PRIVACY POLICY OF MYSPORTS GMBH FOR USERS

Version: 08/2026

In the following, we inform you which personal data is processed by MySports GmbH, Steinhöft 9, 20459 Hamburg "**MySports**" when you use the MySports Service and for what purposes this data is used. The following privacy policy applies to all online services on our own website ("www.mysports.com") and via our own mobile Member App ("**Member App**") as well as to websites on online platforms and apps that we operate for our partner studios ("**partner websites**"/"**partner apps**"). In the following, the aforementioned services are also referred to collectively as the "**Service**".

The terms used are based on formulations of the General Data Protection Regulation ("GDPR").

1. Your rights

You have the right to receive information free of charge about the personal data we have stored about you.

You also have the following rights:

- Right of access - the right to know what data has been collected and how it is processed;
- Right to rectification - the right to request the amendment of personal data if it is out of date or incorrect;
- Right to erasure - the right to request the erasure of personal data;
- Right to restriction of processing - the right to restrict the processing of personal data;
- Right to data portability - the right to receive personal data in a machine-readable format and/or to transmit it to another controller;
- Right to object - the right to withdraw consent given or to object to the processing of personal data;
- Right to lodge a complaint with a supervisory authority - the right to lodge a complaint against us with a supervisory authority. To do so, you can contact the supervisory authority responsible for us as indicated below or the supervisory authority at your usual place of residence or work.

The authority responsible for us is:
The Hamburg Commissioner for Data Protection and Freedom of Information
Ludwig-Erhard-Strasse 22
20459 Hamburg

Phone: 040 / 428 54 - 4040
Fax: 040 / 428 54 - 4000
E-mail: mailbox@datenschutz.hamburg.de

If you would like to exercise your rights as a data subject, please do not hesitate to contact us at the address given in section 8.1 below.

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2. When, why and how we collect your data and how we handle it

To provide you with our Service, we need to collect, process, store and sometimes even share (i.e. disclose to third parties) various personal data. Below you can see which of your data we need for which purposes and under which circumstances we share your data with others.

Personal data is information from which we can directly or indirectly draw conclusions about your person, such as first and last name, address, telephone number, date of birth, location data or e-mail address.

To give you a good overview of the details, we use the table format. We believe that in this way we can provide you with transparent, understandable, and easily accessible information in clear and simple language.
As there are different types of data, we have grouped them into data categories as we believe this makes the information easier to understand.

2.1 Personal data that we always process when you use our service (even without registering)

Every time you use our Service, even without registering, we collect the following personal data:

Data category	Explanation	Data source
Device information	Connection data	Users themselves
Operating system and corresponding version or other device identifiers	Time, date and duration of access to our Service, origin, corresponding IP address and other log data (hardware or type of mobile device, software or browser type, operating system, application version and language settings)	

We will inform you in detail about the use of cookies in section 3.

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2.2 Personal data that we process as part of the registration process

As part of the registration process, you must provide the personal data required for registration. All data collected is assigned to clearly defined purposes. If you not only visit the Service but also wish to register, we process the following additional personal data:

Data category	Explanation	Data source
Access data	E-mail address, password	Users themselves
User information	First name, surname, contact details, date of birth, Declaration of consent to general terms and conditions and data protection, marketing opt-in, Verification status e-mail	

We process the data collected from you when you register to identify you as our contractual partner, i.e. to establish and execute a Utilization Agreement between you and us and to process it in accordance with the Utilization Agreement. Furthermore, we verify your e-mail address to recognize and prevent any misuse of data.

As a registered User, you can personalize your member account and upload a photo if you wish. If you upload a photo, we will process it in accordance with the consent you have given. You can remove the photo at any time without any further consequences for the Service.

2.3 Personal data that we process when you instruct us to suggest studios for you to connect with ("Connect")

As soon as you have registered for our Service, you can log in and instruct us to find those sports, leisure and wellness facilities that work with us (hereinafter referred to as "Partner Studios" or "Studios") with which you have the option of a technical connection ("Connect"). You may be offered a Connect to those Studios for which you have rights of use on the basis of an ongoing contractual relationship. However, some of our Partner Studios may also be suggested to you if (at least) one previous contractual relationship existed between you and the Studio in question (e.g. because you purchased a day pass to use the studios in question). To protect your data, we work together with our Partner Studios based on special contracts under joint controllership. Details of this cooperation can be found in the summary of the essentials provided by us for you in accordance with Art. 26 para. 2 sentence 2 GDPR. We process the following personal data in this context

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Data category	Explanation	Data source
Access data	e-mail address or Studio membership number, IBAN, date of birth	Users themselves
User information	Your membership number at the studio, date of birth, name and address of the studio(s) and any additional information about the studio(s) Storage of the selected studio(s)	Partner Studio

An essential element of our Service is to enable you to connect to your studio and communicate with it conveniently. For example, we use your e-mail address to ask our Partner Studios whether it is possible for you to connect. If it is not possible to connect, no further data processing will take place between us and the requested Partner Studio. If, on the other hand, a Connect is possible, we will offer you the studio in question for a Connect by disclosing the studio data provided to us by the Studio (studio name and address, additional information if applicable) to you. If you decline a proposed Connect, we will delete the data collected by the Partner Studio.

2.4 Personal data that we process when you communicate with your studio

The connection established by the Connect between you and your studio enables you to communicate with the studio. You can instruct us to process the following data on your behalf.

Data category	Explanation	Data source
Communication content	e.g. content provided by the studio for the User, such as training plans, studio offers, studio news, etc.	Users themselves and Partner Studio

In order to facilitate communication between you and your studio, we collect and transmit the communication content and store it in your User account for you. To protect your data, we work together with our Partner Studios based on special contracts under joint controllership. Details of this cooperation can be found in the summary of the essentials provided by us for you in accordance with Art. 26 para. 2 sentence 2 GDPR

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2.5 Personal data that we process when you use the Member Self-service

Another component of our Service is the provision of a Member Self-service. This enables you to view and, if necessary, change your personal data stored at the respective studio with which you have established a Connect. The Member Self-service also offers you the option of balancing your membership account. To disclose to you the personal data stored with your studio, we collect this data from your studio without storing it permanently in our systems.

If you initiate payments in the Member Self-service area, you enter the payment data directly with the (technical) payment service provider via an interface provided by us. This is a company certified in accordance with international payment industry standards. We only receive a unique "token" for the payment data record from the technical payment service provider. We can use the token to retrieve the masked payment data and initiate the transmission of the payment data to the technical payment service provider for the purpose of payment to the Studio. Once payment has been made, we forward your transaction data and the token (for further payments) to the Studio and also store them for you in your User account. We also store the data to comply with legal requirements (e.g. retention obligations under tax and commercial law) or for the exercise and defense of legal claims.

To protect your data, we work together with our Partner Studios based on special contracts under joint controllership. Details of this cooperation can be found in the summary of the essentials provided by us for you in accordance with Art. 26 para. 2 sentence 2 GDPR. When using the Member Self-service, we collect the following personal data:

Data category	Explanation	Data source
Membership data	First name, surname, date of birth, gender, title, date of birth, address data, contact data, payment data, digital signature and any other membership data stored by the studio for the User	Partner Studio and Users themselves (in the event of changes)
Contract data	Information on the current contract, such as tariff name, contract start date, contract term, notice period, premium, contract document as PDF	
Rest periods	Rest period reason, rest contribution, status and any other information stored by the studio for the User	
Member account data	Due date, debt collection, amount, outstanding amount and any other information stored by the studio for the User	
Payment data (for payments to the member account)	Transaction data, tokens	Users themselves and (technical) payment service providers

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Health data	Height, weight, body fat, COVID data, other User-provided content	Users themselves

2.6 Personal data that we process when you use our Service (Sales Service) to book a Service offer from a studio

A further component of our Service is to make the services of our Partner Studios bookable for you.

If you wish to book a service with a studio, we will first check whether a Connect already exists with the studio in question. In this case, we will only collect and store the following additional personal data:

Data category	Explanation	Data source
Booking data	Specific information on the service booking, e.g. time, location, type of service	Users themselves
Payment data	Transaction data, tokens (see detailed description in section 2.5)	Users themselves and (technical) payment service providers

If a service is booked with a Studio with which there is no Connect, it will first be checked whether a Connect can be offered to the Studio in question. The process described in section 2.3 is carried out with the studio in question and the data described there is collected if the requirements for a connection are met. In the event of a possible Connect, this will be offered to you. Subsequently, as soon as the Connect has been established, only the data described at the beginning of this section 2.6 will be collected from you.

If the process described in section 2.3 process does not lead to a Connect with the relevant Studio, registration must take place in accordance with section 2.2. A Connect with the relevant Studio is then established during the booking process, whereby the following personal data is collected, transmitted, and stored in our systems by us:

Data category	Explanation	Data source
Membership data	First name, last name, date of birth, gender, photo, address data, contact details; consent to the GTC and data protection,	Users themselves
Booking data	Specific information on the service booking, e.g. time, location, type of service	Users themselves

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Payment data	Transaction data, tokens (see detailed description in section 2.5)	Users themselves and (technical) payment service providers

The data processing procedure if you initiate payments via our Service is described in detail in section 2.5. Furthermore, we store the data to comply with legal requirements (e.g. retention obligations under tax and commercial law) or for the exercise and defense of legal claims.

We work together with our Partner Studios based on special contracts under joint responsibility as part of the provision of the Sales Service to protect your data. Details of this cooperation can be found in the summary of the essentials provided by us for you in accordance with Art. 26 para. 2 sentence 2 GDPR.

2.7 Personal data that we process when using the Service to determine the activity level

As a registered User, our Service enables you to continuously evaluate your activity data to derive your activity status and, for example, conclusions about your participation in a Loyalty Program of your Studio. The following additional personal data is collected and processed for this purpose:

Data category	Explanation	Data source
Activity data	Visits and their duration in our participating Partner Studios, visits and their duration in other sports facilities (via geolocation data), outdoor activities, other activity data, opt-in verification status Loyalty Program Partner Studios	Users themselves and Partner Studios

We process your data to support you in determining your activity status. To protect your data, we work together with our Partner Studios based on special contracts under joint responsibility. Details of this cooperation can be found in the summary of the essentials provided by us for you in accordance with Art. 26 para. 2 sentence 2 GDPR. Finally, we store the data to comply with legal requirements (e.g. retention obligations under tax and commercial law) or for the exercise and defense of legal claims.

2.8 Personal data that we process when we communicate with you

Another component of our Service is to communicate with you. We do this to fulfill our Utilization Agreement, to provide you with information relating to the Utilization Agreement or to answer your questions. We process the following personal data:

Data category	Explanation	Data source
Contact information	E-mail address, telephone number	Users themselves
Communication content	depending on the User's request	Users themselves and Partner Studio

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2.9 Data processing for legal purposes

In certain cases, we may use your personal data to process and resolve legal disputes or as part of investigations and compliance. We may also use it to enforce compliance with the contractual terms between you and us or to comply with any requests from law enforcement or data protection authorities. As far as possible, we will take appropriate measures to protect your rights and freedoms during data processing. In addition, we process your data to fulfill legal obligations, e.g. under commercial and tax laws, the Money Laundering Act or to comply with regulatory requirements.

2.10 Personal data we process for the technical operation of our apps (Firebase)

We use services provided through Google Firebase in our apps (Member App and Partner Apps), provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("Google"), in particular Firebase Crashlytics, Firebase Performance Monitoring and Firebase Remote Config.

We use Firebase exclusively for technical purposes. This includes, in particular, providing and managing technical app configurations, detecting and analysing crashes and technical errors, and monitoring and improving the technical performance, stability and security of our apps. In this context, Firebase is not used to create user profiles for advertising or marketing purposes.

In this connection, the following technical information relating to the device and the app may be processed:

Data category	Explanation	Data source
Device and app information	Device type and model, operating system and version, app version, language settings, technical identifiers or installation IDs, IP address	User
Crash and error information	Time, nature and technical circumstances of crashes and technical errors	User
Performance and connection data	Start-up, loading and response times as well as information relating to network connections and technical requests	User

Where personal data is processed in connection with these functions, the processing is based on our legitimate interest in ensuring the secure, stable and technically reliable operation of our apps pursuant to Art. 6(1)(f) GDPR. You have the right to object to this processing in accordance with Art. 21 GDPR; our contact details are set out in section 8.1.

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Where the use of these functions involves storing information on or accessing information from your terminal device, such access takes place without consent only to the extent that it is strictly necessary to provide an app function expressly requested by you, in accordance with Section 25(2) no. 2 TDDDG. Where we use Firebase functions that go beyond this and require consent, the relevant processing will only take place after you have provided your consent.

Google processes the data on our behalf as a processor on the basis of an agreement pursuant to Art. 28 GDPR. This may involve a transfer to Google LLC in the United States; such transfers are covered by the European Commission's adequacy decision based on the EU-US Data Privacy Framework, supplemented by the European Union's standard contractual clauses (see section 4.3). Further information on data processing by Google is available at https://firebase.google.com/support/privacy and https://policies.google.com/privacy.

3. Information about our cookies

3.1 Definition of cookies and which cookies we use

We use cookies to improve the display and navigation. A cookie is a text file that is sent from the web server to the browser. This file contains the URL that was visited as well as the date of the visit and an expiry date that determines the period of activity of the cookie. We use cookies to determine the preferred areas of the platform and to enable Users to save their personal settings so that they are available again the next time they visit the site. Aggregated statistics on User behavior are created to determine the preferred areas of the platform.

3.2 Cookies from third parties that we use

We use third-party content and services on the platform to analyze and improve the platform. We also use cookies from these third-party providers to integrate their content or services. Information on the providers can be found in the following overview: https://www.mysports.com/cookies?ref=portal

3.3 What options you have

When you access our Service for the first time, we inform you about the use of cookies via an info banner. You are given the choice of deciding whether and to what extent you wish to accept the use of cookies. As soon as you click on Details, you will be shown which cookies we use and you will be given the option of rejecting the use of certain cookies. You cannot influence the use of necessary cookies, i.e. those that are required for the operation of our Service and its functions. Only after you have made your selection regarding cookies will they be used within the scope of our Service. If you do not accept cookies, you may not be able to use the full range of functions of our Service.
You can also set your browser to notify you when you receive a cookie or you can exercise your legal right to object by rejecting cookies in your browser settings.
You can find further information on the handling of cookies in the help pages of your browser and, for example, on the website: http://www.allaboutcookies.org/ge/.

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4. With whom we share your data

We never disclose your data to unauthorized third parties. In the following section, we would like to summarize to whom and under what conditions we transfer your data or from whom we collect data about you. In addition, we would also like to create transparency about the countries to which we transfer your data.

4.1 Data exchange with our Partner Studios

As we have already explained in section 2.3, data is exchanged with our Partner Studios to be able to offer you corresponding Connects or to enable you to use the Member Self-service with Studios selected by you or to enable you to determine your activity status on an ongoing basis. Since we hereby fulfill the existing Utilization Agreement between you and us, our legal basis for the data processing described above is Art. 6 para. 1 letter b) GDPR. For their part, the Partner Studios act based on Art. 6 para. 1 letter f) GDPR, as the expansion of the Partner Studios' service associated with the data exchange is in the legitimate interest of the Partner Studios. To protect your data, we have also concluded special contracts with our Partner Studios that regulate the handling of your data and the respective responsibilities. Details on this cooperation can be found in the summary of the essentials provided by us for you in accordance with Art. 26 para. 2 sentence 2 GDPR.

4.2 Which other third parties (excluding third parties within the meaning of section 4.1) have access to personal data

As part of our activities, we use the services of selected service providers and give them limited and strictly monitored access to some of our data. These service providers are carefully selected, only act on the instructions of us and are contractually obliged to comply with the applicable data protection requirements. Below we would like to inform you transparently and comprehensibly about all our data recipients and the respective reasons:

Data recipient	Explanation
Service provider	They support our business activities, for example by providing payment services, evaluating and optimizing marketing campaigns for us, but also by providing personalized advertising, IT solutions and infrastructure or ensuring the security of our business operations, for example by detecting and rectifying faults. The legal basis for the transfer of personal data is the Utilization Agreement concluded by us with the relevant service provider in conjunction with Art. 6 para. 1 letter f) GDPR.
Members of the Sport Alliance Group	Within a group of companies, it is sometimes necessary to use resources efficiently. In particular, we provide technical support for systems in order to make the Service available to Users as error-free as possible, for analysis purposes and to improve the

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	Service in order to detect, prevent and investigate fraudulent activities and data protection violations. The legal basis for the associated processing of personal data is the contract concluded by us with the respective member company in conjunction with Art. 6 para. 1 letter f) GDPR. Art. 6 para. 1 letter f) GDPR.
Law enforcement authorities and legal proceedings	Disclosure of personal data takes place if we are obliged to do so or - in our interest to avert damage, enforce our claims and reject unjustified claims. The legal basis for the transfer of personal data is Art. 6 para. 1 letter f) GDPR.

4.3 To which countries we transfer your data

We process your data primarily in the European Union (EU) and the European Economic Area (EEA). However, some of the service providers we mentioned above are located outside the EU and the EEA ("third country"). The GDPR places high demands on the transfer of personal data to so-called third countries. For some third countries, the European Commission has decided that they offer an adequate level of data protection (e.g. Switzerland, Canada, Argentina). If we transfer data to a third country for which such an adequacy decision does not exist, the corresponding data transfer is based on a contract between us and the relevant recipient using the standard data protection clauses of the European Union and, if necessary, further supplementary measures agreed with the recipient to ensure an adequate level of data protection, unless otherwise stated in this privacy policy. For further information, please contact our data protection officer.

5. On which legal basis we process your data

Data processing process	Legal basis
Provision of the Service (section 2.1)	The processing of the data collected when accessing the Service constitutes a pre-contractual measure within the meaning of Art. 6 para. 1 letter b) GDPR. It also serves to protect our legitimate interests as well as the legitimate interests of our Partner Studios (Art. 6 para. 1 letter f) GDPR). The legitimate interest of MySports consists in the business interest of providing a technically error-free and optimized Service.
Registration (section 2.2)	The data processing serves to fulfill a Utilization Agreement concluded with the User or to carry out pre-contractual measures within the meaning of Art. 6 para. 1 letter b) GDPR. It also serves to protect our legitimate interests as well as the legitimate interests of our Partner Studios (Art. 6 para. 1 letter f) GDPR).

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Connect (section 2.3)	The data processing serves to fulfill a Utilization Agreement concluded with the User (Art. 6 para. 1 letter b) GDPR). It also serves to protect our legitimate interests as well as the legitimate interests of our Partner Studios (Art. 6 para. 1 letter f) GDPR). In this respect, there are contracts with the Partner Studios in accordance with Art. 26 GDPR.
Communication with the Studio (section 2.4)	The data processing serves to fulfill a Utilization Agreement concluded with the User (Art. 6 para. 1 letter b) GDPR). It also serves to protect our legitimate interests as well as the legitimate interests of our Partner Studios (Art. 6 para. 1 letter f) GDPR). In this respect, there are contracts with the Partner Studios in accordance with Art. 26 GDPR.
Use of Member Self-service (section 2.5)	The data processing serves to fulfill a Utilization Agreement concluded with the User (Art. 6 para. 1 letter b) GDPR). It also serves to protect our legitimate interests as well as the legitimate interests of our Partner Studios (Art. 6 para. 1 letter f) GDPR). Otherwise, it serves to fulfill a legal obligation (Art. 6 para. 1 letter c) GDPR), e.g. identification obligations, regulatory requirements. In this respect, there are contracts with the Partner Studios in accordance with Art. 26 GDPR.
Use of the Sales Service (booking portal) (section 2.6)	The data processing serves to fulfill a Utilization Agreement concluded with the User (Art. 6 para. 1 letter b) GDPR). It also serves to protect our legitimate interests as well as the legitimate interests of our Partner Studios (Art. 6 para. 1 letter f) GDPR). It also serves to fulfill a legal obligation (Art. 6 para. 1 letter c) GDPR), e.g. identification obligations, regulatory requirements. In this respect, there are contracts with the Partner Studios in accordance with Art. 26 GDPR. Insofar as the studio offers marketing campaigns or a general improvement of its range of services to the User, we act on the basis of consent given by the User to the studio (Art. 6 para. 1 letter a) GDPR).

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	The transmission of marketing campaigns etc. to the User as part of our Service thus serves to fulfill the Utilization Agreement concluded with the User (Art. 6 para. 1 letter b) GDPR) and to safeguard our legitimate interests (Art. 6 para. 1 letter f) GDPR).
Use of the Service to determine the activity level (section 2.7)	The data processing serves to fulfill a Utilization Agreement concluded with the User (Art. 6 para. 1 letter b) GDPR). It also serves to protect our legitimate interests as well as the legitimate interests of our Partner Studios (Art. 6 para. 1 letter f) GDPR). In this respect, there are contracts with the Partner Studios in accordance with Art. 26 GDPR.
Communication with MySports (section 2.8)	Insofar as we communicate with you in relation to the affiliation agreement, the data processing serves to fulfill the Utilization Agreement concluded with you (Art. 6 para. 1 letter b) GDPR)
Legal purposes (section 2.9)	The data processing serves the fulfillment of legal obligations (Art. 6 para. 1 letter c) GDPR) e.g. according to commercial and tax laws, official requirements. Furthermore, data processing is carried out to protect legitimate interests within the meaning of Art. 6 para. 1 letter f) GDPR of us or third parties. We have a legitimate interest in enforcing legal claims or defending ourselves in the event of a claim. When we use personal data for legitimate interests, we always balance your interests and your rights to the protection of your data with the rights and interests of us and the third party.
Cookies (section 3)	The use of technically necessary cookies to provide the Service is carried out in accordance with Art. 6 para. 1 letter f) GDPR. Cookies that are not technically necessary for the performance of the Service (tracking) are only used with the consent of the User within the meaning of Art. 6 para. 1 letter a) GDPR. The User has the right to revoke the consent given at any time. The User can change or withdraw their consent at any time on our website. Changing consent | Revoking consent

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Technical operation of the apps / Firebase (section 2.10)	The processing serves our legitimate interest in the secure, stable and technically reliable operation of our apps (Art. 6(1)(f) GDPR). Where information is stored on or accessed from the terminal device for this purpose, this takes place without consent only to the extent strictly necessary (Section 25(2) no. 2 TDDDG); otherwise only with the user's consent (Art. 6(1)(a) GDPR).

6. When we delete your data

We only store your personal data for as long as is necessary. Access data will be deleted when it is no longer required for the purposes described in this privacy policy, unless statutory provisions require longer storage. We will delete your personal data either at your request, if you inform us of this, or three years after its collection. If your account is inactive for three years, we will also delete it.
In addition to the deletion rules defined by us, there are statutory retention periods that we must also comply with. For example, tax documents must be retained for a period of six to ten years or even longer in some cases. These specific retention periods vary according to local legal requirements.
It is therefore possible that, despite your request to delete your data, we may still have to retain some of the stored data for legal reasons. In this case, however, we will restrict the further processing of the data. All personal data that we store is covered by this privacy policy.

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7. How we use mobile devices

The above description of data processing covers not only our Service offered via our website or the partner websites, but also the use of our free Apps (Member App and partner apps). With your consent, we will send you push notifications from our Partner Studios with information about services you have booked with the Partner Studio and other messages. In the instructions for your mobile device, you will find information on how to change the settings and activate or block the receipt of push notifications. We also refer you to the above information in section 2.10.

8. Responsible body(ies)

The controller is the entity that is responsible for the processing of your personal data and decides on the purpose and means of processing your personal data.

8.1 Responsible body for all data processing processes

MySports GmbH
Steinhöft 9
20459 Hamburg

Managing Directors	Alexandar Vassilev, Philipp Rusch
Phone:	+49 40 / 228679020
e-mail	data-protection@mysports.com

8.2 Joint controllers for data processing operations pursuant to sections 2.3, 2.4, 2.5, 2.6 and 2.7

For the processes described in sections 2.3, 2.4, 2.5, 2.6 and 2.7, in addition to the responsibility of MySports (see section 8.1 above), the Partner Studio concerned is also responsible. Details regarding the cooperation with the Partner Studios can be found in the summary of the essentials provided by us for you in accordance with Art. 26 para. 2 sentence 2 GDPR (see https://public.sportalliance.com/mysports/en/mmp/appendix3/mysports-en-mmp-appendix3-20240223.pdf).

8.3 Objections

If you wish to object to the collection, processing, or storage of your personal data by us in accordance with the applicable data protection law, you can send your objection by e-mail to the address stated above in section 8.1. Due to your objection, the further use of our Service may no longer be possible or only possible to a limited extent for technical reasons.

9. Right of modification

As changes in legislation or our internal company processes may make it necessary to adapt this privacy policy, we reserve the right to adapt this privacy policy to changed factual or legal conditions if necessary and ask you to retrieve this privacy policy regularly.

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