

**CALIFORNIA PRIVACY NOTICE UNDER THE
CALIFORNIA CONSUMER PRIVACY ACT (CCPA)**

EFFECTIVE DATE: [August] [], [2024]

Please read this Privacy Notice carefully.

THIS CALIFORNIA PRIVACY NOTICE SUPPLEMENTS OUR GENERAL PRIVACY POLICY¹ AND ONLY APPLIES TO USERS WHO ARE RESIDENTS OF THE STATE OF CALIFORNIA AND WHO EITHER (A) RECEIVE SERVICES DIRECTLY FROM [AUDIOTTROCITIES], LLC (TOGETHER WITH ITS AFFILIATES AND SUBSIDIARIES, “COMPANY,” “WE,” or “US”), OR (B) ARE USERS OF THE SITES.

This California Privacy Notice has been adopted to comply with the California Consumer Privacy Act of 2018, as amended (together with all applicable regulations, “CCPA”), and terms defined in the CCPA have the same meaning when used in this Notice, unless those terms have been otherwise defined in the general Privacy Policy.² Accordingly, this Privacy Notice should be reviewed in conjunction with our general Privacy Policy.³

[We will not sell the personal information we collect. [We also will not share the personal information with third parties for cross-contextual behavioral advertising.] [We will not sell the sensitive personal information we collect. [We also will not share it with third parties for purposes of cross-contextual behavioral advertising.]

What Information Do We Collect and Disclose?

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“personal information”). In particular, we have collected the following categories of personal information and sensitive personal information from consumers within the last twelve (12) months:⁴

Category	Examples	Collected	Retention
A. Personal Information and Identifiers.	Real name, postal address, email address, telephone numbers, account name, social security number, driver’s license or state identification card number, passport number or other similar information, physical characteristics or description, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.	[YES/NO]	

¹ NTD: Client to hyperlink.

² NTD: Client to hyperlink.

³ NTD: Client to hyperlink.

⁴ NTD: Client to mark “yes” or “no,” as applicable, for each category of personal information listed in the table.

B. Protected Class Information	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	[YES/NO]	
C. Commercial Information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	[YES/NO]	
D. Biometric Information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	[YES/NO]	
E. Internet and Network Information.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	[YES/NO]	
F. Geolocation Information.	Physical location or movements.	[YES/NO]	
G. Sensory Information.	Audio, electronic, visual, thermal, olfactory, or similar information.	[YES/NO]	
H. Employment Information.	Current or past job history or performance evaluations.	[YES/NO]	
I. Non-Public Education Information	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	[YES/NO]	
J. Profile Information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	[YES/NO]	

[We do not collect, and for the previous 12 months have not collected, sensitive personal information as defined under the CCPA with the purpose of inferring characteristics about a consumer.]⁵

⁵ **NTD**: The CCPA has been recently revised to include a new category of sensitive personal information. For purposes hereof, *we only need to disclose that we collect and use sensitive personal information if we collect sensitive personal information for the "purpose of inferring characteristics" about the consumer.*

If we merely collect sensitive personal information (x) as a covered entity pursuant to HIPAA or (y) incidentally while collecting personal information, then we do not need to treat the sensitive personal information any differently. The

Please Note: Personal information, as defined by the CCPA, does not include publicly available information from government records, de-identified or aggregated consumer information, or information excluded from the CCPA's scope, such as (i) health or medical information covered by the Health Insurance Portability and Accountability Act and the California Confidentiality of Medical Information Act or clinical trial data, and (ii) personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act, the Gramm-Leach-Bliley Act, the California Financial Information Privacy Act, and the Driver's Privacy Protection Act of 1994, among others. Accordingly, this Privacy Notice is not applicable to foregoing information.

How Do We Collect Information? We collect this information from you through information you submit to us or passively by observing your actions on the Sites and Services and through cookies and related technologies. We also collect information by [gathering, renting, buying, obtaining, receiving, and accessing] the information from third parties, including customers, service providers and vendors, auditors, advisors, data brokers, [others]]. For more information regarding our data collection practices please read our general [Privacy Policy](#).⁶

Why Do We Collect and Process Information? We collect and process personal information for business and commercial purposes. To learn more about why we collect and process information, please review our general [Privacy Policy](#).⁷

Do We Share Information With Third Parties? Yes. [We take reasonable precautions to be sure that affiliates and non-affiliated third party service providers, to whom we disclose your personally identifiable information are aware of our privacy policies and will treat the information in a similarly responsible manner.]⁸ [Our contracts and written agreements with non-affiliated third party service providers that receive information from us about you prohibit those parties from transferring the information other than

CPRA expects the California Privacy Protection Agency to issue regulations that further clarify when sensitive personal information might qualify for this exception. As of today, the agency has yet to provide such clarifying regulations.

For purposes of clarity, sensitive personal information includes the following:

- Government Identifiers, such as social security, driver's license, state identification card, or passport number.
- Account access credentials, such as user names, account numbers, or card numbers combined with required access/security code or password.
- Precise Geolocation.
- Racial or ethnic origin.
- Religious or philosophical beliefs.
- Union membership.
- Genetic data.
- Mail, email, or text messages contents not directed to us.
- Unique identifying biometric information
- Health, sex life, or sexual orientation information.

⁶ **NTD**: Client to add hyperlink.

⁷ **NTD**: Client to hyperlink.

⁸ **NTD**: Client to confirm this is correct.

to provide the Services that you obtain from us.⁹ To learn more about why we share information with third parties please see our general [Privacy Policy](#).¹⁰

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose those corresponding third parties listed below:¹¹

Categories of Personal Information	Third Parties Disclosed To: ¹²
Category A: Personal Information and Identifiers.	Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks, other third parties.
Category B: Protected Class Information	Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks, other third parties.
Category C: Commercial Information	Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks, other third parties.
Category D: Biometric Information	Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks, other third parties.
Category E: Internet and Network Information	Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks, other third parties.
Category F: Geolocation Information	Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks, other third parties.
Category G: Sensory Information	Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks, other third parties.
Category H: Employment Information	Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or

⁹ NTD: Client confirm this is correct.

¹⁰ NTD: Client to add hyperlink.

¹¹ NTD: Client to confirm the categories of information disclosed in the preceding 12 months.

¹² NTD: CCPA now requires companies to disclose the *categories* of third parties to whom companies disclose to (i.e., service providers, government entities, etc.).

	aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks [], other third parties []. []
Category I: Non-Public Education Information	[] Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks [], other third parties []. []
Category J: Profile Information []	[] Service Providers, Affiliates, Partners, Parent or Subsidiary organizations, internet cookie data recipients, data brokers or aggregators, social networks, operating systems and platforms, government entities, data analytic providers, internet service providers, advertising networks [], other third parties []. []

To learn more about why we share information with third parties, please see our general [Privacy Policy](#).¹³

Do We Sell Your Information? [] No. Although we share data with third parties as outlined in the [Privacy Policy](#),¹⁴ we do not sell any of your personal information to any third party. []¹⁵

Do We Share Your Information for Cross-Contextual Behavioral Advertising Purposes? [] No. Although we share data with third parties as outlined the Privacy Policy and this CCPA Privacy Notice, we do not share your personal information for cross-contextual behavioral advertising purposes. []¹⁶

¹³ **NTD:** Client to provide hyperlink.

¹⁴ **NTD:** Client to add hyperlink.

¹⁵ **NTD:** Client to confirm.

¹⁶ **NTD:** The CCPA defines “cross-contextual behavioral advertising” as sharing personal information of a consumer with a *third party* for the purpose of “targeting advertising to a consumer based on the consumer’s personal information obtained from the consumer’s activity across businesses, distinctly-branded websites, applications, or services, other than the business, distinctly-branded website, application, or service with which the consumer intentionally interacts.”

Under CCPA, as amended by CPRA, a “third party” is defined in the negative. That is, a third party is defined by what it is not, rather than being defined by what it is. CCPA, as amended by CPRA, has defined third party to mean a person who is not any of the following: (a) a service provider, (b) a contractor, and (c) the company “with whom the consumer intentionally interacts and that collects personal information from the consumer as part of the consumer’s current interaction with” the company.

- The CCPA defines “service provider” as a person that processes personal information on behalf of a business and to that receives from or on behalf of the business a consumer’s personal information for a business purpose pursuant to a written contract, provided that the contract, among other requirements, prohibits the service provider from: (a) selling or sharing the personal information for cross-contextual behavior advertising purposes; (b) retaining, using, or disclosing the personal information for any purpose other than for the business purposes specified in the contract; (c) retaining, using, or disclosing the information outside of the direct business relationship between the service provider and the business; and (d) combining the personal information that the service provider receives from, or on behalf of, the business with personal information that it receives from, or on behalf of, another person or persons, or collects from its own interaction with the consumer.
- The CCPA defines “contractor” as a person to whom the business makes available a consumer’s personal information for a business purpose, pursuant to a written contract with the business, provided that the contract, among other requirements, prohibits the contractor from: (a) selling or sharing for cross-contextual

How Do We Protect Personal Data? We protect data using administrative, technical, and physical safeguards. When we use third-party service providers, we ask those providers to implement similar safeguards. However, we cannot guaranty that your information is completely secure either within Company, its systems or on the systems of third party service providers.

How Long Do We Keep Your Personal Data? We retain personal data we collect from you when we have an ongoing legitimate business need to do so (i.e., to provide you with the Services you have requested or to comply with applicable legal requirements). When we no longer have an ongoing legitimate business need to process your personal information, we will physically destroy, delete or anonymize it or, if this is not possible, then we will securely store your personal data and isolate it from any further processing until deletion is possible.

What Are My California Consumer Rights? If you are a California resident and are engaged in a direct business relationship with Company as a consumer for provision of the Sites or Services, you may have the following rights:

- Right to Know and Data Portability. You may request that we provide to you certain information about our collection and use of your personal information for the 12 month period preceding your request, such as (i) the categories of personal information we collected about you; (ii) the categories of sources from which we collected such personal information; (iii) the purposes for collecting your personal information; (iv) the categories of third parties with access to your personal information, if any; (v) if we sold or disclosed your personal information for a business purpose, two separate lists disclosing (x) sales, identifying personal information categories that each category of recipient purchased, and (y) disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained; and (vi) the specific pieces of personal information we collected about you (also called a data portability request).

Though you may request specific pieces of your personal information that we have collected, we may not provide the following information in order to protect the security of such information: social security numbers, driver's license or other state or government issued identification numbers, bank account numbers or other financial information, any health insurance or medical identification numbers or related information, account passwords or security questions and answers.

- Right to Request Deletion. Under certain, limited circumstances, you may request that we delete personal information that we have collected from you or maintain about you. Once we receive your request and confirm your identity, we will review your request to see if an exception allowing us to retain the information applies. We may deny your deletion request if retaining the information is necessary for us or our service providers to:

behavior advertising purposes; (b) retaining, using, or disclosing the personal information for any purpose other than for the business purposes specified in the contract; (c) retaining, using, or disclosing the information outside of the direct business relationship between the contractor and the business; and (d) combining the personal information that the contractor receives pursuant to a written contract with the business with personal information that it receives from or on behalf of another person or persons, or collects from its own interaction with the consumer.

- Complete the transaction for which we collected the personal information, provide the Services that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act.
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

How Do I Submit a California Rights Request? If you are a California Resident and you have a direct business relationship with Company or you otherwise use the Sites, you may make a request pertaining to the rights described above by [clicking here for a Request for Disclosure¹⁷](#) and [emailing, sending, or submitting] the Request to the [email address, mailing address or website link] listed below:

Email Address: [REDACTED]

Visit the Website Link: [REDACTED]

Mailing Address: [REDACTED]

[Password Protected Account Instructions / Other Method]

PLEASE NOTE THAT YOUR REQUEST WILL NOT BE PROCESSED UNTIL YOUR IDENTITY HAS BEEN VERIFIED. ONCE YOUR IDENTITY HAS BEEN VERIFIED, YOUR REQUEST WILL BE PROCESSED IN ACCORDANCE WITH THE CCPA. IF NECESSARY, WE WILL PROVIDE ADDITIONAL DETAILS AND DIRECTIONS ON IDENTITY VERIFICATION, AND AS APPROPRIATE, UPON RECEIVING YOUR REQUEST.

With respect to your California Rights Request, please also note the following:

- [If you choose to email or mail your request, please include “California Privacy Rights Request” in the subject line.]
- We will confirm receipt of your request within 10 business days. If you do not receive confirmation with the 10 business day timeframe, please contact [REDACTED].

¹⁷ **NTD**: Client to hyperlink.

- Once we have verified your identity, we will respond to your request within 45 days. If we require more time (up to an additional 45 days), we will notify you in writing of the reason and the extension period.
- Making a verifiable consumer request does not require you to create an account with us, and we will only use personal information provided in a verifiable consumer request to verify your identity or authority to make the request.
- [If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.]
- Any disclosures we provide will only cover the 12-month period preceding our receipt of your request. The response we provide will also explain the reasons we cannot comply with a request, as applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance, specifically [EXPECTED FORMAT].
- We, at our option, may not respond to more than two requests in a 12 month period.
- We do not charge a fee to process or respond to your request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

What are My Personal Information Sales and Sharing Opt-Out and Opt-In Rights? [We do not sell personal information as defined under the CCPA, nor do we share personal information for cross-contextual behavioral advertising purposes.]

Do I have Right to Non-Discrimination? We will not discriminate against any consumer who has chosen to exercise their rights under the CCPA. Unless permitted by the CCPA, we will not deny you the Services, charge you different prices/rates for the Services (including through granting discounts or other benefit or imposing penalties), provide you a different level of quality of service, or suggest that you may receive a different price or rate for the Services or a different level or quality of Services.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt-in consent, which you may revoke at any time. [We currently provide the following financial incentives:]¹⁸

¹⁸ **NTD**: Client to remove if this is not applicable. Under the CCPA, financial incentive offers where businesses pay or otherwise compensate consumers for the collection, sale, sharing, or retention of their personal information (i.e., loyalty, rewards, premium features, discounts, or club card programs) are permissible if they meet specific requirements, including:

- Notifying consumers of the program's material terms.
- Obtaining consumers' prior opt-in consent.
- Allowing consumers to revoke their participation or consent at any time.

The financial incentive notice's purpose is to provide consumers with an explanation of the program's material terms to enable consumers to make an informed decision about participating in the program. Accordingly, the CCPA requires that a financial incentive notice contain the following:

- A succinct summary of the financial incentive or price or service difference offered.

Changes To This Privacy Notice: We reserve the right to amend this Privacy Notice at our discretion and at any time. We may make changes to the Privacy Policy without providing you prior notice. However, after we make any changes to this Privacy Policy, we will give notice to you via (i) the Sites or (ii), where feasible, and at our discretion, contact information available to us. We encourage you to periodically review this Privacy Policy so as to remain informed on how we are protecting your information. YOUR CONTINUED USE OF OUR SITES AND SERVICES FOLLOWING THE POSTING OF CHANGES CONSTITUTES YOUR ACCEPTANCE OF SUCH CHANGES.

How To Contact Us. If you have any questions regarding this Privacy Policy or exercising any of your privacy rights, please contact us at the email address, telephone number or mailing address listed below:

Telephone Number: [REDACTED]

Email Address: [REDACTED]

Mailing Address: [REDACTED]

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- The incentive's material terms, including the categories of personal information that the incentive may impact and the value of the consumer's data.
 - How the consumer can opt-in to the incentive.
 - A statement on the consumer's right to withdraw from the incentive at any time, and instructions for exercising that right.
 - An explanation of how the price or service difference reasonably relates to the value of the consumer's data, including: (i) a good-faith estimate of the value of the consumer's data that forms the basis for the price or service difference; and (ii) a description of the method used to calculate that value