

EveryBallCounts, LLC Privacy Policy and California Privacy Rights

Introduction

EveryBallCounts, LLC (“EBC,” “we, “us,” “our”) respects your privacy and we are committed to protecting it through our compliance with this privacy policy.

This privacy policy (together with our Terms of Use) describes the personal information that we collect from you, or that you provide on this website www.everyballcounts.com, our mobile application or any online service we may provide (collectively our “Site”) and how that information may be used or disclosed by us.

This privacy policy does not apply to information collected on any third-party site or by any third-party application that may link to or be accessible from the Site.

Please read the following carefully to understand our policies and practices regarding your personal information and how we will use it. By using or accessing our Site, you agree to this privacy policy. This privacy policy may change from time to time and your continued use of the Site is deemed to be acceptance of all changes, so please check the privacy policy periodically for updates.

Children Under the Age of 13

If we know a Site visitor is under the age of 13, we will collect a parent’s or guardian’s permission online (or by postal mail, fax or phone) before we collect, use, store or disclose any personal information supplied by that visitor. We will also allow parents to review any personal information we may collect from children under 13 and to request that we stop using and delete such information at any time. Please note, that if we cannot use that visitor’s information, certain aspects of the Site may not operate properly or be of any benefit to the user. If our policies change with regard to personal information that we previously received parental consent to collect, we will notify the parents or guardian of the changed policies.

Information We Collect About You

We collect several types of information from and about users of the Site, including: (i) information you provide to us; (ii) information we collect as you navigate through the Site, including usage details, IP addresses, cookies, and web beacons; and (iii) information we receive from third parties, for example, our business partners.

Information You Provide to Us. We may collect and use the following information that you provide to us:

- Information that you provide by filling in forms on the Site including without limitation, information provided at the time of registering to use the Site, subscribing to our service, posting material or requesting further services. We may also ask you for information when you enter a contest or promotion sponsored by us, and when you report a problem with the Site.

- Records and copies of your correspondence (including e-mail addresses), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes, although you do not have to respond to them.
- Details of transactions you carry out through the Site and of the fulfillment product or service orders you may purchase through the Site. You may be required to provide financial information before placing an order through the Site.

Usage Details, IP Addresses and cookies, and other tracking technologies.

Usage Details and IP Addresses. As you navigate through and/or use the Site, we may also collect details of your visits, including, but not limited to, traffic data, location data, logs and other communication data and the resources that you access, as well as information about your computer and internet connection, including your IP address, operating system and browser type, for system administration and to report aggregate information to our advertisers and business partners. This is statistical data about our users' equipment, browsing actions and patterns, and does not identify any individual.

Cookies. For the same reason, we may obtain information about your general Internet usage by using cookies. A cookie is a small file stored on the hard drive of your computer. Use of cookies helps us to improve the Site and to deliver a better and more personalized service by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize the Site according to your individual interests.
- Recognize you when you return to our Site.

You may refuse to accept cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of the Site. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to the Site.

Web Beacons. Pages of the Site may contain electronic images known as web beacons (also referred to as single-pixel gifs) that permit us to count users who have visited those pages and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity). Web beacons are not used to access your personal information on the Site and are only used to compile aggregated statistics concerning use of the Site.

Third-Party Use of Cookies and Other Tracking Technologies. Third-party companies may serve some content that may include advertisements on our Site. Please note that these parties may also use cookies alone or in conjunction with web beacons or other tracking technologies to

collect information about our users. We do not have control over third-party cookies or how they may be used. If you have any questions about an advertisement, you should contact the responsible advertiser directly.

We do not collect personally identifiable information automatically, but we may tie this information to your previously submitted personally identifiable information.

User Contributions

You are responsible for any content, including personal information, that you contribute to be published or displayed (“Posted”) on the Site, or transmit to other users of the Site (collectively, “User Contributions”). Your User Contributions are posted on and transmitted to other users of the Site at your own risk. Although we limit access to certain pages, you may set certain privacy settings for such information by logging into your account profile, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Site with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons. We are not responsible for circumvention of any privacy settings or security measures contained on the Site. You understand and acknowledge that, even after removal, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Site users. Proper access and use of information provided on the Site, including User Contributions, is governed by our Terms of Use and known or suspected violations should be reported to info@everyballcounts.com.

Uses Made of the Information

We use information that we collect about you or that you provide to us, including any personal information, in the following ways:

- To present the Site and its contents in a suitable and effective manner for you and for your computer.

- To provide you with information, products or services that you request from us.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us.
- To notify you about changes to the Site.
- To allow you to participate in certain features of the Site, such as comparing your shot statistics to other users who have the same or similar characteristics as you (for example,

other 35 year old, right handed male golfers) so you can see how you compare to such other users, when you choose to do so.

We may also use your information, or permit selected third parties to use your information, to contact you about goods and services that may be of interest to you where you have consented to be contacted for such purposes. If you do not want us to use your information in this way, or to provide your information to third parties for marketing purposes, please check the relevant box located on the form on which we collect your data.

We do not disclose your personally identifiable information to our advertisers, but we may provide them with aggregated information about our users (for example, we may report to them that 500 men aged under 30 clicked on their advertisement on a given day). We may also use such aggregated information to help advertisers reach the kind of audience they want to target. We may make use of the personal information we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience. Even though we only disclose aggregate information that is not personally identifiable to advertisers without your consent, when you click on or otherwise interact with an advertisement there is a possibility that the advertiser may assume that you meet the target criteria they selected.

Disclosure of Your Information

We may disclose personal information that you provide to the following third parties:

- Our subsidiaries and affiliates.
- Contractors and service providers we use to support our business.
- To a buyer in the event of a merger, divestiture, restructuring, reorganization, dissolution or any other form of sale of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding, in which personal information held by us about our customers is among the assets transferred.

We may also disclose your personal information to third parties to:

- Comply with any court order or other legal obligation.
- Enforce or apply our Terms of Use and other agreements.
- Protect our rights and property and the safety or our users, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

Cookies. If you do not wish us to collect cookies, you may set your browser to refuse cookies, or to alert you when cookies are being sent. If you do so, please note that some parts of the Site may then be inaccessible or not function properly.

Promotional Offers from Third Parties. If you do not wish us to share your personal information with unaffiliated or non-agent third parties for promotional purposes, you can opt-

out by checking the relevant box during the registration process. You can also always opt-out by logging into the Site and adjusting the user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an e-mail stating your request toinfo@everyballcounts.com.

Promotional Offers from Us. If you do not want us to use your e-mail address for promotional purposes, you can opt-out by checking the relevant box during the registration process. You can also always opt-out of receiving e-mail information from us other than the e-mail informing you of the completion of user registration, correction of user data, or change of password by logging into Site and adjusting the user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an e-mail stating your request toinfo@everyballcounts.com.

You should review this privacy policy carefully, because if you do not agree with our practices, your ultimate choice is not to use the Site. Remember, by using any part of the Site, you accept and agree to our privacy practices. If we update this privacy policy, your continued use of the Site (following the posting of the revised privacy policy) means that you accept and agree to the terms of the revised privacy policy.

Accessing and Correcting Your Personal Information

You can review and update your personal information by logging into the Site and visiting your account profile page and making changes. If you have forgotten your password, once you have tried to register and failed, you can click on the “Forgot your password” link to reach a page on which you can submit your email address. A link to reset your password then will be emailed to you.

You may also send us an email atinfo@everyballcounts.com to request access to, correct or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your user account.

Your California Privacy Rights

California Civil Code Section § 1798.83 permits users of the Site that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to info@everyballcounts.com or write us at:

EveryBallCounts, LLC
7736 Bay Hill Drive
West Palm Beach, FL 33412

Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration and disclosure. All information you provide to us is stored on our secure servers behind firewalls. Any payment transactions will be encrypted using SSL technology.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to the Site you are responsible for keeping this password confidential. Please do not share your password with anyone. We urge you to be

careful about giving out information in public areas of the Site like message boards. Any user of the Site may view the information you share in public areas.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Site. Any transmission of personal information is at your own risk.

Changes to Our Privacy Policy

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to this privacy policy, we will notify you through a notice on Site. The date the privacy policy was last revised is identified at the top of the page.

Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at:

EveryBallCounts, LLC
7736 Bay Hill Drive
West Palm Beach, FL 33412
info@everyballcounts.com

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