

Privacy policy

This document is an electronic record in terms of Information Technology Act, 2000 and rules made thereunder and as the same may be amended from time to time. Being a system generated electronic record, it does not require any physical or digital signature.

Zen Physio is a sole proprietorship firm registered in India (hereinafter referred to as “We” or “Our” or “Us” or “Company”) which operates through its website www.zenphysio.in . Further Company brings to you its (Software), Kaizen Pilates (Applications or App), content, products, and other services.

‘Platform’ shall collectively mean the proprietary Fitness Platform including but not limited to online website under the domain name www.zenphysio.in and mobile applications under the brand name ‘Kaizen Pilates’ to deliver access to fitness trainers, health data tracking tools and fitness workouts.

Our privacy policy is designed to provide greater transparency into Our privacy practices and principles, in a format that is easier to navigate, read and understand. We respect the privacy of Our Platform users (“You” or “Your”) and the confidentiality of the information provided by You and have developed this Privacy Policy to demonstrate Our commitment to protecting the same.

Privacy Policy

Effective Date : 31 July 2023

This Privacy Policy describes the type or treatment of information provided or collected on the Platform where this privacy policy is posted. It also explains the treatment of information provided or collected on Platform. We make available on third-party sites or platforms if disclosed to You in connection with use of the Platform. We follow this privacy policy in accordance with local law in the place where we operate.

We collect, purpose, usage, storage and handling of such information, and disclosure thereof. We encourage You to read this Privacy Policy carefully when (i) using Our Platform from any computer, computer device, mobile, smartphone or any electronic device, or (ii) availing any products or services offered on or through the Platform.

By using Our Platform, You hereby consent to collection of Your information by Us. The information in some cases may include Personal Information and Sensitive Personal Information. In case of collection of Sensitive Personal Information, You will be required to click on the box below, confirming Your acceptance of this Privacy Policy. By accepting this Privacy Policy You are representing that You are eighteen (18) years of age or above. In case You are under the age of eighteen (18) years, then You are requested to not share any Sensitive Personal Information or Personal Information with us without having Your Parents to accept this Privacy Policy on Your behalf.

WHAT INFORMATION DO WE COLLECT?

At the outset, You are free to refrain from sharing Your information with Us. When You use the Platform, We may collect two basic types of information – Your personal and anonymous information and we may use personal and anonymous information to create a third type of information, aggregate information. We may also collect information which may be Sensitive Personal Information. We collect the following categories of information:

1. Registration information You provide when You create an account, including Your first name and surname, country of residence, mobile number, gender, date of birth, email address, username and password.
2. Transaction information You provide when You request information or purchase a product or service from Us, whether on our Platform, including your postal address, telephone number and payment information.
3. Information You provide in public forums on Our Platform.
4. Information sent either one-to-one or within a limited group using Our message, chat, post or similar functionality, where We are permitted by law to collect this information.
5. Information You provide to Us when You use Our Platform, Our Platform on third-party sites or platforms such as social networking sites or link Your profile on a third-party site or platform with Your registration account.
6. Location information when You visit Our Platform, including location information either provided by a mobile device interacting with one of Our Platform, website or Application, or associated with your IP address, where We are permitted by law to process this information.

7. Usage, viewing and technical data, including Your device identifier or IP address, when You visit Our Platform on third-party sites or platforms or open emails we send.

How We Collect Your Information?

- In order to register as a user with the Platform, You can either create an account on Our Platform. Alternatively, You can sign in using Your Facebook/Google/ any other social networking website login. If You do so, You authorize Us to access certain Facebook/Google or any other social networking website account information, such as Your public Facebook/Google or any other social networking website profile (consistent with your privacy settings in Facebook/Google or any other social networking website). You will also be asked to allow Us to collect Your location and movement, Fitness information from the device when You use the Platform.
- We collect information You provide to Us when You request products, services or information from Us, register with Us, participate in public forums or other activities on Our Platform, respond to customer surveys, or otherwise interact with Us. Please keep in mind that when You provide information to Us on a third-party site or platform (for example, via Our Platform), the information You provide may be separately collected by the third-party site or platform. The information We collect is covered by this privacy policy and the information the third-party site or platform collects is subject to the third-party site or platform's privacy practices. Privacy choices You have made on the third-party site or platform will not apply to Our use of the information We have collected directly through Our Platform.
- You provide while using Our Platform or in some other manner. You may also provide Us photos, a personal description and information about Your gender and preferences. In case any chat facility is provided through the Platform and if You chat with other Platform users, You provide Us the content of Your chats, and If You contact Us for customer service or other inquiry, You provide Us with the content of that communication.
- We neither knowingly collect any information nor promote Our Platform to any minor under the age of 18 (eighteen) years. If You are less than 18 (eighteen) years old or a minor in any other jurisdiction from where You access Our Platform, We request that You do not submit information to Us. If We become aware that a minor has registered with Us and provided Us with personal information, We may take steps to terminate such person's registration and delete their account with Us.
- We use various tools and technologies, such as cookies, Mixpanel, Flash cookies and Web beacons, including when You visit Our Platform or use Our Platform on third-party sites or platforms, to collect Your personal information and non-personal information from the device from which You access the Platform and learn about Your activities taking place under Your account when

You use Our Platform. Such non-personal information could include Your IP address, device ID and type, Your browser type and language, operating system used by Your device, access times, Your device geographic location and the referring website address. We may use web beacons and other similar technologies to track Your use of Our Platform and to deliver or communicate with cookies.

- Advertising networks service providers, web traffic analysis service providers, Our business partners and vendors and other third parties may also use cookies, which is beyond Our control. These would most likely be analytical/performance cookies or targeting cookies. Blocking such cookies is possible by activating the appropriate settings on Your device browser. However, this may affect the functionality of the Platform.
- We acquire information from other trusted sources to update or supplement the information You provided, or We collected automatically. Local law may require that you authorize the third party to share Your information with Us before We can acquire it.

HOW WE USE THE INFORMATION WE COLLECT?

A member of Our Company, which includes many different brands, will be the data controller for Your information. A user can reach out to our data controllers by sending an email to connect@zenphysio.in. Other members of Our Company may have access to Your information where they perform services on behalf of the data controller(s) (as a data processor) and, unless prohibited under applicable law, for use on their own behalf (as a data controller) for the following purposes:

1. deliver and improve Our Platform and manage Our business;
2. manage Your account and provide You with customer support;
3. providing access to offers and facilitating transactions for availing Ours and third party's goods and services through the Platform;
4. perform research and analysis about Your use of, or interest in, Our or third party's products, services, or content or such products, services, or content as may be available on or through the Platform;
5. communicate with You by email, postal mail, telephone and/or mobile devices about products or services that may be of interest to You either from Us or third parties or such products, services, or content as may be available on or through the Website;
6. develop, display, and track content and advertising tailored to Your interests on Our App, including providing advertisements to You;
7. undertake Platform analytics;
8. enforce or exercise any rights in our Platform Terms and Conditions;
9. perform functions or services as otherwise described to You at the time of collection; and

10. resolve disputes, diagnose errors, troubleshoot problems, detect and protect Us against any activity not expressly authorized under the Platform Terms & Conditions
11. consistent with local law and choices and controls that may be available to you:
 - send you offers and promotions for our products and services or third-party products and services;
 - personalize content and experiences on Our Platform;
 - provide you with advertising based on your activity on Our Platform and on third-party sites and applications.

WITH WHOM DO WE SHARE YOUR INFORMATION?

When You register as a user of Our Platform, Your profile details (information You have provided Us directly or through your Facebook/Google or any other social networking website account) will be accessible and viewable by other Platform users and Our business partners, sub-contractors, payment and delivery service providers, advertising networks, analytics providers, search information providers and credit reference agencies.

- We do not share Your personal information with others except as indicated in this Privacy Policy or when We inform You and give You an opportunity to opt out of having Your personal information shared.
- We may also disclose Your personal information:
 - for complying with applicable laws, requests or orders from law enforcement agencies, appropriate competent authorities or for any legal process;
 - for enforcing the Platform Terms and Conditions;
 - for protecting or defending Ours, any Platform user's or any third party's rights or property;
 - for supporting any fraud/ legal investigation/ verification checks; or
 - in connection with a corporate transaction, including but not limited to sale of Our business, merger, consolidation, or in the unlikely event of bankruptcy.
- We may use and share Your non-personal information We collect under any of the above circumstances, including with third parties to develop and deliver targeted advertising on Our Platform and on websites and/or applications of third parties, and to undertake analysis thereof. We may combine non-personal information We collect with additional non-personal information collected from other sources. We also may share aggregated, non-personal information, or personal information in hashed, non-human readable form, with third parties, including advisors, advertisers and investors, for the purpose of conducting general business analysis or other business purposes.

HOW CAN YOU ACCESS OR CONTROL YOUR INFORMATION?

- If You have an account with Us on Our Platform, We provide You the ability to exercise certain controls regarding our collection, use and sharing of Your information. In accordance with local law, your controls and choices may include:
 - You may correct, update and delete your registration account;
 - You may change your choices for subscriptions, newsletters and alerts;
 - You may choose whether to receive from us offers and promotions for our products and services, or products and services that we think may be of interest to you;
 - You may choose whether we share your personal information with other companies so they can send you offers and promotions about their products and services;
 - You may choose whether to receive targeted advertising from many ad networks, data exchanges, marketing analytics and other service providers;
 - In addition, We give You the control to opt out of having Your personal information shared, via the Platform settings. If You logout of Your Platform account or uninstall the Platform, We may retain certain information associated with Your account for analytical purposes and recordkeeping purposes or as required by law, as well as to prevent fraud, enforce our Platform Terms and Conditions, take actions We deem necessary to protect the integrity of Our Platform or other Platform users, or take other actions otherwise permitted by law. In addition, if certain information has already been provided to third parties as described in this Privacy Policy, retention of that information will be subject to those third parties' policies.
 - You can choose not to provide Us with certain information; however please be aware this may result in You being unable to use certain features of Our Platform. Our Platform may also deliver notifications to Your email or mobile device. You can avoid or disable these notifications by deleting or terminating the Platform or by making changes in the Platform settings.
 - You are solely liable and responsible for any information You provide and/or share using the Platform.

HOW DO WE PROTECT YOUR PERSONAL INFORMATION?

We adopt reasonable security practices and procedures to help safeguard Your personal information under Our control from unauthorized access. However, You acknowledge that no Internet transmission or system or server can be 100% secure. Therefore, although We take all reasonable steps to secure Your personal information, We do not promise or guarantee the same, and You should not expect that Your personal information, or other communications while using the Platform will always remain secure and safeguarded by Us. You should always exercise caution while providing, sharing or disclosing Your personal information using the Platform.

CHILDREN'S PRIVACY

Although Our Platform is a general audience Platform, We try Our best to restrict the use of Our Platform to individuals aged 18 (eighteen) years and above. We do not knowingly collect, maintain or use personal information from children under the age of 18 (eighteen) years.

DATA SECURITY AND INTEGRITY

The security, integrity and confidentiality of Your information are extremely important to Us. We have implemented technical, administrative and physical security measures that are designed to protect guest information from unauthorized access, disclosure, use and modification. From time to time, We review Our security procedures to consider appropriate new technology and methods. Please be aware though that, despite Our best efforts, no security measures are perfect or impenetrable.

DATA TRANSFERS, STORAGE AND PROCESSING GLOBALLY

While We do not operate globally, and We may / may not transfer your Personal Information to any third parties in locations around the world for the purposes described in this Privacy Policy. Wherever your personal information is transferred, stored or processed by us, we will take reasonable steps to safeguard the privacy of your personal information.

CHANGES TO THIS PRIVACY POLICY

We may occasionally update this Privacy Policy. When We post changes to this Privacy Policy, We will revise the “last updated” date. We recommend that You check Our Platform from time to time to keep Yourself updated of any changes in this Privacy Policy or any of Our other Platform related terms and policies.

GRIEVANCE OFFICER/ COMMENTS AND QUESTIONS

In accordance with Information Technology Act, 2000 and rules made there under, the name and contact details of the Grievance Officer are provided below:

Name: Anchal Bisen

Email: connect@zenphysio.in

Our Platform may contain links to other sites not owned or controlled by Us and We are not responsible for the privacy practices of those sites. We encourage You to be aware when You leave Our sites or applications and to read the privacy policies of other sites that may collect Your personal information.

CONTACT US.

Please contact Us by email on connect@zenphysio.in for any questions or comments regarding this Privacy Policy.

Last Updated on: July 31, 2023

Aggregate Information. Aggregate information means information about groups or categories of guests, which does not identify and cannot reasonably be used to identify an individual guest.

Anonymous Information. Anonymous information means information that does not directly or indirectly identify, and cannot reasonably be used to identify, an individual guest.

Children. Children means individuals who we have identified are not of legal age to consent to the collection and processing of their personal information. In India, the term “children” refers to individuals under 18 years of age.

IP address. An IP address is associated with the access point through which you enter the Internet and is typically controlled by your Internet Service Provider (ISP), your company, or your university. We may use IP addresses to collect information regarding the frequency with which our guests visit various parts of our Platform, and we may combine IP addresses with Personal Information.

Notice. Notice may be by email to you at the last email address you provided us, by posting notice of such changes on our Platform, or by other means, consistent with applicable law.

Parents. Parents mean a parent or legal guardian of the Children.

Personal information. Personal information means and includes information that identifies (whether directly or indirectly) and Sensitive Personal Information. When

anonymous information is directly or indirectly associated with personal information, this anonymous information also is treated as personal information.

Public Forums. Our Platform may offer message boards, conversation pages, reviews, blogs, chat rooms, social community environments, profile pages, and other forums that do not have a restricted audience. If you provide personal information when you use any of these features, that personal information may be publicly posted and otherwise disclosed without limitation as to its use by us or by a third party. To request removal of your personal information from a public forum on one of our Platform, please contact connect@zenphysio.in.

Sensitive Personal Information. Sensitive Personal Information shall have the meaning ascribed to it under the applicable law and is presently defined to mean such personal information which consists of information relating to (i) passwords; (ii) financial information such as bank accounts or credit card or debit card or other payment instrument details; (iii) physical, physiological and mental health conditions; (iv) sexual orientation; (v) medical records and history; (vi) Biometric information; (vii) any detail relating to the above clauses as provided to body corporate for providing service; and (viii) any of the information received under above clauses by body corporate for processing, stored or processed under lawful contract or otherwise; provided that any information that is freely available or accessible in public domain or furnished under the Right to Information Act, 2005 or any other law for the time being in force shall not be regarded as sensitive personal information.

Fitness. for the purpose of this Privacy Policy shall mean any activities related to health, fitness, or wellness of a person including but not limited to physical movements, jumping, running, meditation, jogging etc.

1. Who are the users that will use the paid services in the app?

All users irrespective of whether they fall under the category of “User” or “Trainer”

2. Where can users purchase the services that can be accessed in the app?

We provide a marketplace platform where users and trainers can create their own Workouts or Coaching Packages. The FitBuddy Section in the app is where a trainer can create a paid workout and a user can pay him/her to join a workout.

3. What specific types of previously purchased services can a user access in the app?

None as of now. The user cannot access a “workout” or “coaching package” once the said period of time for use has elapsed.

4. What paid content, subscriptions, or features are unlocked within your app that do not use in-app purchase?

None as of now. All depends on in-app purchase in the form of paying for "Workouts" and "Coaching Packages"

5. Are the enterprise services in your app sold to single users, consumers, or for family use?

No enterprise services are offered currently.

6. What is the maximum number of users that can participate in your app's live, real-time services?

No such limit.

7. Can users purchase physical goods or services together with digital content in your app? If so, please describe how the physical and digital content are connected and why you bundle them together in a single purchase.

No they can't purchase any physical goods on Zen Physio. Coaching sessions and Fitbuddy sessions can be conducted online or offline.