

## 10XEM ONLINE PRIVACY POLICY

Last Updated: January 1, 2019

This privacy policy ("Policy") explains how your personal information is collected, used, and disclosed by 10xEM, LLC ("Company"), and its subsidiaries and affiliated companies from its Sites. This Policy applies to consumer users of Company's websites with copies and links to this Policy. This Policy does not apply to Active.com or any other Sites, applications or services that do not display or link to this Policy or that display or link to different privacy policy. By using the Sites, you expressly consent to the collection, use and disclosure of your personal information in accordance with this Policy.

### Information Collected by Us

(a) **Information You Provide.** We collect information about you in various ways when you use our Sites. We collect personal information you provide to use. For instance, if you register for a Company event, we will collect your username, password, name, email address, phone number, birth date, gender, emergency contact information, and other information you provide during registration. We also collect credit card number, billing address, and other payment information if you purchase products or services on our Sites. If you enter into a promotion, contest or sweepstakes ("Sweepstakes") sponsored by Company, we will collect information you provide for such Sweepstakes. We also collect information you provide us in newsletter sign-ups, feedback forms, emails, and surveys. We may also obtain information from other sources (e.g., from our Registration Partners, Marketing Partners, and Sweepstakes Partners) or from you offline (e.g., at events) and combine that with information we collect on our Sites.

(b) **Information Automatically Collected.** When you visit our Sites, some information is automatically collected. For example, when you visit our Sites, your computer's Internet Protocol (IP) address, operating system, access times, browser type and language, operating system, domain name, and the website you visited before you visited our Sites are logged automatically. We also collect information about your usage and activity on our Sites:

(i) **Cookies.** We may automatically collect information using "cookies." Cookies are small data files stored on your hard drive by a website. Among other things, we use cookies to store visitors preferences, record session information, such as what items consumers add to their shopping cart, record user-specific information on what pages users access or visit, alert visitors to new areas that we think might be of interest to them when they return to our Sites, record past activity at a site in order to provide better service when visitors return to our Sites, ensure that visitors are not repeatedly sent the same banner ads, customize Web page content based on visitors' browser type or other information that the visitor sends. Most web browsers are set to accept cookies by default. If you prefer, you can usually choose to set your browser to remove cookies and to reject cookies. If you choose to remove cookies or reject cookies, this could affect certain features or services of our Sites.

(ii) **Web Beacons.** We may collect information using Web beacons (aka clear gifs). Web beacons are electronic images that may be used on our Sites or in our emails. We use Web beacons to count visits, understand usage and campaign effectiveness and to tell if an email has been opened and acted upon.

(iii) **Google Analytics.** We use Google Analytics to help analyze how users use the Sites. Google Analytics uses Cookies to collect information such as how often users visit the Sites, what pages they

visit, and what other sites they used prior to coming to the Sites. We use the information we get from Google Analytics only to improve our Site and services. Google Analytics collects only the IP address assigned to you on the date you visit the Sites, rather than your name or other personally identifying information. We do not combine the information generated through the use of Google Analytics with your personal data. Although Google Analytics plants a persistent Cookie on your web browser to identify you as a unique user the next time you visit the Site, the Cookie cannot be used by anyone but Google. Google's ability to use and share information collected by Google Analytics about your visits to the Sites is restricted by the Google Analytics Terms of Use and the Google Privacy Policy.

(c) Social Networks and Social Media Guidelines

(a) Social Networks. If you log in to one of the Sites with your login credentials from a social networking site ("SNS"), such as Facebook, we may receive personal and anonymous data about you from the SNS. We may add this information to the information we have already collected from you via our Sites, and we may use it as described in this Policy. We are not responsible for any errors in the information your SNS provides to us. We may provide information about you to your SNS in accordance with your request (e.g., if you want to post something from our Sites to your Facebook wall), for your SNS's own use, which will be subject to the SNS's privacy policy. We have no control over, do not review, and cannot be responsible for any SNS's use of information we provide to it or for whether SNS complies with its own privacy policy.

(b) Social Media Guidelines. Company owned, controlled, managed or monitored social media pages are created as a resource to inspire and encourage you in your efforts to have a great experience through participation in events and races that help you achieve your goals and commitments. We look forward to your conversations, and want to ensure you understand the following expectations on any of our social networks:

Please feel free to express your opinion and feel comfortable to enter any discussion or ask relevant questions, but comments and questions that do not respect the event, topic, community or event will be removed.

Not all conversations are reviewed. We fully reserve the right to remove any comments or posts that do not follow our guidelines (spam or inappropriate information or links; libel, misleading, incorrect, threatening, defamatory, offensive, abusive, hateful, fraudulent, profane or off-topic comments; anything suggesting deceptive or illegal activity).

Remember, these are public channels, so please do not post any personal or secure information about yourself or others.

We do not endorse or control any third-party link, advertising or suggestions that we did not originate.

Social networks are owned and operated by a third party not affiliated with Company. Those sites are governed by each network's privacy policies and terms. All users must comply with those specified terms of use and guidelines. If a user repeatedly engages in inappropriate activity, we reserve the right to block, ban or remove the user from participating on a page, service or platform.

User comments and posts do not necessarily represent the opinions of Company, its events, its employees, its sponsors or its partners. We are not responsible for, and do not confirm the accuracy of

the comments, visuals, videos or any other types of material posted by users on a page, service or platform.

### Third Parties

(a) Third Party Advertisements. We may also use third parties to serve ads on the Sites. Certain third parties may automatically collect information about your visits to our Sites and other websites, your IP address, your ISP, the browser you use to visit our Sites (but not your name, address, email address, or telephone number). They do this using Cookies, clear gifs, or other technologies. Information collected may be used, among other things, to deliver advertising targeted to your interests and to better understand the usage and visitation of our Sites and the other sites tracked by these third parties. This Policy does not apply to, and we are not responsible for, Cookies, clear gifs, or other technologies in third party ads, and we encourage you to check the privacy policies of advertisers and/or ad services to learn about their use of Cookies, clear gifs, and other technologies. If you would like more information about this practice and to know your choices about not having this information used by these companies, visit <http://optout.aboutads.info>

(b) Registration Partners. We may use third parties or Affiliates event registration services for Company events ("Registration Partners"). We currently use Active.com but Company may partner with other third party registration services. This Policy does not apply to, and we are not responsible for, these Registration Partners, and we encourage you to check the privacy policies of these Registration Partners to learn about the privacy practices. Registration Partners may share your information with us in accordance with their privacy policies and we may share your information with them as described below.

### Use Of Information We Collect

(a) We use personal information collected through our Sites for the purposes described in this Policy or disclosed to you on our Sites or in connection with our services. For example, we may use your information to:

create and manage your account;

operate and improve our Sites, products and services;

customize the content and/or layout of our page for each individual visitor;

send you information about new Sweepstakes, rewards, upcoming events, and other news about products and services offered by Company and our Marketing Partners;

understand you and your preferences to enhance your experience and enjoyment using our Sites, products, and services;

process and deliver Sweepstakes entries and rewards;

respond to your comments and questions and provide customer service;

provide and deliver products and services you request;

process your event registration and participation in the event;

process your payment;

send you administrative information, including updates to terms of service or privacy policy, registration and event information, Sweepstakes information, confirmations, invoices, technical notices, updates, security alerts, and support and administrative messages;

link or combine it with other personal information we get from third parties.

- (b) We may store and process personal information in the United States and other countries.
- (c) We may create aggregate or de-identified information from your personal information. We may use this information for any purpose.

#### Sharing of Personal Information

(a) Information We Share. We do not share your personal information with third parties other than as follows:

- (i) We share your information with and otherwise enable third party vendors, consultants and other service providers who work for us and need access to your information to collect your information in order to do that work.
- (ii) We share your information (i) to comply with laws or to respond to lawful requests and legal process or in connection with a legal investigation, (ii) to protect the rights and property of Company, our agents, customers, members, and others including to enforce our agreements, policies and terms of use or (iii) in an emergency to protect the personal safety of Company, its customers, or any person.
- (iii) We share your information in connection with or during negotiation of any merger, financing, acquisition, or dissolution, transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets to another Company, or any bankruptcy proceedings.
- (iv) If you register for an event through a Registration Partner, we may disclose your personal information to the Registration Partner to allow them to process the registration for the event.
- (v) If you enter a Sweepstakes, we may disclose your personal information to third parties involved in the Sweepstakes (“Sweepstakes Partner”) to allow them to process the Sweepstakes and market their products or services to you or for other marketing purposes.
- (vi) We may disclose your personal information to our third party sponsors and marketing partners (collectively, “Marketing Partners”) to allow them to market their products or services to you, to measure the effectiveness of their marketing campaigns, promotions, endorsements and sponsorships or for other marketing purposes.

(b) We may also share aggregated or de-identified information with any third party.

#### Security

Company has established and maintains reasonable security procedures to protect the confidentiality, security and integrity of your personal information. We use a variety of industry-standard security measures to maintain the safety of your personal information. “Perfect security,” however, does not exist on the Internet. Although your privacy is very important to us, due to the existing legal regulatory and security environment, we cannot fully ensure that your private communications and other personal information will not be disclosed to third parties.

## Choice/Opt-Out

(a) (a) You may opt-out of receiving promotional electronic messages from us by following the instructions typically stated in the footer in those messages. You may opt-out of receiving promotional postal mail from us by writing to us at 10xEM, LLC, 927 N. Hedgewood Drive, Palatine, IL 60074. If you opt-out, we may still send you non-promotional electronic messages (as permitted by law) and postal mail, such as emails and postal mail about your accounts or our ongoing business relations. You may also send requests about changes to your information by emailing [info@race10x.com](mailto:info@race10x.com).

(b) To opt-out of our further sharing of your personal information with the Registration Partners, Marketing Partners and/or Sweepstakes Partners, you may contact us by emailing or writing to us at the address listed below. To opt-out of further receiving marketing from Registration Partners, Marketing Partners and/or Sweepstakes Partners, you must do so directly with that Registration Partners, Marketing Partners and/or Sweepstakes Partners. Once we share your information with the Registration Partners, Marketing Partners and/or Sweepstakes Partners, their privacy policies, and not this Policy, will apply to their use of your information.

## Changes to This Privacy Policy:

This Policy is subject to occasional revision, and if we make any material changes in the way we use your personal information, we will notify you by sending you an e-mail to the last e-mail address you provided to us and/or by prominently posting notice of the changes on our Site. Any material changes to this Policy will be effective upon the earlier of thirty (30) calendar days following our dispatch of an e-mail notice to you or thirty (30) calendar days following our posting of notice of the changes on our Site. These changes will be effective immediately for new users of our Site. Please note that at all times you are responsible for updating your personal data to provide us with your most current e-mail address. In the event that the last e-mail address that you have provided us is not valid, or for any reason is not capable of delivering to you the notice described above, our dispatch of the e-mail containing such notice will nonetheless constitute effective notice of the changes described in the notice. In any event, changes to this Policy may affect our use of personal information that you provided us prior to our notification to you of the changes. If you do not wish to permit changes in our use of your personal information, you must notify us prior to the effective date of the changes. Continued use of our Sites following notice of such changes shall indicate your acknowledgement of such changes and consent to such changes.

## Contact Information

Company welcomes your comments or questions regarding this Policy.

Please contact us at the following:

10xEM, LLC, 927 N. Hedgewood Drive, Palatine, IL 60074 or by emailing [info@race10x.com](mailto:info@race10x.com).