



Privacy Policy

Last Updated: December 17, 2019

This Privacy Policy governs your access to the Kids Break Ground website and mobile application operated by Kids Break Ground, Inc. (collectively, the “**Services**”). We are committed to providing children with a learning environment where you can feel confident that your children’s privacy is protected.

This Privacy Policy describes the ways in which Kids Break Ground (collectively, **we, our, us,** or the **Company**) collect, use, and disclose information about you and the children who use your account through the Services. Our Services are directed toward children between the ages of 7 and 12 years of age.

Users of the Services include **Child Users** (any child under age 18 who use the Services) and **Adult Users** (including parents and legal guardians of Child Users), collectively referred to as **Users**.

PLEASE READ THIS PRIVACY POLICY CLOSELY. By using the Services, you agree to the handling of your information in accordance with this Privacy Policy. Since we may gather certain types of information about our users, we feel you should fully understand our policy and the terms and conditions surrounding the capture and use of that information. This Privacy Policy discloses what information we gather and how we use it. The private information you provide on the Services will be used only for its intended purpose.

ADVERTISEMENT POLICY

The Services will never include any pop-up ads or other advertisements directed to children without explicitly stating that it is an advertisement. The advertisement will not look not as a part of our Content or the Services. In addition, Child Users are blocked from accessing external links.

INFORMATION WE COLLECT

We may collect information from Users example when they:

- Access or use the Services;
- Create an account with us;
- Open or respond to our e-mails;

- Contact customer service;
- Visit any page online that displays our content;

PERSONALLY IDENTIFIABLE INFORMATION

Personally Identifiable Information (“**PII**”) means information about you that specifically identifies you or, when combined with other information we have, can be used to identify you. As a general rule, we do not collect PII about a User when they visit and/or use the Services, unless the User chooses to provide such information to us. Submitting personal information through the Services is voluntary. By doing so, you are giving us your permission to use the information for the stated purpose.

(a) LEGAL BASIS FOR COLLECTING YOUR PII

We collect, process and use your information for the purposes described in this Privacy Policy, based at least on one of the following legal grounds:

- **With your consent:** We ask for your agreement to process your information for specific purposes and you have the right to withdraw your consent at any time.
- **When Performing this Agreement:** We collect and process your PII in order to provide you with the Services, following your acceptance of this Privacy Policy; to maintain and improve our Services; to develop new services and features for our Users; and to personalize the Services in order for you to get a better user experience.
- **Legitimate interests:** We process your information for our legitimate interests while applying appropriate safeguards that protect your privacy. This means that we process your information for things like detecting, preventing, or otherwise addressing fraud, abuse, security, usability, functionality or technical issues with, protecting against harm to the rights, property or safety of our properties, or our users, or the public as required or permitted by law; enforcing legal claims, including investigation of potential violations of this Privacy Policy; in order to comply and/or fulfill our obligation under applicable laws, regulation, guidelines, industry standards and contractual requirements, legal process, subpoena or governmental request, as well as our Terms and Conditions and our billing process.

(b) INFORMATION WE COLLECT AND HOW WE COLLECT INFORMATION

Through the Services, we may collect PII provided by an Adult User when voluntarily submitted to us. This PII may include:

- Child’s name;
- Parent or Guardian name;
- Child’s Date of Birth;
- Child’s Gender;
- Email address;

Other than in the places and for the purposes explicitly disclosed in this Privacy Policy, **we do not knowingly collect any PII directly from Child Users under the age of 13**. Because the security of your personal information is important to us, we only ask for PII where it is

reasonably necessary to provide the Services. We also use commercially reasonable physical, technical, and administrative security measures designed to safeguard all information collected by the Services.

(c) **STORAGE OF PII**

We will take reasonable precautions, as well as physical, technical, and organizational measures in accordance with industry standards, as described herein, to protect your PII from loss, misuse, unauthorized access, disclosure, alteration, or destruction.

Computer safeguards, such as firewalls and data encryption may be used to protect your information. We authorize access to your information only for those employees or agents who require it to fulfill their job responsibilities and these individuals are required to treat this information as confidential.

However, the security of information on or transmitted via the Internet cannot be guaranteed. Unauthorized entry of use, hardware or software failures, and other factors may compromise the security of your PII. All information you send to us electronically or through email is not secure. Any transmission is at your own risk as the transmission of information via the Internet is not completely secure. Users are solely responsible for protecting their passwords, limiting access to their computers, and signing out of the Account after their sessions. Your information will be retained for as long as your Account is active or is needed to provide you with the Services, having regard to the purposes described in the Privacy Policy and the legal and regulatory requirements.

Adult Users may contact us at any time to request that we provide for their review, or delete from our records, any PII they have provided about Child Users associated with their Accounts, or to cease collecting PII from those Child Users. When we change or delete any PII at your request, we will make good faith efforts to make the changes in our then-active databases as soon as reasonably practicable. Please note that information may remain in backup or archive records, and we may retain certain data relevant to preventing fraud or future abuse or for legitimate business purposes, such as analysis of aggregated, non-personally-identifiable or de-identified data, Account recovery, or if required by law. All retained data will continue to be subject to the Privacy Policy in effect at that time.

HOW WE USE YOUR INFORMATION

We use information collected as described in this Privacy Policy for the following:

(1) **Adult Users**

- To permit you to register and use the Services, including, for example, to send you communications about Child User progress or your Account, or to allow you to provide feedback.
- To respond to your inquiries and fulfill your requests, retrieve your password, or provide technical support.
- To provide marketing communications that we believe may be of interest to you. While it is never our intention to send any marketing messages to children, if you believe a Child

User has received such a marketing communication, please contact us below. You can always choose to stop receiving these marketing messages by simply following the instructions contained in the message.

- To deliver administrative messages from us regarding your Account, such as password reset emails and customer support messages.
- To deliver Kids Break Ground advertising to you based on your visits to the non-child-directed portions of the Services (such as www.kidsbreakground.com) for example when you visit third-party websites and applications or via postal mail. We will never use information collected in the child-directed portions of the Services for targeted advertising purposes.
- To measure the effectiveness of our advertising to adults.

(2) Child Users

- To measure a Child User's performance in activities and to adapt a Child User's learning experience to the Child User's learning needs.
- To analyze, provide progress reports on, or provide an assessment of a Child User's performance to the Adult User on the Account.

(3) Child and Adult Users

- To allow us to assess and improve the Services, its educational content, and other services we provide, for example, to improve our content and user experience; to research, evaluate, and improve the Services' educational efficacy; and to inform our understanding of the Services' user base.
- To customize, adapt, and personalize Users' viewing and content-consumption experience;
- To maintain and operate the Services;
- As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to detect violations of and enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates, including the security of the Services; (f) to protect our rights, privacy, safety, or property, or that of our affiliates, you, or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain .

HOW WE DISCLOSE YOUR PERSONAL INFORMATION

The personal information you provide to us whether voluntarily or automatically, may be used and disclosed without limitations, in the following instances:

- To comply with legal requirements for the enforcement of law, regulations, court orders, subpoena, a warrant during the course of a legal proceedings or otherwise; or
- To protect and safeguard our copyright, trademarks, legal rights, intellectual property rights or safety; or
- In response to a subpoena, or similar legal process, including to law enforcement agencies, regulators, and courts in the United States.

- Subject to confidentiality agreements, the terms of this Privacy Policy, and applicable law, information may be disclosed to service providers, advisors, potential transactional partners, or other third parties in connection with the consideration, negotiation, or completion of a corporate transaction in which we are acquired by or merged with another company or we sell, liquidate, transfer, or license all or a portion of our assets in bankruptcy or otherwise. This means that if some or all of our assets are acquired or otherwise transferred or licensed, including in bankruptcy, that such acquirer shall be subject to the same commitments stated under this Privacy Policy.

We do not disclose the personal information of any Child User to third parties for any marketing or promotional purposes.

NON-PERSONAL INFORMATION

We collect and temporarily store certain information about your usage of the Services. Non-Personal Information means information that alone cannot identify you, including data such as cookies, pixel tags, web beacons and device information. The information includes, without limitation:

- **Device Data-** We may collect information such as: the type of computer and/or mobile device you use; the unique device ID of your computer and/or mobile device; the IP address of your computer and/or mobile device; the operating system of your computer and/or mobile device; and the type of mobile internet browsers of your computer and/or mobile device.
- **Usage details-** when you access and use the Services, we may automatically collect certain details of your access to and use of the Services, including traffic data, location data, logs and other communication data and the resources that you access and use on or through the Services.
- **Location information-** When you first visit or use the Services we may request permission to collect and use your device's precise geolocation. You can opt not to permit the collection of this information. You can control how and whether we collect your precise geolocation information through your device's settings.

If you do not want us to collect this information, you may either change your device's privacy settings or DO NOT ACCESS OR USE THE SERVICES.

INFORMATION COLLECTION TECHNOLOGIES

We and our third-party service providers collect information directly from Users of the Services in the form of the actions they take and activities they complete when using the Services. For example, from Adult Users, we may collect information about patterns of usage and order history; from Child Users, we may collect information about patterns of usage, which activities a child commences and completes, when a child starts and stops an activity or which areas of the Services the child frequents. We and our third-party service providers also use a variety of technologies, such as:

- **Cookies (or mobile cookies):** We may use "cookies" to help you personalize your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are

uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you. The purpose of a cookie is to tell the web server that you have returned to a specific page. You have the ability to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the interactive features of the Services.

- **Web Beacons:** The Services and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags and single-pixel gifs) that permit us, for example, to count users who have visited those pages or opened an e-mail and for other related Service related statistics.
- **Location Information:** We may collect and store information about your location to provide you with educational experiences or email updates that are tailored for your region. The location information we have access to may include postal code, if you provide one to us; and the approximate geographic region where your computer or mobile device is located in, as determined from your IP address. However, we do not collect your street name and the name of your city/town. You may be able to change the settings on your computer or mobile device to prevent it from providing us with such IP information.

We and our third-party service providers may use the above information collected through these technical methods for a number of purposes, including delivering content, tracking and enhancing our Users' experience on the Services, The information collected through these methods on the child-directed portions of the Services are used only to support the internal operations of the Services. We do not allow third-party advertising networks to collect information about Users who are logged in to their Accounts.

CHANGING YOUR DATA COLLECTION SETTINGS

We strive to provide you with choices regarding the Personal Information you provide to us. You may need to adjust the settings on your computer and/or device to restrict the collection of information by the Services. If you do not want the Services to collect information through the use of cookies, you can set your web browser to reject cookies from the Services. Each browser is different, so you should check your browser's Help menu to learn how to change your cookie preferences. However, please note that if you reject or block cookies from the Services, some parts of the Services may not function as intended.

- **Tracking Technologies:** You may be able to set your browser or device to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies or block the use of other tracking technologies, some parts of the Services may then be inaccessible or not function properly.
- **Location Information:** You can choose whether or not to allow the Services to collect and use real-time information about your device's location through the device's privacy settings. If you block the use of location information, some parts or all of the Services may be inaccessible or not function properly.
- **Push Notifications.** Additionally, if you downloaded the Services on your mobile device to access the Services, as part of your use of the Services we may ask if you would like to receive push notifications, which may include alerts and notifications, badges, banners, and

sounds on your mobile device. You may choose to stop receiving push notifications at any time by changing the settings on your mobile device.

HOW TO ACCESS, UPDATE, WITHDRAW CONSENT OR DELETE YOUR INFORMATION

If the law applicable to you grants you such rights, you may ask to access, correct, or delete your Personal Information that is stored in our systems or that we otherwise control. You may also ask for our confirmation as to whether or not we process your Personal Information or ask to withdraw any consent you have previously provided to Kids Break Ground in connection with our use and processing of your Personal Information. Subject to the limitations in law, you may request that we update, correct, or delete inaccurate or outdated information. You may also request that we suspend the use of any Personal Information the accuracy of which you contest while we verify the status of that data.

If you wish to exercise any of these rights or withdraw your consent, please contact us at: build@kidsbreakground.com. When handling these requests, we may ask for additional information to confirm your identity and your request. Please note, upon request to delete your Personal Information, we may retain such data in whole or in part to comply with any applicable rule or regulation and/or response or defend against legal proceedings versus us or our affiliates, or as we are otherwise permitted under such law applicable to you. While we strive to honor all reasonable requests, please be aware that we backup the data to prevent accidental or malicious destruction of your information. Information on backup servers may take some time to be completely deleted from the system. If you request that we remove you from our system and delete all your information, please note that you may still receive materials while your request is being processed.

If you request that your information be deleted, we will keep your information for a period of time in order to deter fraud, by ensuring that persons who try to commit fraud will not be able to avoid detection simply by closing their account and opening a new account. However, if you request to delete your information, your Personal Information will not be used by us or our third-party providers for any further purposes, nor sold or shared with third parties, except as necessary to prevent fraud and assist law enforcement, as required by law, or in accordance with this Privacy Policy.

SECURITY

We take reasonable steps to protect the personal data provided to us from unauthorized access, use or disclosure. The safety and security of your information also depends on you. Unfortunately, the transmission of information via the internet and mobile services is not completely secure. Although we do our best to protect your Personal Information, we cannot guarantee the security of your personal information transmitted through our Services. Any transmission of Personal Information is at your own risk. We are not responsible for any third-party circumvention of any privacy settings or security measures we provide. If you suspect that there has been a breach of the security of your data you should contact us and include details of the nature of the breach, the date of the breach, and the full circumstances of the breach.

COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS

We represent and warrant that we will comply with all applicable laws, rules, regulations, directives and guidelines regarding the collection, use and disclosure of data collected from or about Users or specific devices which apply to the services utilized hereunder (collectively, the “**Rules**”). The term “Rules” shall include, without limitation, (i) United States Federal Trade Commission Laws regarding the collection, use and disclosure of data from or about users and/or specific devices; (ii) the Children’s Online Privacy Protection Act of 1998 (COPPA) and (iii) if applicable, the Rules of any other jurisdiction, including and European Union General Data Protection Regulation (“EU GDPR”), rules, regulations and/or directives promulgated by a pertinent Data Protection Act, and all amendments and updates to them or regulations as replaced or superseded from time to time.

UPDATES TO THIS POLICY

We reserve the right to change, modify, update, add, or remove portions of this Privacy Policy at any time. Any changes or updates will be effective immediately upon posting to this page. When we do update it, for your convenience, we will make the updated policy available on this page. If you opt out of receiving communications, you may not receive certain notifications, however, they will still govern your use of the Services, and you are responsible for proactively checking for any changes. We encourage you to check this Privacy Policy frequently to stay up to date on any changes. You can determine if changes have been made by checking the effective date on the Privacy Policy. Continued use of the Services after the effective date of any change in this Privacy Policy will constitute acceptance of such changes and it will signify that you agree to abide by and be bound by the modified Privacy Policy.

CONTACT US

If you have questions, comments, or concerns regarding this Privacy Policy, please contact us and we will respond to your request within a reasonable timeframe. Please include the following information in your request (a) Your name; (b) Your contact information, including phone number and email address; and (c) The precise nature of your request, inquiry, or complaint. You may contact us at: build@kidsbreakground.com

CONTACT US

We welcome your questions or comments regarding these Terms:

KIDS BREAK GROUND, INC.

By E-mail:

build@kidsbreakground.com