

VYPER FOCUS

PRIVACY POLICY

Effective Date: July 14, 2026

This Privacy Policy explains how Vyper Focus L.L.C. ("Vyper Focus," "we," "our," or "us") collects, uses, and shares information about you when you use our mobile applications, websites, and related products and services (collectively, the "Services"), and when you contact our support team or otherwise interact with us.

Questions or requests about your privacy can be sent to support@vyperfocus.com at any time.

The Short Version

Vyper Focus exists to train your mind the way you train your body. That only works if you trust us with what you share — your goals, your pressure points, the things you're working through as a competitor. So here is where we stand, in plain language:

- **We do not sell your personal information.** Not to advertisers, not to data brokers, not to anyone.
- **We do not use your data for targeted advertising.** There are currently no advertising or ad-tracking technologies in our app.
- **Your Kalia conversations and mindset inputs stay in the training room.** They are processed only to generate your sessions and coaching responses. Our AI providers are contractually prohibited from using them to train their models.
- **We treat your mental performance data as sensitive health-related data** and give it the strongest protections described in this policy.
- **Every user — no matter where you live — can access or delete your data** by emailing support@vyperfocus.com.

The rest of this policy is the full legal detail behind those commitments.

1. Information We Collect

1.1 Information You Provide to Us

- **Account information.** When you create an account, we collect information such as your name, email address, password, date of birth or age confirmation, and, if you choose to provide them, your sport, competitive level, and profile details.
- **Onboarding and personalization inputs.** To personalize your experience, we collect your answers to onboarding questions about your athletic goals, mental performance challenges, and how you define success.
- **AI coaching conversations and mindset inputs.** When you chat with Kalia (our AI coaching feature) or create a personalized mindset session, we collect the text you enter, including the goals, challenges, fears, or performance situations you describe. See Section 3 (Sensitive Mental Performance Data) and Section 4 (AI Features) for how this information is protected.

- **Library and preference data.** We collect information about the sessions you save, like, download, and add to playlists, and your reminder and notification settings.
- **Communications.** If you contact us for support, provide feedback, or otherwise communicate with us, we collect the contents of those communications and your contact information.

1.2 Information We Collect Automatically

- **Device and technical information.** We collect information about the device you use to access the Services, including device model, operating system and version, app version, language settings, IP address, and device or app-level identifiers.
- **Usage information.** We collect information about how you use the Services, such as the sessions you play, session duration and completion, features you use, and the dates and times of your activity. We use this to operate the Services, maintain streaks and habit features, and improve the product.
- **Diagnostics.** We collect crash reports and performance logs to keep the app stable and secure.

We do not currently use third-party advertising or marketing analytics SDKs in our app. If we adopt analytics or advertising technologies in the future, we will update this Privacy Policy before doing so and will provide any notice and obtain any consent required by applicable law. See Section 6.

1.3 Information from Other Sources

- **App store purchase information.** Subscriptions are processed by Apple (App Store) and Google (Google Play). We receive confirmation of your purchase, subscription status, and transaction identifiers. We do not receive or store your full payment card number. Apple's and Google's handling of your payment information is governed by their own privacy policies.

We do not purchase information about you from data brokers, and we do not collect information about you from social media platforms or advertising partners.

2. How We Use Your Information

We use the information we collect to:

- Provide, maintain, and improve the Services, including generating your personalized mindset sessions and Kalia coaching responses;
- Create and manage your account and authenticate you;
- Process subscriptions and confirm your access to paid features;
- Personalize the content, recommendations, and reminders you see, based on the preferences and goals you share with us;
- Send you service communications, such as account notices, reminders you have enabled, security alerts, and updates to our terms or this policy;
- Respond to your questions, requests, and support needs;
- Monitor, debug, and secure the Services, including detecting and preventing fraud, abuse, and violations of our Terms of Service;
- Comply with legal obligations and enforce our legal rights; and

- Develop new features and improve session quality, using aggregated or de-identified information wherever feasible.

We do not use your personal information for targeted advertising, and we do not sell it. We will never use the contents of your Kalia conversations or your mindset inputs for advertising of any kind.

3. Sensitive Mental Performance Data

Vyper Focus is a mental performance training app, not a medical or mental health treatment service. Even so, some of the information you share with us — such as descriptions of performance anxiety, fear, confidence struggles, or emotional challenges you enter during onboarding, mindset creation, or Kalia conversations — may be considered health-related or sensitive information under laws that apply to you. These laws may include Washington's My Health My Data Act, Nevada's consumer health data law (SB 370), Connecticut's Data Privacy Act, other U.S. state privacy laws, and, if you are in Europe, the GDPR's rules for special category data.

We treat this information ("Mental Performance Data") with heightened protection:

- We collect it only with your consent, which you provide when you choose to enter it;
- We use it only to deliver and improve the Services described in this policy — primarily to generate your personalized sessions and coaching responses;
- We never sell it, never share it for targeted advertising, and never use it to build advertising profiles;
- We share it only with the service providers necessary to operate the features you use (see Sections 4 and 5), each of which is bound by contractual confidentiality and data protection obligations; and
- You may request deletion of it at any time (see Section 8).

Residents of Washington, Nevada, and Connecticut: Section 10 of this policy contains our Consumer Health Data disclosures and describes your specific rights, including the right to withdraw consent and the right to obtain a list of third parties with whom consumer health data has been shared.

4. AI Features: Kalia and Personalized Mindsets

Our AI-powered features are central to the Services, and we want to be precise about how your data moves through them.

4.1 How It Works

- **Kalia (AI coaching).** When you chat with Kalia, the text you enter is transmitted to our AI service providers — currently Anthropic and OpenAI — solely to generate the coaching response returned to you.
- **Personalized mindset sessions.** When you create a custom mindset, your inputs are used to generate a personalized audio script, and that script is converted to audio using ElevenLabs voice generation technology.

4.2 Our Commitments on AI Data

- **No model training.** Our AI providers process your inputs as service providers under commercial terms that prohibit them from using your data to train their models.

- **Purpose limitation.** Your inputs are used only to generate your session or response — not for advertising, profiling for advertising, or sale.
- **No human coaching substitute claims.** Kalia is an AI feature, not a licensed psychologist, therapist, or medical provider. See Section 14.
- **Retention.** We retain your conversation and mindset history so you can revisit and replay your sessions. You can request deletion at any time (see Section 8).

5. How We Share Your Information

We do not sell your personal information, and we do not share it for cross-context behavioral (targeted) advertising. We share personal information only in the following circumstances:

- **Service providers.** We share information with vendors that perform services on our behalf and are contractually bound to protect it and use it only for the services they provide to us. These currently include: Anthropic and OpenAI (AI response generation for Kalia and mindset creation), ElevenLabs (audio voice generation), our cloud hosting and infrastructure providers, and Apple and Google (subscription processing).
- **Legal requirements.** We may disclose information if we believe disclosure is required by law, regulation, legal process, or governmental request, or to protect the rights, property, or safety of Vyper Focus, our users, or others. Where legally permitted, we will attempt to notify you of legal demands for your data and will apply a least-disclosure approach.
- **Business transfers.** If Vyper Focus is involved in a merger, acquisition, financing, reorganization, or sale of assets, your information may be transferred as part of that transaction. We will require any successor to honor the commitments in this Privacy Policy or provide you notice and choices before materially changing how your data is handled.
- **With your consent or at your direction.** We share information when you ask us to or otherwise consent.

We may share aggregated or de-identified information that cannot reasonably be used to identify you — for example, overall usage statistics — and we commit to maintaining such data in de-identified form and not attempting to re-identify it.

6. Advertising, Analytics, and Tracking

As of the Effective Date, the Services do not contain third-party advertising SDKs, ad trackers, or third-party marketing analytics tools, and we do not engage in the “sale” or “sharing” of personal information as those terms are defined under the California Consumer Privacy Act and similar laws.

If we introduce analytics or advertising technologies in the future, we will: (a) update this Privacy Policy and revise the Effective Date before the change takes effect; (b) provide any additional notice and obtain any opt-in consent required by applicable law; (c) honor opt-out preference signals such as the Global Privacy Control where required; (d) never use Mental Performance Data, Kalia conversations, or mindset inputs for advertising purposes; and (e) never serve targeted advertising to users we know to be under 18.

7. Data Retention

We retain personal information for as long as necessary to provide the Services and fulfill the purposes described in this policy, unless a longer retention period is required or permitted by law. In general:

- Account information is retained while your account is active;
- Session history, playlists, and Kalia conversation history are retained so you can access them, until you delete them or your account;
- Support communications are retained as needed to resolve your issue and maintain business records; and
- When you delete your account, we delete or de-identify your personal information within a reasonable period, except where retention is required for legal, security, or dispute-resolution purposes.

8. Your Privacy Rights and Choices

Regardless of where you live, Vyper Focus honors the following rights for all users, subject to certain limits and conditions provided under law:

- **Access.** Request a copy of the personal information we hold about you.
- **Deletion.** Request deletion of your personal information, including your Kalia conversations and mindset history.
- **Correction.** Request that we correct inaccurate personal information.
- **Portability.** Request your data in a portable, machine-readable format.

To exercise any of these rights, email support@vyperfocus.com. We may need to verify your identity by asking you to provide information that matches what we have on file. You may designate an authorized agent to submit requests on your behalf; we may require proof of authorization and may still verify your identity directly. We will respond within the timeframe required by applicable law (generally 45 days for U.S. state law requests and one month for GDPR requests, in each case extendable where the law allows with notice to you). We will not discriminate against you for exercising your rights.

Additional choices:

- **Push notifications and reminders** can be turned off in your device settings or in-app settings at any time.
- **Promotional emails** (if you receive them) include an unsubscribe link. We may still send non-promotional messages about your account.
- **Account deletion** is available in-app or by emailing support@vyperfocus.com.

9. California Privacy Rights (CCPA/CPRA)

This section supplements the rest of this Privacy Policy for California residents, as required by the California Consumer Privacy Act of 2018 as amended by the California Privacy Rights Act of 2020 (together, the “CCPA”).

Categories of personal information collected. In the preceding 12 months (or since launch, if shorter), we have collected the following categories of personal information as defined by the CCPA: identifiers (name,

email address, IP address, device identifiers); internet or other electronic network activity information (app usage and interaction data); commercial information (subscription and purchase records); audio, electronic, or similar information (personalized session audio generated for you); sensitive personal information (Mental Performance Data you choose to share, which may reveal information about your mental condition); and inferences drawn from the above to personalize your experience.

Sources, purposes, and disclosures for each category are described in Sections 1, 2, and 5. We disclose personal information only to the service providers and contractors identified in Section 5 for the business purposes identified in Section 2.

No sale or sharing. We do not sell personal information, we do not share personal information for cross-context behavioral advertising, and we have not done either in the preceding 12 months. We have no actual knowledge of selling or sharing the personal information of consumers under 16 years of age.

Sensitive personal information. We use sensitive personal information only for the purposes permitted by the CCPA — to provide the Services you request and for security and quality purposes — and not to infer characteristics about you for advertising.

Your CCPA rights include the right to know and access, the right to delete, the right to correct, the right to limit use of sensitive personal information, the right to opt out of sale/sharing (not applicable, as we do neither), and the right to non-discrimination. Exercise these rights as described in Section 8. If we deny your request, you may appeal by replying to our decision email or writing to support@vyperfocus.com with the subject line “Privacy Appeal.”

10. Consumer Health Data (Washington, Nevada, Connecticut)

This section serves as our Consumer Health Data Privacy Policy for residents of Washington (My Health My Data Act), Nevada (SB 370), and Connecticut (Connecticut Data Privacy Act), and supplements the rest of this Privacy Policy.

Categories of consumer health data collected. Depending on how you use the Services, we may collect: information about mental or emotional states and challenges that you voluntarily describe (such as performance anxiety, fear, or confidence issues); information about behavioral interventions you engage in through the app (such as the mindset sessions you use); and inferences derived from the above used to personalize your sessions.

Sources and purposes. We collect consumer health data directly from you, with your consent, and use it solely to provide and personalize the Services as described in Sections 2–4.

Sharing. We share consumer health data only with the service providers listed in Section 5 (AI generation, voice generation, and hosting providers), each bound by contractual data protection obligations, and as required by law. We do not sell consumer health data, and we will not sell it without the separate, signed authorization required by applicable law.

Your rights. Subject to legal exceptions, you have the right to: confirm whether we collect, share, or sell consumer health data about you and access that data, including a list of the third parties and affiliates with whom we have shared it and contact information for them; withdraw consent to our collection and sharing of your consumer health data; have your consumer health data deleted, including from our service providers' systems and backups as required by law; and not face discrimination for exercising these rights. Exercise these rights via support@vyperfocus.com. If we deny your request, you may appeal by emailing

support@vyperfocus.com with the subject line “Consumer Health Data Appeal”; if your appeal is unsuccessful, you may contact your state Attorney General.

11. Other U.S. State Privacy Rights

This section is included for residents of U.S. states with comprehensive privacy laws in effect as of the Effective Date, including Virginia, Colorado, Connecticut, Utah, Texas, Oregon, Montana, Delaware, Iowa, Nebraska, New Hampshire, New Jersey, Kentucky, Maryland, Minnesota, Rhode Island, Tennessee, and Indiana, as applicable.

Depending on your state, you may have the rights to: access your personal data and confirm whether we process it; correct inaccuracies; delete your personal data; obtain a portable copy; opt out of targeted advertising, the sale of personal data, and profiling in furtherance of decisions that produce legal or similarly significant effects (we do not engage in any of these three activities); and appeal a denied request. Because Mental Performance Data may be sensitive data under these laws, we process it only with your consent, which you may withdraw at any time. Exercise any of these rights as described in Section 8; appeals may be submitted to support@vyperfocus.com with the subject line “Privacy Appeal,” and unresolved concerns may be directed to your state Attorney General.

12. Users in the EEA, United Kingdom, and Switzerland

This section applies if you use the Services while located in the European Economic Area, the United Kingdom, or Switzerland (collectively, “Europe”). Vyper Focus L.L.C. is the data controller for personal data governed by this Privacy Policy.

12.1 Legal Bases for Processing

- **Performance of a contract:** to create your account, deliver the Services and features you request, and process your subscription.
- **Consent:** to process the special category data you choose to share — including Mental Performance Data entered during onboarding, mindset creation, and Kalia conversations — under Article 9(2)(a) GDPR, and to send you push notifications and any marketing communications. You may withdraw consent at any time without affecting the lawfulness of prior processing.
- **Legitimate interests:** to secure and debug the Services, prevent fraud and abuse, and improve our products, where those interests are not overridden by your rights and freedoms.
- **Legal obligation:** to comply with applicable laws and respond to lawful requests.

12.2 Your Rights

Subject to conditions and limits under law, you have the right to: access your personal data; rectify inaccurate data; erase your data; restrict processing; object to processing based on legitimate interests, including direct marketing; data portability; withdraw consent at any time; and lodge a complaint with your local supervisory authority (in the UK, the Information Commissioner's Office). To exercise these rights, contact support@vyperfocus.com. We respond within one month, extendable by two further months for complex requests with notice to you.

12.3 International Transfers

We are based in the United States, and your personal data will be transferred to and processed in the United States and other countries that may not provide the same level of data protection as your home jurisdiction. Where we transfer personal data from Europe, we rely on appropriate safeguards, including the European Commission's Standard Contractual Clauses and the UK International Data Transfer Addendum (and, where a recipient is certified, the EU-U.S. Data Privacy Framework and its UK and Swiss extensions), together with supplementary technical and organizational measures. You may request a copy of the relevant safeguards by contacting support@vyperfocus.com.

12.4 Retention and Automated Decision-Making

We retain personal data no longer than necessary for the purposes for which it is processed, unless applicable law requires longer storage (see Section 7). Our AI features generate personalized content but do not make automated decisions that produce legal or similarly significant effects concerning you.

13. Age Requirements and Minors

The Services are intended for users 16 years of age and older. You must be at least 16 to create an account. We do not knowingly collect personal information from anyone under 16. If we learn that we have collected personal information from a child under 16, we will delete it promptly. If you believe a child under 16 has provided us personal information, contact us at support@vyperfocus.com.

For users aged 16 and 17: we do not serve targeted advertising to any user, and we will never serve targeted advertising to users we know to be under 18. We do not sell the personal information of any user of any age. Where applicable law requires parental consent for users under 18 (or under a higher age of digital consent in certain European countries), we rely on the age you confirm at signup; parents or guardians with questions about a minor's account may contact support@vyperfocus.com.

14. Vyper Focus Is Not a Medical or Clinical Service

Vyper Focus provides mental performance training content for athletes. It is not a healthcare provider, does not provide medical or mental health diagnosis, treatment, or therapy, and is not intended for use in a medical emergency. Kalia is an AI feature, not a licensed clinician. Because we are not a covered entity or business associate providing clinical services, information you share through the Services is not protected health information under the U.S. Health Insurance Portability and Accountability Act (HIPAA); it is instead protected under this Privacy Policy and applicable consumer privacy laws, including the consumer health data protections described in Section 10.

If you are experiencing a mental health crisis, contact a licensed professional or emergency services. In the United States, you can call or text 988 (Suicide and Crisis Lifeline). In the UK, you can call 111 or the Samaritans at 116 123.

15. Security

We use administrative, technical, and physical safeguards designed to protect your personal information, including encryption of data in transit, access controls limiting who can view user data, and vendor contracts imposing confidentiality and security obligations. No system is completely secure, and we cannot guarantee

the security of your information. If we become aware of a breach affecting your personal information, we will notify you and regulators as required by applicable law.

16. Changes to This Privacy Policy

We may update this Privacy Policy from time to time. If we make changes, we will revise the Effective Date at the top of this policy and, for material changes, provide you additional notice — such as an in-app notice or email — before the changes take effect. Where required by law (for example, before introducing advertising technologies or new uses of consumer health data), we will obtain your consent. Your continued use of the Services after the Effective Date of an updated policy means the updated policy applies to you, except where consent is required.

17. Contact Us

Vyper Focus L.L.C.

Austin, Texas, United States

Email: [**support@vyperfocus.com**](mailto:support@vyperfocus.com)

For privacy rights requests, please include “Privacy Request” in the subject line. For appeals, use “Privacy Appeal” or “Consumer Health Data Appeal” as described above.