

PRIVACY POLICY

Overview:

- Timex Family Connect Service provides a wireless device and service to help parents/guardians/caretakers communicate with, monitor, track and locate their paired device. This is a data driven service.
- The device will automatically collect the physical location from the device at all times when activated. The Timex Device also receives data about the use of the device and the accompanying application.
- Timex Family Connect Service will use this information to provide the location-based services and to contact the parents/guardians regarding the service and other information.

By using the Timex Family Connect Service, you expressly consent to the collection and use of information as described in our full Privacy Policy below:

Last updated: **Jan 2019 – GDPR/COPPA Compliance**

Timex Group USA, Inc. ("Timex") provides the website, online service and mobile application (the "Timex App") and the mobile device (the "Timex Device", collectively the "Timex Family Connect Service"). We have prepared this Privacy Policy so that you understand how data will be collected and used in connection with the Timex Family Connect Service.

IF YOU DO NOT ACCEPT THIS PRIVACY POLICY, YOU MAY NOT ACCESS OR OTHERWISE USE THE Timex SMARTWATCH SERVICE. All information collected, stored, transmitted, etc. is done so by Smartcom Mobility Solutions, Inc. ("We" or "Us"), Timex does not own, maintain, collect, store, transmit, etc. any of your personal information or data.

Personal information collected through the Timex App: Through the Timex App we may collect your name, email address, date of birth, billing information and other personal information, as well as that of the person who will use the Timex Watch Device. We do not collect personal information from you unless you voluntarily provide it to us.

Location-based information collected through the Timex Family Connect Service: The Timex Device automatically and constantly collects information about the physical location of the Timex Device when it is activated. This information is acquired through numerous methods, including GPS, cell towers and wi-fi hot spots, which are enhanced over time as we follow the Timex Device, collect more information and improve our tracking. You may not disable location-based data collection from the Timex Device. We may also collect such location-based information through your use of the Timex App.

Non-personal or aggregate information that we collect: We automatically collect non-personal information from your use of the Timex Family Connect Service, such as IP host address, device-specific identifiers, computer or smartphone configurations, pages viewed, time and usage habits on the Timex Family Connect Service and similar data. It is possible at times when collecting non-personal information through automatic means that we may unintentionally collect or receive personal information that is mixed in with the non-personal information. While we will make reasonable efforts to prevent such incidental data collection, the possibility still exists. If we do inadvertently collect personal information, we will not intentionally use such personal information as if we had collected it with your consent. We may also aggregate demographic information collected from our users (such as the number of users in a particular State) in a manner which does not identify any one individual.

Information Usage and Third-Party Sharing: We will only use your information in a manner consistent with this Privacy Policy, unless you have specifically consented to another type of use, either at the time such information is collected or through some other form of consent from you or notification to you. Personal information and location-based information is treated as sensitive information by Us and are subject to a heightened standard for sharing, as opposed to non-personal or de-identified information which may be shared with any number of parties.

Therefore, we may use your information to:

- respond to your inquiries or requests;
- send you information about the Timex Family Connect Service (such as promotions, maintenance or security information);
- send you a limited number of offers for additional products and services that may interest you, but we will not provide your personal information to third parties for them to contact you directly for their own benefit without your consent;
- permit our vendors and subcontractors to perform services, provided they are under an obligation of confidentiality and do not use the information for their own benefit;
- comply with applicable law or legal process;
- provide to a third party for their own use, such as marketing, but only if you have specifically opted-in to such third-party sharing;
- investigate suspected fraud, harassment, danger to persons or property or other violations of any law, rule or regulation, or the terms or policies for the Timex Family Connect Service or our business partners;
- share with law enforcement and other parties trying to locate a lost person
- develop and enhance our own data, such as through tracking the location of your Timex Device, provided that any disclosures of such data does not specifically identify you, your Timex Device or your specific location;
- transfer information in connection with the sale or merger or change of control of Timex Smartwatch or the division responsible for the services with which your information is associated;

- share non-personal or de-identified information with any number of parties, including analytics companies, Technologies providers and other business partners; or
- combine it with data from other sources outside of your use of the Timex Family Connect Service, such as data obtained from wi-fi access points within range of your Timex Device.

Auto deletion of data: We may automatically delete data from a Timex Device or from the Timex App in connection with a returned or terminated account or device, or as necessary to protect against unauthorized access to the data.

Security: The security of your information is very important to us. We use reasonable efforts to protect it from unauthorized access. However, due to the inherent open nature of the Internet and wireless communications, we cannot guarantee that your personal information will be completely free from unauthorized access by third parties, such when transferred over or through systems not within our exclusive control. Your use of our Timex Family Connect Service demonstrates your assumption of this risk. We have put in place reasonable physical, electronic, and managerial procedures to safeguard the information we collect. Only those employees who need access to your information in order to perform their duties are authorized to have access to your personal information. For more information on protecting your privacy, please visit www.ftc.gov/privacy.

Personal information from children: Our customer is the applicable parent/guardian or other adult over 18 years of age who has enabled the Timex Family Connect Service. By providing the Timex Device to a child, you represent and warrant to Timex and Us that you are authorized by such child's parent or guardian to enable and permit Us to operate the Timex Family Connect Service and collect and use the information from the child as stated herein.

Data retention: We may retain your information for as long as we feel that there is a business need or benefit to do so. This will include retaining location-based information.

Data Access: Timex Data collected through use of the Timex Device and/or the Timex App, including location information, frequency of use and emergency contact information is generally not available to customers for their own, direct access.

Other services: As a convenience to you, we may provide links to third party services from within our Timex Family Connect Service. We are not responsible for the privacy practices or content of these third-party services and such links should not be construed as an endorsement of any such third-party services. When you link away from our Timex Family Connect Service, you do so at your own risk.

Changes to this Privacy Policy: We reserve the right, at our discretion, to change, modify, add, or remove portions from this Privacy Policy at any time. However, if at any time in the future we plan to use personal information or location-based data in a way that materially differs from this Privacy Policy, such as sharing such information with more third parties, we will post such changes here and provide you the opportunity to opt-out of such differing uses. Your continued use of the Timex Family Connect Service following the posting of any changes to this Privacy Policy means you accept such changes.

Opt-Out Process: You may unsubscribe from our marketing messages. All unsubscribe or opt-out requests should be sent to us at connected.products@timex.com and we will process your request within a reasonable time after receipt. However, we are not responsible for removing your personal information from the lists of any third party who has previously been provided your information in accordance with this Privacy Policy or your consent, such as a sponsor. You should contact such third parties directly. If you no longer want any data collected by the Timex Family Connect Service from the Timex Device, then you will need to deactivate the service.

Timex Smartwatch Terms of Service: Use of the Timex Family Connect Service is governed by, and subject to, the Terms of Service. This Privacy Policy is incorporated into such terms.

United States of America: Our servers are maintained in the United States of America. By using the Timex Family Connect Service, you freely and specifically give us your consent to export your personal information to the USA and to store and use it in the USA as specified in this Privacy Policy. You understand that data stored in the USA may be subject to lawful requests by the courts or law enforcement authorities in the USA.

Contact: For questions or concerns relating to privacy, we can be contacted at: connected.products@timex.com – 1 (800) 328-2677 – Timex, 555 Christian Road, Middlebury, Connecticut 06762 USA

Certification: Timex's privacy and safety practices are certified COPPA-compliant by [iKeepSafe](https://www.ikeepsafe.com). For COPPA-related inquiries, please contact COPPAPrivacy@ikeepsafe.org.

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