anticipation of an asset sale, merger, bankruptcy, or other business transaction
- To comply with applicable law or any obligations thereunder, including cooperation with law enforcement, judicial orders, and regulatory inquiries
- To enforce any applicable terms of service and ensure the safety and security of the Company and/or its users
- With professional advisors, such as auditors, law firms, or accounting firms

5. SOCIAL FEATURES

CERTAIN FEATURES OF THE SERVICES PERMIT YOU TO INITIATE INTERACTIONS BETWEEN THE SERVICES AND THIRD-PARTY SERVICES OR PLATFORMS, SUCH AS SOCIAL

NETWORKS (“**SOCIAL FEATURES**”). SOCIAL FEATURES INCLUDE FEATURES THAT ALLOW YOU TO CLICK AND ACCESS OUR PAGES ON CERTAIN THIRD-PARTY PLATFORMS, SUCH AS FACEBOOK AND TWITTER, AND FROM THERE TO “LIKE” OR “SHARE” OUR CONTENT ON THOSE PLATFORMS. USE OF SOCIAL FEATURES MAY ENTAIL A THIRD PARTY’S COLLECTION AND/OR USE OF YOUR DATA. IF YOU USE SOCIAL FEATURES OR SIMILAR THIRD-PARTY SERVICES, INFORMATION YOU POST OR OTHERWISE MAKE ACCESSIBLE MAY BE PUBLICLY DISPLAYED BY THE THIRD-PARTY SERVICE YOU ARE USING. BOTH THE COMPANY AND THE THIRD PARTY MAY HAVE ACCESS TO INFORMATION ABOUT YOU AND YOUR USE OF BOTH THE SERVICES AND THE THIRD-PARTY SERVICE. FOR MORE INFORMATION ON THIRD-PARTY SERVICES AND PLATFORMS, SEE THE SECTION BELOW, *THIRD PARTY WEBSITES AND LINKS*.

6. THIRD PARTY WEBSITES AND LINKS

We may provide links to websites or other online platforms operated by third parties. If you follow links to sites not affiliated or controlled by us, you should review their privacy and security policies and other terms and conditions. We do not guarantee and are not responsible for the privacy or security of these sites, including the accuracy, completeness, or reliability of information found on these sites. Information you provide on public or semi-public venues, including information you share on third-party social networking platforms (such as Facebook or Twitter) may also be viewable by other users of the Services and/or users of those third-party platforms without limitation as to its use by us or by a third party. Our inclusion of such links does not, by itself, imply any endorsement of the content on such platforms or of their owners or operators, except as disclosed on the Services.

7. CHILDREN’S PRIVACY

Prior to collecting the personal information of a child under the age of 13, we will seek a parent or guardian’s consent for such collection. If you are the parent of a child under the age of 13, please see our parent privacy notice at <https://portal.tully.app/legal/parent-privacy>

8. SECURITY AND RETENTION OF YOUR INFORMATION

Please be aware that, despite our reasonable efforts to protect your information, no security measures are perfect or impenetrable, and we cannot guarantee “perfect security.” Any information you send to us electronically, while using the Services or otherwise interacting with us, may not be secure while in transit. We recommend that you do not use unsecure channels to communicate sensitive or confidential information to us.

We retain your information for as long as is reasonably necessary for the purposes specified in this Privacy Policy. When determining the length of time to retain your information, we consider various criteria, including whether we need the information to continue to provide you the Services, resolve a dispute, enforce our contractual agreements, prevent harm, promote safety, security and integrity, or protect ourselves, including our rights, property or products.

9. CALIFORNIA PRIVACY RIGHTS

We do not share personal information as defined by California Civil Code Section 1798.83 (“Shine The Light Law”) with third parties for their direct marketing purposes.

10. HOW TO CONTACT US

Should you have any questions about our privacy practices or this Privacy Policy, please email us at contact@tullyteam.com or contact us at 6409 Grand Bay Ct, McKinney TX 75071.