

[AUDIOTROCITIES, LLC] PRIVACY POLICY

Please read this Privacy Policy carefully.

[AUDIOTROCITIES, LLC, a Utah limited liability company]¹ (together with its affiliates and subsidiaries, individually and collectively, “Company”, “we”, “us”, and “our”), is committed to ensuring the security and protection of the personal information that we collect. This Privacy Policy includes (a) our products or services and processes, which may result in the collection of personal data; (b) the purpose for processing personal data; (c) the persons or entities with whom we share personal data; and (d) how long we maintain personal data. This Privacy Policy applies to:

- All information we collect through the products, events, promotions, surveys, contests and all other services (collectively, the “Services”) provided on our websites, applications and platforms, including mobile websites, applications and platforms, any affiliated or non-affiliated third-party sites, and all social media platforms (collectively, the “Sites”);² and
- All current, potential and former employees, users, customers, independent contractors, vendors, third parties and/or any other person whose personal data we have collected electronically, in person or otherwise.³

Special Note: The Sites are general audience sites and are not designed or intended to target children younger than 13. We do not knowingly target or collect personal information from any person younger than 13.⁴

What Information Do We Collect?

Information We Collect Automatically. If you use the Sites, read or download information from the Sites, your web or mobile browser may automatically send us your internet or other network activity including one or more of the following (collectively, “Network Information”):

- [Your internet protocol (IP) address, registration date, and one or more cookies that may uniquely identify your browser;
- Your internet domain and the specific path, actions and navigation choices;
- The internet address of the site from which you linked the Sites, the time and date you accessed the Sites, and the frequency and duration of your visits to the Sites;
- Your browsing history, search history, information on your interaction with the Sites or other websites and applications or advertisements; and

¹ **NTD:** Has Audiotrocities, LLC been formed. We searched the Utah Division of Corporation’s website for evidence of its formation, but came up empty.

² **NTD:** Client to confirm scope of this Privacy Policy. Typically, we draft privacy policies broadly so that we can use them uniformly across sites and applications.

³ **NTD:** Same as above. Client to confirm scope of Privacy Policy.

⁴ **NTD:** Thirteen is the age limitation set forth under the federal Children’s Online Privacy Protection Act (“COPPA”). If the Company does intend to provide access to children under 13, we’ll need to draft a separate COPPA policy. Additionally, we note that, under the CCPA, there are, at times, enhanced notice and consent obligations for children younger than 16.

- Your browser software, operating system and browser language, and information about your location and mobile device, including a unique identifier for the mobile device.⁵

Why We Collect: We collect this information for business and commercial purposes, including in order to:

- ✓ [Maintain or analyze the functioning of the Sites or Services and to maintain network communications;
- ✓ Monitor and analyze web traffic and online behavior for search engine optimization and social media marketing;
- ✓ Host data files that enable the Sites to function, be distributed, and to provide specific features or parts of the Sites;
- ✓ To create, maintain, customize, secure, and manage your accounts with us, including for accounting, finance, and dispute resolution purposes (such as accounts receivable, accounts payable, account reconciliation, cash management, or money movement) and for consolidated management and reporting;
- ✓ To personalize your experience on the Sites and to deliver content and Services relevant to your interests and requests through our Sites (with your consent as required by law);
- ✓ To process your requests, purchases, transactions, and payments and to prevent financial fraud and other illicit activity;
- ✓ For testing, research analysis, and product development, including to develop and improve the Sites and Services;
- ✓ Initiate, assess, develop, maintain, or expand a business relationship, including negotiating, contracting, and fulfilling obligations under contracts;
- ✓ Manage a database of email information, phone information or other information and send transactional communications (such as requests for information, responses to requests for information, orders, confirmations, training, and service updates);
- ✓ Assure quality control and to enforce Company's standards and policies;
- ✓ Manage security, including monitoring individuals with access to the Sites and Services, applications, systems, or facilities, investigation of threats, and as needed for any data security breach notification;
- ✓ Manage relationships with current and potential customers and for marketing purposes, including sending marketing, promotional, product and service, and customer communications and surveys and other communications to individuals who have not objected to receiving such communications;
- ✓ Anonymize or de-identify the personal information;
- ✓ View and incorporate content hosted on external sites;
- ✓ Respond to law enforcement requests and as required by applicable law, court order, or governmental regulations; and
- ✓ Process payment information and transactions.⁶

⁵ **NTD:** Client to confirm list is accurate, comprehensive and/or to make any appropriate revisions.

⁶ **NTD:** Client to confirm list is accurate, comprehensive, and to revise accordingly. Note that the purposes here should be reasonably tailored for reasons specific to automatic collection. For example, automatic collection of information is typically collected for purposes relating to the functioning of the Sites and/or marketing. It's fine to err on the side of being over-inclusive, but the reasons here should probably not be identical to the reasons given in the next section.

Information You Give To Us and Information We Collect From Others. If you use the Sites or Services, or you otherwise use or purchase our Services, we receive and store information you enter on the Sites, or that you give us in-person, via telephone, email, or otherwise. ⁷ We may also collect personal information from third parties that operate (a) portions of the Sites and Services on our behalf or (b) independent websites. ⁷ When we obtain personal data from third parties, we will treat the acquired information like the information that we collect ourselves. ⁸ Depending on the Services we provide to customers and/or the services being provided to us by other third parties, we may collect (and over the previous 12 months have collected) the following information about you from you and/or others:

- ¹ Network Information;
- Personal information and identifiers, such as 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 (collectively, "Personal Information and Identifiers");
- Protected classification information, such as 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), veteran or military status, sexual orientation or other similar information (collectively, "Protected Class Information");
- Commercial information, such as the Services purchased, obtained or considered, or other purchasing or consuming histories (collectively, "Commercial Information");
- Biometric and identifying information, such as fingerprints, faceprints, voiceprints, iris or retina scans, keystroke, gait or other physical patterns, and sleep, health or exercise data, genetic, physiological, behavioral and biological information or other similar information (collectively, "Biometric Information");
- Sensory data, such as audio, electronic, visual, thermal, olfactory or similar information (collectively, "Sensory Information");
- Geolocation data, such as physical location or movements (collectively, "Geolocation Information");
- Professional or employment-related information, such as work history and job descriptions with current and prior employers (collectively, "Employment Information");
- Education information, such as student financial information, grades, transcripts, class lists and other records related to a student maintained by an educational institution or party acting on its behalf (collectively, "Education Information"); and
- Inferences drawn from any of the personal information listed above to create a profile or summary, such as, for example, an individual's preferences, abilities, aptitudes, predispositions, behaviors and characteristics (collectively "Profile Information"). ⁹

⁷ **NTD:** Client to confirm this is accurate.

⁸ **NTD:** Client to confirm this accurate.

⁹ **NTD:** This is purposely meant to be over-inclusive. These are the categories of personal information outlined by the California Consumer Privacy Act. Because an increasing number of states will be requesting more transparency and specificity in the type of information that is being collected, we have included these categories in the general privacy policy. Please revise this by removing any information that the Company does not collect, and inserting any additional information that the Company does collect.

Why We Collect: We collect this information for business and commercial purposes, including in order to:

- ✓ [To create, maintain, customize, secure, and manage your account with us, including for accounting, finance, and dispute resolution purposes (such as accounts receivable, accounts payable, account reconciliation, cash management, or money movement) and for consolidated management and reporting;
- ✓ To personalize your experience on the Sites and to deliver content and Services relevant to your interests and requests through our Sites (with your consent as required by law);
- ✓ To process your requests, purchases, transactions, and payments and to prevent financial fraud and other illicit activity;
- ✓ For testing, research analysis, and product development, including to develop and improve the Sites and Services;
- ✓ Initiate, assess, develop, maintain, or expand a business relationship, including negotiating, contracting, and fulfilling obligations under contracts;
- ✓ Perform due diligence regarding an individual's qualifications and eligibility for the Services, including verifying the identity, qualification, authority, and creditworthiness of the individual and obtaining publicly-available information from third parties (such as publicly-available sanction lists from screening companies);
- ✓ Manage a database of email information, phone information or other information and send transactional communications (such as requests for information, responses to requests for information, orders, confirmations, training, and service updates);
- ✓ Assure quality control and to enforce Company's standards and policies;
- ✓ Manage and mitigate risk, including for audit and insurance functions, and as needed to meet our obligations and to protect assets;
- ✓ Manage security, including monitoring individuals with access to the Sites, applications, systems, or facilities, investigation of threats, and as needed for any data security breach notification;
- ✓ Monitor and analyze web traffic and online behavior for search engine optimization and social media marketing;
- ✓ Host data files that enable the Sites and Services to function, be distributed, and to provide specific features or parts of the Sites and/or Services;
- ✓ Manage relationships with current and potential customers and for marketing purposes, including sending marketing, promotional, product and service, and customer communications and surveys and other communications to individuals who have not objected to receiving such communications;
- ✓ Anonymize or de-identify the personal information;
- ✓ View and incorporate content hosted on external sites;
- ✓ Respond to law enforcement requests and as required by applicable law, court order, or governmental regulations; and
- ✓ Process payment information and transactions.]¹⁰

¹⁰ **NTD**: Client to confirm list is accurate, comprehensive. The Company needs to strike a balance here because in some ways it is better to be overbroad, but in others (due to the hasty drafting and resulting ambiguity of the CCPA) it may need to be specific with respect to the purposes of the collection. For example, the CCPA's purpose limitation clause prohibits collected personal information for purposes not listed in the privacy notice or uses unrelated to those

How We Collect Information Using Technologies and From Third Parties. We may use cookies to recognize you when you return to the Sites in order to provide you with a better user experience. Technologies like cookies, pixel tags, device or other identifiers and local storage are used to deliver, secure, and understand products, services, and ads, on and off [Facebook, Instagram, Twitter, LinkedIn, YouTube, and other social media platforms]. They also are used to gather information for remarketing to similar audiences on our Sites. We also allow our affiliates and third-party vendors to use cookies on our Sites; some of these parties may use cookies in ways that we do not. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of the Sites. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log onto our Sites.

- **[Web Beacons.** Pages of the Sites [and our emails] may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages [or opened an email] and for other related website statistics (i.e., recording the popularity of certain website content and verifying system and server integrity).]¹¹
- **[Flash Cookies.** Certain features of our Sites use local stored objects (or Flash Cookies) to collect and store information about your preferences and navigation to, from, and on our Sites. Flash cookies are not managed by the same browser settings as are used for browser cookies.]¹²
- **[Behavioral Tracking.** We also may use these technologies to collect information your online activities over time and across third-party websites or other online services. Some web browsers may transmit “do not track” (“DNT”) signals to the Sites with which you communicate. We currently do not change our tracking practices in response to DNT settings in your web browser. Our third party partners, such as web analytics companies and third party ad networks, may collect information about you and your online activities over time and across our Sites and Services. These third parties may not change their tracking practices in response to DNT settings in your web browser and do not obligate these parties to honor DNT settings. We utilize Google Analytics for our web analytics and you can opt out of your usage data being included in our Google Analytics reports by visiting Google’s ad settings or by visiting <https://tools.google.com/dlpage/gaoptout>. Because of this, third-party vendors, including Google and Microsoft, show our ads on sites across the internet.. You may also opt out of a third-party vendor’s use of cookies by visiting the [Network Advertising Initiative opt-out page](#).]¹³

purposes. This would incentivize the Company to be overbroad in this section. On the other hand, the ambiguity between business purposes (more narrowly defined) and commercial purposes (more broadly defined) and how and when businesses may collect information pursuant to one or both is unclear. A conservative approach in this respect would lead the Company to be more specific. *Having said all of this, so long as the above list is reasonably tailored, the better approach is to broadly describe the purposes for collecting the information.*

¹¹ **NTD:** Client to confirm.

¹² **NTD:** Client to confirm.

¹³ **NTD:** Client to review and revise as necessary.

Do We Share Information With Third Parties?

We take reasonable precautions to be sure that nonaffiliated third parties and affiliates, to whom we disclose your personally identifiable information are aware of this Privacy Policy and will treat the information in a similarly responsible manner.¹⁴ [Our contracts and written agreements with nonaffiliated third parties that receive information from us about you prohibit those parties from transferring the information other than to provide the Services that you obtain from us.]¹⁵

Over the previous 12 months, we have shared the following categories of personal information with third parties: [Personal Information and Identifiers, Protected Classification Information, Commercial Information, Biometric Information, Network Information, Sensory Information, Geolocation Information, Employment Information, Education Information, and Profile Information.]¹⁶

[We will not disclose your personal information to third parties except to provide you with information or services you request, deliver our Services that include your personal information, or under certain circumstances as described in this Privacy Policy.]¹⁷ including:

Your Consent. We may share personal data with your consent.

[**Advertising and Marketing.** As described above, we may also disclose your information with our advertising and marketing partners in order to advertise and otherwise market the Sites and Services to you.]

Disclosure For Legal Reasons. We may release personal data to third parties: (1) to comply with valid legal requirements such as a law, regulation, search warrant, subpoena or court order; or (2) in special cases, such as a physical threat to you or others, a threat to homeland security, a threat to our system or network, or cases in which we believe it is reasonably necessary to investigate or prevent harm, fraud, abuse, or illegal conduct. We may also disclose personal data where needed to affect the sale or transfer of business assets, to enforce our rights, protect our property, or protect the rights, property or safety of others, or as needed to support external auditing, compliance and corporate governance functions.

Agents & Contractors. Our contractors sometimes have access to your personal data in the course of assisting in the operation of our business and providing Services to you. These contractors include vendors and suppliers that provide us with technology, services, and/or content for the operation and maintenance of the Sites and the Services. [Access to your personal information by these contractors is limited to the information reasonably necessary for the contractor to perform

¹⁴ **NTD:** Client to confirm this is correct. The CCPA requires that information provided to service providers is adequately protected and that the disclosing party ensures that this is, in fact, the case.

¹⁵ **NTD:** As mentioned above, this is no longer a best practice because it is required by the CCPA and VCDPA. Moreover, this is likely to catch on with other states who are now considering comprehensive privacy laws.

¹⁶ **NTD:** Client to revise as necessary.

¹⁷ **NTD:** Client to confirm accuracy.

its limited function. Contractors have an obligation under their contracts with us to keep your information confidential and to comply with our privacy and security policies.]¹⁸

Links To Other Sites. The Sites may contain links to other websites and resources located on servers maintained by third parties. These links are provided for your convenience and information only and, as such, you access them at your own risk. [When you click on one of those links, we will not provide any personal information about you, but may let the site know that you came from the Sites.]¹⁹ We do not control the privacy practices and policies of other sites. Please read their privacy policies in order to understand what information they collect about you and how they use it.

Aggregated, Non-Personal Information. We may share aggregated, non-personal information about you with third parties. This is information that is combined with the non-personal information of other users and does not allow you to be identified or contacted. Depending on the circumstances, we may or may not charge third parties for this aggregated information. We also may not limit the third parties' use of the aggregated information.

Changes In Our Corporate Structure. If all or part of the Company is merged, acquired or otherwise transferred to another entity, the personal data you have provided to us may be transferred as part of that transaction. We will take steps to ensure that any personal data that is transferred will not be used or shared in a manner inconsistent with this Privacy Policy, as it may be amended.

Do We Sell Your Personal Information?

[No. Although the Company shares data with third parties as outlined in this Privacy Policy, the Company does not sell any of your personal information to any third party.]²⁰

Do We Share Your Information for Behavioral Advertising?

[No. We do not share your information for purposes of cross-contextual behavioral advertising purposes.]²¹

How and Where Do We Process and Store Data?

Methods of Processing. The data processing is carried out in accordance with our privacy procedures and policies and using computers and/or related software and IT tools. In some cases, the data may be accessible to certain types of (i) internal parties in charge or involved with the operation of our Sites and Services (i.e., administration, legal, sales and marketing, etc.) or (ii) external parties who assist us in providing, operating, and maintaining our Sites and Services, (i.e., third-party technical service providers, mail carriers, hosting providers, communications agencies, etc.). [Still, we notify both internal and external parties of this Privacy Policy and require that internal parties (through employment agreements and related employment policies) and external

¹⁸ **NTD:** Client to confirm. As mentioned above, this is required by the CCPA and VCDPA for any information that we provide to any third-party service providers.

¹⁹ **NTD:** Client to confirm this is accurate.

²⁰ **NTD:** Client to confirm this correct. If this is not correct, we'll need to add some language regarding privacy protections applicable to consumers whose information we sell.

²¹ **NTD:** Client to confirm.

parties (through written agreements) keep and maintain the data in accordance with the safeguards described in this Privacy Policy and related policies and procedures.]²²

Third-Party Processing. We are committed to minimizing the number of third-party processors we utilize in order to lower the risks of your data being exposed. [We assess and review each of our third-party processors to ensure that they are in compliance with this Privacy Policy.]²³

How Do We Protect Personal Data?

The Company protects 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 the Company 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.

California Residents

If you are a resident of California, please read the [California Privacy Notice](#)²⁴ for more information regarding your privacy protections and privacy rights pursuant to the California Consumer Privacy Act of 2018, as amended.

Virginia Residents

If you are a resident of Virginia, please read the [Virginia Privacy Notice](#)²⁵ for more information regarding your privacy protections and privacy rights pursuant to the Virginia Consumer Data Protection Act.

Colorado Residents

If you are a resident of Colorado, please read the [Colorado Privacy Notice](#)²⁶ for more information regarding your privacy protections and privacy rights pursuant to the Colorado Privacy Act.

Utah Residents

²² **NTD:** Client to confirm this is correct.

²³ **NTD:** Client to confirm this correct.

²⁴ **NTD:** Client to provide hyperlink.

²⁵ **NTD:** Client to provide hyperlink.

²⁶ **NTD:** Client to provide hyperlink.

If you are a resident of Utah, please read the Utah Privacy Notice²⁷ for more information regarding your privacy protections and privacy rights pursuant to the Utah Consumer Privacy Act.

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 telephone number, email address or mailing address listed below:²⁸

Telephone Number: [REDACTED]

Email Address: [REDACTED]

Mailing Address: [REDACTED]

Changes To This Privacy Policy

We reserve the right to amend this Privacy Policy at our discretion and at any time. When we make 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.

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²⁷ **NTD**: Client to provide hyperlink.

²⁸ **NTD**: Client to provide at least two ways to contact the Company (the phone number must be toll-free).