

EU Data Act Disclosures: WHOOP 5.0 and WHOOP MG

This document provides information as required by Regulation (EU) 2023/2854 (the “**EU Data Act**”). It supplements, and should be read together with, the WHOOP Privacy Policy and applicable Terms of Use.

About the connected products and related service

WHOOP 5.0 and WHOOP MG (the “**WHOOP Devices**”) are wearable devices that measure physiological signals and activity to provide health, fitness, and wellness information and insights through the WHOOP application (the “**WHOOP App**”).

The WHOOP App is a related service that processes data generated by WHOOP Devices and information provided by members, presents metrics and insights, and enables integrations and other functionality that members may choose to activate.

WHOOP MG additionally includes ECG-capable hardware and supports certain additional health features where available.

Feature availability may vary based on device, membership, location, and applicable regulatory requirements.

Nature of data generated by the connected products and related service

WHOOP processes personal and non-personal data associated with WHOOP Devices and the WHOOP App, including physiological and wellness data, activity and sleep data, product status and technical data, and member usage data.

Categories of data include:

Health, wellness, activity, and sleep data. WHOOP Devices collect physiological and activity-related measurements, which may include heart rate, heart rate variability, respiratory rate, skin temperature, blood oxygen saturation, acceleration and movement, activity and workout information, and sleep-related measurements and metadata. WHOOP MG may additionally generate information associated with user-initiated ECG readings.

The WHOOP App also presents calculated metrics, scores, recommendations, and insights based on data collected by WHOOP Devices and information provided by members. Depending on available features, these may include information relating to sleep, activity, Strain, Recovery, stress, fitness, Healthspan, cardiovascular health, and other health and wellness insights.

Product status and technical data. WHOOP Devices and the WHOOP App generate technical and service information, which may include device identifiers, device and hardware information, firmware and app version information, battery and device status, connectivity information, and synchronization information.

Member-provided and usage data. Members may choose to provide additional information through the WHOOP App, including profile information and information concerning activities, habits, diet, medications, health, lifestyle, and other information entered into WHOOP features such as the WHOOP Journal. The WHOOP App may also process information concerning members' interactions with WHOOP features and services.

For additional information about the data WHOOP processes and how it is used, please see the WHOOP Privacy Policy.

Estimated volume of data generated

The amount of data generated by WHOOP Devices and the WHOOP App varies depending on individual use, device settings, enabled features, synchronization frequency, and a member's interaction with the WHOOP Device and WHOOP App.

Format of the data

Depending on the type of data and method of access, data generated through WHOOP Devices and the WHOOP App may be maintained or made available in CSV or JSON formats.

Continuous and real-time generation

When worn and sufficiently charged, WHOOP Devices measure physiological and other sensor signals on an ongoing basis.

Data generated by a WHOOP Device is synchronized with the WHOOP App periodically via bluetooth syncing, rather than being transmitted to WHOOP as a constant real-time stream.

Certain data is generated only when a member takes a particular action or uses a particular feature. For example, ECG readings on WHOOP MG are initiated by the member.

Storage location

WHOOOP Devices may store certain data locally until the data is synchronized with the WHOOOP App and WHOOOP services.

When the WHOOOP App is connected to the Internet, applicable data may be transmitted to and stored on remote servers in the United States and/or Europe used to provide WHOOOP services.

Data retention

WHOOOP retains personal data for as long as reasonably necessary for the purposes for which it was collected, while WHOOOP has a legitimate business need to retain it, or as otherwise required by applicable law.

The retention period applicable to particular data may depend on the nature of the data, the purposes for which it is processed, the member's account lifecycle, and applicable legal requirements.

Please see the WHOOOP Privacy Policy for additional information concerning data retention practices.

Accessing and retrieving your data

WHOOOP provides members with direct access to certain data, measurements, metrics, and insights through the WHOOOP App.

Members may also request access to or a copy of applicable personal data through WHOOOP Data Management functionality at privacy.whoop.com or by contacting WHOOOP at privacy@whoop.com.

Where required by the EU Data Act, WHOOOP will provide applicable readily available data, together with metadata necessary to interpret and use the data, without undue delay, free of charge, securely, and in a comprehensive, structured, commonly used, and machine-readable format.

WHOOOP may take appropriate steps to verify the identity and authority of a person requesting access to data.

Sharing your data

WHOOOP provides functionality that allows members to share certain WHOOOP data with third parties and connected services.

Depending on the features available to the member, this may include integrations with third-party applications, services, devices, healthcare providers, wellness programs, or other third parties selected or authorized by the member.

Members may control certain third-party integrations and sharing functionality through the WHOOP App or the applicable third-party service.

Sharing of personal data with third parties remains subject to applicable data protection law, including the GDPR.

Erasing your data

Members may request deletion of their WHOOP account and applicable personal data through WHOOP Data Management functionality or by contacting privacy@whoop.com.

Certain information may be retained where necessary or permitted by applicable law. Please see the WHOOP Privacy Policy for additional information.

Calculated and derived information

WHOOP Devices and the WHOOP App provide metrics, scores, recommendations, insights, and other outputs that may result from additional processing or analysis of underlying data.

The EU Data Act generally applies to raw and pre-processed data generated through use of a connected product or related service that is readily available to the data holder. It does not generally extend to insights inferred or derived from such data through additional processing, particularly where that processing involves proprietary algorithms.

Accordingly, certain calculated or derived WHOOP metrics, scores, recommendations, insights, algorithms, models, and other outputs may not constitute product data or related service data subject to the access and sharing requirements of Chapter II of the EU Data Act.

Trade secrets and confidential information

WHOOP protects trade secrets and proprietary information incorporated into its products and services, including proprietary algorithms, models, software, firmware, security controls, and related technology.

Certain data, metadata, diagnostics, or documentation may contain or reveal WHOOP trade secrets or confidential information. Where trade secrets are implicated by a request for access to or sharing of data under the EU Data Act, WHOOP may apply the protections available under the EU Data Act, including appropriate confidentiality safeguards and proportionate technical and organizational measures.

Where permitted by applicable law, WHOOP may restrict or withhold access where the requirements for doing so under the EU Data Act are satisfied.

WHOOP use of data

WHOOP uses data associated with WHOOP Devices and the WHOOP App for purposes described in the applicable WHOOP terms and Privacy Policy, including to provide, operate, maintain, personalize, secure, research, develop, and improve WHOOP products and services and to provide members with features, metrics, insights, and other functionality.

WHOOP may also make data available to service providers and other third parties as described in the WHOOP Privacy Policy and applicable agreements.

Where required by applicable law, WHOOP use and sharing of readily available product data and related service data is subject to its agreements with the applicable member.

Data holder contact information

For purposes of this notice, the relevant data holder is:

WHOOP, Inc.

One Kenmore Square, #601

Boston, MA 02215

United States

EU Data Act inquiries and requests:

privacy@whoop.com

Data Management:

privacy.whoop.com

Right to lodge a complaint

Without prejudice to other rights available under the EU Data Act and applicable data protection laws, users have the right to lodge a complaint with the competent authority designated under Article 37 of the EU Data Act if they believe that their rights concerning access to or sharing of data under Chapter II of the EU Data Act have been infringed.

Members are also welcome to contact WHOOP at [**privacy@whoop.com**](mailto:privacy@whoop.com) regarding questions or concerns.

Contract duration and termination

A member's contract with WHOOP is governed by the applicable WHOOP Terms of Use and membership terms.

Members may cancel their membership or request deletion of their account as described in the applicable WHOOP terms and Privacy Policy.