

Privacy Policy

The Skillmax website <https://www.skillmax.courses> (the "Site") and other interactive properties through which the Service is delivered (collectively, the "Services") are owned and operated by Skillmax LLC, (referred to in this Privacy Policy as "Skillmax" or "we" and through similar words such as "us," "our," etc.).

By accessing any part of the Services, you are agreeing to the terms and conditions described below (this "Privacy Policy") and the terms and conditions of our terms of service (the "Terms of Service"). If you do not agree to any of these terms, you should not use the Services. This Privacy Policy applies to all users, including both users who are simply viewing content available via the Services and users who have registered as members of Skillmax.

We may, at our sole discretion, modify this Privacy Policy at any time. Use of information we collect now is subject to the Privacy Policy in effect at the time such information is used. If we make material changes in the way we collect or use information, we will notify you by posting an announcement on the Services or sending you an email. By accessing the Services at any time after such modifications, you are agreeing to be bound by the updated policy. This Privacy Policy was last modified as of July 1, 2022.

General

Your privacy is very important to us. Accordingly, we have developed this Privacy Policy in order for you to understand how we collect, use, communicate and disclose and make use of Personal Data (as defined below). The following outlines our privacy policy.

EU Personal Data

If you are located in the European Union ("EU"), United Kingdom, Lichtenstein, Norway, or Iceland, you may have additional rights under the EU General Data Protection Regulation (the "GDPR") with respect to your Personal Data, as outlined in the EU Privacy Notice below.

Personal Data

When you register with us and become a Skillmax customer, when you choose to attend a class, we will ask you for Personal Data. "Personal Data" refers to information about you that can be used to contact or individually identify you. This includes, but is not limited to, your name, email address, but does not include your credit card number or billing information. Transactions on Skillmax involving your billing and payment information are processed by Thinkific, PayPal and Stripe and are subject to their privacy policies. We do not store any of the credit card or banking information that you provide to these payment processors.

In order to send you email from Skillmax, we need your email address. To provide you with additional services, we may also request your name, general location, and telephone number. We may give some or all of this information to the teachers for classes that you sign up for so that they can coordinate their classes. We will not give your name, email, or other Personal Data to unaffiliated third parties except with your consent or as otherwise set forth in this privacy policy. Though we employ industry standard measures to preserve user privacy, we may need to disclose Personal Data when required by law or when we have a good faith belief that such action is necessary to comply with a current judicial proceeding, a court order or legal process that we receive or to protect our interests or the safety of others. In addition, we may provide Personal Data to employees, consultants or other business or persons for the purpose of processing such information on our behalf. In such circumstances, we require that these parties agree to protect the confidentiality of such information and to comply with the terms of this Privacy Policy. We may use your Personal Data to operate, improve, understand and personalize our Services.

Voluntary Disclosure

Any Personal Data or content that you voluntarily disclose in public areas becomes publicly available and can be collected and used by other users for any reason. Your profile pages (“Profile”) and any online communities you participate in are typically publicly available. You have the ability to change your account settings to limit access to your profile, and may delete content you post to public communities. If you need assistance with controlling your account privacy settings or with deleting content, please contact us at help@skillmax.courses. Removal of posted content does not ensure complete or comprehensive removal of the content or information (e.g., some content may be “invisible” to other users but remain on servers in some form). You should exercise caution before disclosing your Personal Data via these or any other public venues.

For example, if you choose to sign up for Skillmax account, you may have a Profile on the site, containing your full name and some basic information including your location and bio. You may also add additional optional information to your Profile. You may control what type of Profile information is shown to others through your Account Settings. Any information you choose to provide as part of your Profile should reflect how much you want other Skillmax users to know about you. We recommend that you guard your anonymity and sensitive information and we encourage members to think carefully about what information about themselves they disclose in their profile pages. You can review and revise your profile information at any time.

Children’s Privacy

As noted in our Terms of Service, we do not knowingly collect or solicit Personal Data from anyone under the age of 16. If you are under 16, please do not attempt to register for the Services or send any Personal Data about yourself to us. If we learn that we have collected Personal Data from a child under age 16, we will delete that information as quickly as possible. If you believe that a child under 16 may have provided us Personal Data, please contact us at help@skillmax.courses.

Information About Cookies

We use your IP address to administer our Services, and to analyze traffic patterns on the Services. The Services also use cookies and similar technologies such as pixel tags, web beacons, clear GIFs, and JavaScript (collectively, “Cookies”) to enable our servers to recognize your web browser and tell us how and when you visit and use our Site and Services, to analyze trends, learn about our user base and operate and improve our Services. For example, we use Cookies to deliver content specific to your interests, to save your password so you don't have to reenter it each time you visit, and to track whether emails we send you have been viewed. We sometimes combine information collected through Cookies that is not Personal Data with Personal Data that we have about you, for example, to tell us who you are or whether you have an account with us. We may also supplement the information we collect from you with information received from third parties.

Cookies can either be “session Cookies” or “persistent Cookies”. Session Cookies are temporary Cookies that are stored on your device while you are visiting our Site or using our Services, whereas “persistent Cookies” are stored on your device for a period of time after you leave our Site or Services. The length of time a persistent Cookie stays on your device varies from Cookie to Cookie. We use persistent Cookies to store your preferences so that they are available for the next visit, and to keep a more accurate account of how often you visit our Services, how often you return, how your use of the Services may vary over time. We also use persistent Cookies to measure the effectiveness of advertising efforts. Through these Cookies, we may collect information about your online activity after you leave our Services. Your browser may offer you a “Do Not Track” or “DNT” option, which allows you to signal to operators of websites, and web applications, and services that you do not wish such operators to track certain of your online activities over time and across different websites. Because we collect browsing and persistent identifier data, the Services do not support Do Not Track requests at this time, which means that we may collect information about your online activity both while you are using the Services and after you leave our properties.

Some Cookies are placed by a third party on your device and may provide information to us and third parties about your browsing habits (such as your visits to our Site or Services, the pages you have visited and the links and advertisements you have clicked). These Cookies can be used to determine whether certain third party services are being used, to identify your interests, to retarget advertisements to you and to serve advertisements to you that we or others believe are relevant to you. We do not control third party Cookies.

We use the following types of Cookies:

- **Essential Cookies.** Essential Cookies are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of our Site or Services. Disabling these Cookies may make certain features and services unavailable.
- **Functionality Cookies.** Functional Cookies are used to record your choices and settings regarding our Services, maintain your preferences over time and recognize you when you return to our Services. These Cookies help us to personalize our content for you, greet you by name, and remember your preferences (for example, your choice of language or region).
- **Performance/Analytical Cookies.** Performance/Analytical Cookies allow us to understand how visitors use our Site and Services such as by collecting information about the daily number of visitors to the Services, the daily requests we receive for particular files on the Services, and what geographical areas those requests come from. These aggregated statistics are used internally to

better provide services to the public and may also be provided to others. Performance/Analytical Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the Services' content for those who engage with our advertising. For example, Google, Inc. ("Google") uses cookies in connection with its Google Analytics services. Google's ability to use and share information collected by Google Analytics about your visits to the Services is subject to the Google Analytics Terms of Use and the Google Privacy Policy. You have the option to opt out of Google's use of cookies by visiting the Google advertising opt-out page at https://www.google.com/privacy_ads.html or the Google Analytics Opt-out Browser Addon at <https://tools.google.com/dlpage/gaoptout/>.

- Retargeting/Advertising Cookies. Retargeting/Advertising Cookies collect data about your online activity and identify your interests so that we can provide advertising that we believe is relevant to you. For more information about this, please see the section below titled "Third Party Advertising".

You can decide whether or not to accept Cookies. One way you can do this is through your internet browser's settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your computer. If you do this, however, you may have to manually adjust some preferences every time you visit a site and some Services and functionalities may not work.

To explore what Cookie settings are available to you, look in the "preferences" or "options" section of your browser's menu. To find out more information about Cookies, including information about how to manage and delete Cookies, please visit <https://www.ico.org.uk/for-the-public/online/cookies/> or <https://www.allaboutcookies.org/>.

Third Party Advertising

We use third party providers, including Facebook and Google AdWords, to advertise the Services across the internet. These providers may use cookies, web beacons, and other storage technologies to collect or receive information from the Services and elsewhere on the internet and use that information to provide measurement services and display targeted ads to you.

A cookie is used to indicate to other websites that you visited a particular page, and allows us to tailor our marketing to better suit your needs and only display ads that are relevant to you. This cookie does not in any way give access to your computer or mobile device.

If you do not wish to see ads from us, you can opt out in several ways:

- Opt out of Google's use of cookies by visiting Google's Ads Settings - <https://www.google.com/settings/ads>.
- Opt out of a third-party vendor's use of cookies by visiting the Network Advertising Initiative optout page - https://www.networkadvertising.org/managing/opt_out.asp.

We may display interest-based ads to you when you are using Facebook through a tool offered by Facebook called the Custom Audience Tool. This tool allows us to personalize our ads based on your usage

of the Services. We do not share any of your personal information with Facebook. The tool lets us convert your email address to a unique number that Facebook uses to match to unique numbers Facebook generates from email addresses of its users. You can find information on how to opt out of this advertising here - <https://www.facebook.com/help/568137493302217>.

Third Party Sites and Service Providers

We use third party providers to help us operate the business. For example, learning management systems, online video communication tools providers, website hosting providers, marketing systems providers, social media management systems, payment processors, etc.. The Services may contain links to other websites or services. We are not responsible for the privacy practices or the content of such websites or services, and you should review the privacy policy of each such website or service to make sure that you are comfortable with it before providing any Personal Data. For example, all payments for classes are processed through third party payment processors. As discussed above, we do not receive any of the credit card information you provide to our third party payment processors, and all such information is subject to their privacy policies.

Teachers

We may give your Personal Data to the teachers for classes (“Teachers”) that you sign up for so that they can coordinate their classes. As part of our Terms of Use, Skillmax Teachers agree not to abuse other users' Personal Data. Abuse is defined as using Personal Data for any purpose other than those explicitly specified in the Teachers' Class. However, please understand that Skillmax Teachers are not our employees or consultants and that we are not party to any transaction between you and the Teacher. As a result, we cannot control their actions and cannot be held liable for any actions that they may take.

Business Transfers

In the event that we are acquired by or merged with a third party entity, we reserve the right to transfer or assign the information we have collected from users, including without limitation Personal Data, as part of such merger, acquisition, sale, or other change of control. In the unlikely event of our bankruptcy, insolvency, reorganization, receivership, or assignment for the benefit of creditors, or the application of laws or equitable principles affecting creditors' rights generally, we may not be able to control how your Personal Data is treated, transferred, or used.

Transfers to the United States

The Services are hosted in the United States. If you are accessing the Services from the European Union, please see the section titled “Transfers of Personal Data” in the EU Privacy Notice below. If you are accessing the Services from any other region with laws or regulations governing personal data collection, use, and disclosure that differ from United States laws, please be advised that through your continued use of the Services, which is governed by United States law, this Privacy Policy, and our Terms of Service, you are transferring your Personal Data to the United States and you consent to that transfer.

California Privacy Rights

California Civil Code Section 1798.83 permits users of the Services who are California residents to request certain information regarding its disclosure of Personal Data to third parties for their direct marketing purposes. To make such a request, please send an email with ‘California Privacy Rights’ in the heading to help@skillmax.courses or write us at the address listed below.

EU Privacy Notice

If you are located in the European Union (“EU”), United Kingdom, Lichtenstein, Norway, or Iceland, you may have additional rights under the EU General Data Protection Regulation (the “GDPR”) with respect to your Personal Data, as outlined below.

For this EU Privacy Notice section, we use the terms “Personal Data” and “processing” as they are defined in the GDPR, but, in addition to the information identified in the Privacy Policy as Personal Data above, “Personal Data” generally means information that can be used to individually identify a person, and “processing” generally covers actions that can be performed in connection with data such as collection, use, storage and disclosure. Skillmax will be the controller of your Personal Data processed in connection with the Services.

If there are any conflicts between this section and any other provision of this Privacy Policy, the policy or portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at help@skillmax.courses.

What Personal Data Do We Collect From You? We collect Personal Data about you when you provide such information directly to us, when third parties such as our business partners or service providers provide us with Personal Data about you, or when Personal Data about you is automatically collected in connection with your use of our Services.

Information we collect directly from you: We receive Personal Data directly from you when you provide us with such Personal Data, including without limitation the following:

- First and last name, Email address, Date of birth, Gender, Biographical information, Location information (limited to city, state, zip code, country, and time zone), Employment history, Links to your social media accounts, Any other information you choose to share publicly on the Services,

for example, anything you post to a public part of your Profile or an online classroom on the Services.

Information we receive from third party sources: Some third parties such as our business partners and service providers provide us with Personal Data about you, such as the following:

- Account information for third party services: If you interact with a third party service when using our Services, such as if you use a third party service to log-in to our Services (e.g., Facebook Connect), or if you share content from our Services through a third party social media service, the third party service will send us information about you, such as information from your public profile, if the third party service and your account settings allow such sharing. The information we receive will depend on the policies and your account settings with the third party service.
- Information from our advertising partners: We receive information about you from some of our service providers who assist us with marketing or promotional services related to how you interact with our websites, applications, products, services, advertisements or communications.
- Information from third party service providers: Some of our third party service providers collect Personal Data and share that information with us.

Information we automatically collect when you use our Services: Some Personal Data is automatically collected when you use our Services, such as the following:

- IP address
- Your activity on the Services. This includes class usage information such as class enrollment and which classes you've watched. It also includes community interaction data, such as which members you're following, your comments, your projects, or project likes.
- Device identifiers
- Web browser information
- Page view statistics
- Browsing history
- Transaction information (e.g. transaction amount, date and time such transaction occurred)
- Cookies and other tracking technologies (e.g. web beacons, pixel tags, SDKs, etc.). For more information, please review the "Information About Cookies" section above.
- Location information (e.g. IP address)
- Log data (e.g. access times, hardware and software information)

How Do We Use Your Personal Data? We process Personal Data to operate, improve, understand and personalize our Services. For example, we use Personal Data to:

- Create and manage user accounts and profiles
- Personalize content on the Services. This includes showing users their saved classes and class watch history, and providing class recommendations.
- Provide users and Teachers with community features
- Provide Teachers with student lists and pay Teachers appropriately
- Communicate with you about the Services
- Contact you with announcements, updates or offers regarding the Services
- Process orders
- Provide support and assistance for the Services

- Analyze and improve the Services
- Meet contract or legal obligations
- Respond and fulfill user inquiries and requests
- Resolve disputes
- Protect against or deter fraudulent, illegal or harmful actions
- Enforce our Terms of Service
- Complete corporate transactions (for more information, see our “Business Transfers” section above)

We will only process your Personal Data if we have a lawful basis for doing so. Lawful bases for processing include consent, contractual necessity and our “legitimate interests” or the legitimate interest of others, as further described below.

- **Contractual Necessity:** We process the following categories of Personal Data as a matter of “contractual necessity”, meaning that we need to process the data to perform under our Terms of Service with you, which enables us to provide you with the Services. When we process data due to contractual necessity, failure to provide such Personal Data will result in your inability to use some or all portions of the Services that require such data.
 - First and last name
 - Email address
 - Password
- **Legitimate Interest:** We process the following categories of Personal Data when we believe it furthers the legitimate interest of us or third parties.
 - First and last name
 - Email address
 - Location information
 - IP address
 - Your activity on the Services, including class usage information and community interaction data

Examples of these legitimate interests include:

- Operation and improvement of our business, products and services
- Personalization of web content on the Service
- Analyzing the use of the Services
- Marketing of our products and services
- Provision of customer support
- Protection from fraud or security threats
- Compliance with legal obligations
- Completion of corporate transactions
- **Consent:** In some cases, we process Personal Data based on the consent you expressly grant to us at the time we collect such data. When we process Personal Data based on your consent, it will be expressly indicated to you at the point and time of collection.
- **Other Processing Grounds:** From time to time we may also need to process Personal Data to comply with a legal obligation, if it is necessary to protect the vital interests of you or other data subjects, or if it is necessary for a task carried out in the public interest.

How and With Whom Do We Share Your Data? We share Personal Data with vendors, third party service providers and agents who work on our behalf and provide us with services related to the purposes described in this Privacy Policy or our Terms of Service. These parties include:

- Payment processors
- Fraud prevention service providers
- Third party providers of advertising services
- Ad networks and marketing tools
- Analytics service providers
- Engineering and development tools
- Staff augmentation and contract personnel
- Hosting service providers

We also share Personal Data when necessary to complete a transaction initiated or authorized by you or provide you with a product or service you have requested. In addition to those set forth above, these parties also include:

- Other users (where you post information publicly or as otherwise necessary to effect a transaction initiated or authorized by you through the Services), such as when users and Teachers interact through the Services
- Social media services (if you interact with them through your use of the Services)
- Third party business partners who you access through the Services

We also share Personal Data when we believe it is necessary to:

- Comply with applicable law or respond to valid legal process, including from law enforcement or other government agencies
- Protect us, our business or our users, for example to enforce our terms of service, prevent spam or other unwanted communications and investigate or protect against fraud
- Maintain the security of our products and services

We also share information with third parties when you give us consent to do so. Furthermore, you acknowledge that we may transfer your Personal Data, and that any acquirer of us or our assets may continue to use your Personal Data, as set forth in the “Business Transfers” section above.

How Long Do We Retain Your Personal Data? We retain Personal Data about you for as long as you have an open account with us or as otherwise necessary to provide you Services. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. Afterwards, we retain some information in a depersonalized or aggregated form but not in a way that would identify you personally.

What Security Measures Do We Use? We seek to protect Personal Data using appropriate technical and organizational measures based on the type of Personal Data and applicable processing activity.

Personal Data of Children: As noted above, we do not knowingly collect or solicit Personal Data from anyone under the age of 16.

What Rights Do You Have Regarding Your Personal Data? You have certain rights with respect to your Personal Data, including those set forth below. For more information about these rights, or to submit a

request, please email help@skillmax.courses. Please note that in some circumstances, we may not be able to fully comply with your request, such as if it is frivolous or extremely impractical, if it jeopardizes the rights of others, or if it is not required by law, but in those circumstances, we will still respond to notify you of such a decision. In some cases, we may also need you to provide us with additional information, which may include Personal Data, if necessary to verify your identity and the nature of your request.

- **Access:** You can request more information about the Personal Data we hold about you and request a copy of such Personal Data. You can also access certain of your Personal Data by emailing help@skillmax.courses.
- **Rectification:** If you believe that any Personal Data, we are holding about you is incorrect or incomplete, you can request that we correct or supplement such data. You can also correct some of this information directly by making changes to your Profile. You can request that we correct or supplement such data by emailing help@skillmax.courses.
- **Erasure:** You can request that we erase some or all of your Personal Data from our systems by emailing help@skillmax.courses.
- **Withdrawal of Consent:** If we are processing your Personal Data based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your consent at any time. Please note, however, that if you exercise this right, you may have to then provide express consent on a case-by-case basis for the use or disclosure of certain of your Personal Data, if such use or disclosure is necessary to enable you to utilize some or all of our Services.
- **Portability:** You can ask for a copy of your Personal Data in a machine-readable format. You can also request that we transmit the data to another controller where technically feasible.
- **Objection:** You can contact us to let us know that you object to the further use or disclosure of your Personal Data for certain purposes, such as for direct marketing purposes.
- **Restriction of Processing:** You can ask us to restrict further processing of your Personal Data.
- **Right to File Complaint:** You have the right to lodge a complaint about Skillmax's practices with respect to your Personal Data with the supervisory authority of your country or EU Member State.

Transfers of Personal Data: The Services are hosted and operated in the United States ("U.S.") through Skillmax and its service providers, and if you do not reside in the U.S., laws in the U.S. may differ from the laws where you reside. By using the Services, you acknowledge that any Personal Data about you, regardless of whether provided by you or obtained from a third party, is being provided to Skillmax in the U.S. and will be hosted on U.S. servers, and you authorize Skillmax to transfer, store and process your information to and in the U.S., and possibly other countries. You hereby consent to the transfer of your data to the U.S. as set forth herein.

Skillmax is committed to the Principles of the EU-U.S. Privacy Shield Framework set forth by the U.S. Department of Commerce regarding the collection and use of Personal Data transferred from the EU. These Principles are (1) notice, (2) consent, (3) accountability for onward transfer, (4) security, (5) data integrity and purpose limitation, (6) access and (7) recourse, enforcement and liability with respect to all Personal Data received from within the EU in reliance on the Privacy Shield. The Privacy Shield Principles require that we remain potentially liable if any third party processing Personal Data on our behalf fails to comply with these Privacy Shield Principles (except to the extent we are not responsible for the event giving rise to any alleged damage). Skillmax's compliance with the Privacy Shield is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission. For more information about the Privacy Shield Program, please visit <https://www.privacyshield.gov/>.

Please contact us at help@skillmax.courses with any questions or concerns relating to the Privacy Shield. If you do not receive timely acknowledgment of your Privacy Shield-related complaint from us, or if we have not resolved your complaint, you may also resolve a Privacy Shield-related complaint through JAMS, an alternative dispute resolution provider located in the United States. You can visit <https://www.jamsadr.com/file-an-eu-us-privacy-shield-or-safe-harbor-claim> for more information or to file a complaint, at no cost to you. Under certain conditions, you may also be entitled to invoke binding arbitration for complaints not resolved by other means.

What If You Have Questions Regarding Your Personal Data? If you have any questions about this EU Privacy Notice or our data practices generally, please contact us using the following information:

Name: Skillmax LLC

Email address for contact: help@skillmax.courses

Physical address: 5900 Balcones Dr #100, Austin, TX 78731