

PRIVACY POLICY

Effective Date: July 19, 2019
Updated: February 19, 2020

Welcome! Brand Activation Maximizer, LLC, JTG Racing, LLC and their affiliates (collectively, “**BAM**” or “we”) is committed to safeguarding your personal information and privacy.

WHERE THIS PRIVACY POLICY APPLIES

This Privacy Policy applies to the information that BAM collects (directly or indirectly) when you use <http://activatebam.com>, <https://jtгдаughertyracing.com>, <http://winwithbam.com> or BAM Live™ (BAM’s digital engagement service), when you provide us your information by telephone or email or at an in-person event or when you engage with us through any website or application in which this Privacy Policy is linked or referenced (together, the “**Services**”).

Please read this Privacy Policy carefully to learn what information we collect, why we collect it and what we do with the information we collect. If you do not agree with any part of it, you are not authorized to use the Services.

This Privacy Policy applies only to information collected by BAM. Unless BAM’s Privacy Policy is displayed on a third-party website (including linked third-party websites and services that are not operated by us), you are subject to the privacy practices and policies of the third-party website or service, not ours.

INFORMATION WE COLLECT

The information we collect depends on how and why you use the Services:

- BAM collects your personal contact details and the other information you provide when you participate in one of the sweepstakes, contests or other promotions that we operate or when you create an account to use certain Services.
- If you send us an email or otherwise submit an inquiry, BAM collects the information that you choose to give us.
- We collect purchase-related information, such as purchases you make but payments for your purchases are processed by PayPal. We do not receive your payment information and PayPal contractually agrees with us to use your personal information only as necessary to complete the requested transaction. Please read PayPal’s [Privacy Statement](#) to learn how PayPal processes your payment-related information.
- When you apply for a job, we collect the employment-related information you submit, such as job preferences, work history and similar information provided in your application.

BAM automatically collects certain information about how you access the Services. Depending on the settings of your browser, computer or mobile device, the information that we automatically collect includes the date and time you access the Services; browser

type and language; the make, model and operating system version of your computer or mobile device; your Internet Protocol (IP) address or MAC address; country and time zone in which your device is located and other general location information derived from your IP address (e.g., city, state); internet service provider; mobile network information; and certain metadata stored on the device. This information is collected through cookies and other data collection technology, as described below.

When you allow us to do so, some of the Services collect precise geo-location information (e.g., GPS and WiFi). Of course, you can turn off collection of your geo-location at any time by accessing the privacy settings of your device's operating system and in some cases through the settings in the application.

You also can engage with us through social media plug-ins, integrations and application, such as Facebook and Twitter. When you engage with BAM through these social media services, you may allow us to have access to information in your profile, such as your name, email address, photos, gender, birthday, location, social media profile ID, likes, friends, connections, follows and posts. For more information, please visit the relevant social media privacy policy and terms of service/use to learn how to manage your privacy settings. BAM also collects information from other sources, such as contact lists that we acquire from our partners, and may combine that information with other information we collect.

OUR USE OF COOKIES AND OTHER DATA COLLECTION TECHNOLOGY

The Services use cookies, pixel tabs (also known as web beacons, flash cookies and clear GIFs) and similar data collection technology.

A cookie is a small data file that contains a unique identification number that is stored in your web browser when you surf the Internet. Cookies store information about your computer, the type of browser you use and how many times you visit a certain site.

Cookies set by us are called "first party cookies." Cookies enable us to track how often people are using the Services and the specific pages visited and similar actions. Cookies set by other parties are called "third party cookies". Third party cookies enable certain features such as social media, advertising, interactive content and analytics. The parties that set these third-party cookies can recognize your browser or device both when it visits a particular website and when it visits other websites.

You can set your web browser to reject cookies. You do not need to have cookies turned on to use most of the Services. You may, however, find that some areas on the Services are slower or do not function at all if cookies are disabled. To learn more about cookies generally, visit <http://www.allaboutcookies.org>.

The Services also may from time to time use clear GIFs (also known as pixel tags or web beacons). A clear GIF is computer code that contains a unique identifier that enables us to monitor user activity and traffic of the Services. We use GIFs to gather aggregate

information on visits to the Services, track usage of website links and assist with features of the Services.

Why we use data collection technology. Some cookies – known as “essential” or “strictly necessary” cookies – are required for technical reasons in order for our Services to operate.

Other cookies enable us and our third-party service and advertising partners to improve your experience of the Services and to infer ads that are most relevant to you and target those ads to you. That is, when you surf the Internet, you may see different kinds of ads, such as ads next to search results. Sometimes, these ads are based on the content of the pages on which they appear and sometimes these ads are generated by matching the particular ad to your interests as inferred from your online activities collected over time.

Generally, the information collected through data collection technology does not directly identify you to us personally and is aggregated with other data to create advertising segments, such as “stock car racing fan.” If you are no longer interested in receiving interest-based ads, you can opt-out by visiting [Ad Choices](#) (US).

We also use Google Analytics, which collects aggregate information about use of the Services and reports website trends to us. Google Analytics does not directly identify individual users. We also use Google’s targeted advertising services. You can learn about Google’s practices at <https://safety.google/privacy/privacy-controls/>.

Our Policy On Do Not Track Signals. Most web browsers incorporate a “Do Not Track” (“DNT”) or similar feature that signals to websites that a user does not want to have his or her online activity and behavior tracked. If a website that responds to a particular DNT signal receives the DNT signal, the browser blocks that website from collecting certain personal information about the browser’s user. Not all browsers offer a DNT option and DNT signals are not yet uniform. For this reason, many website operators, including BAM, do not respond to DNT signals.

HOW WE USE INFORMATION

We use information for the purpose for which it is collected and as described in this Privacy Policy.

To provide the features, products and services you request

- Create and manage your account
- Enter you in sweepstakes, contests or other promotions and notify you of results
- Register you for an event
- Register you for certain features, products and services in line with your chosen marketing preferences

To customize your experience on the Services

- Provide you with personalized content, information
- *Deliver coupons, offers and other information about our partners*

- Send you marketing information

To communicate with you about products or services that may interest you

- Develop, display and track advertising targeted to your interests, both on the Services and other websites and applications
- Inform you about our products and services offered by our partners
- Notify you about our social media posts and other resources

To improve the Services and develop new ones

- Research and analyze users' behavior to improve the Services
- Develop new services

To prevent, detect and fight fraud or other illegal or unauthorized activities

- Investigate complaints we received about the Services
- Address ongoing or alleged fraud on or through the Services or our promotion partners' websites and services
- Analyze data to better understand and design countermeasures against fraud
- Retain information related to fraudulent activities to prevent recurrence

To ensure legal compliance

- Comply with legal requirements
- Assist law enforcement with law enforcement investigations, such as hacking or fraud
- Enforce or exercise our rights, such as violations of the official rules for a promotion or our terms of service

HOW WE SHARE INFORMATION

We share information as described in this Privacy Policy or as otherwise disclosed to you at the time information is collected from you.

- ***With our customers, sponsors and co-branding partners***

We partner with brands, retailers, events, charities, sports leagues, other agencies and to create promotions and campaigns to engage consumers. We may share your contact information with our customers, sponsors of our racing team and co-branding partners but they are required to use your information consistent with this Privacy Policy.

- ***With our suppliers***

Third-party suppliers help us operate and improve the Services. These suppliers assist us with technology (e.g., specialized mobile apps, targeted advertising), data hosting and maintenance, analytics, marketing and cybersecurity operations. We require our suppliers to protect the confidentiality of your information consistent with this Privacy Policy.

- ***For corporate transactions***

We may transfer your information if we are involved (in whole or in part) in a merger, sale, acquisition, divestiture, restructuring, reorganization, dissolution, bankruptcy or other change of ownership or control.

- ***When required by law***

Applicable law may require us and our suppliers to disclose your information if: (i) reasonably necessary to comply with a legal process, such as a court order, subpoena or search warrant, government/regulatory investigation or request or

similar requirements; or (ii) necessary for the prevention or detection of crime (subject to applicable law).

- **To enforce legal rights**

We also may share information: (i) if disclosure would mitigate our liability in an actual or threatened lawsuit or government investigation; (ii) as necessary to protect our legal rights and legal rights of our users, business partners or other interested parties; (iii) to enforce our agreements with you; and (iv) to investigate, prevent or take other action against illegal activity, suspected fraud or other wrongdoing.

- **With your consent or at your request**

We may ask for your consent to share your information with third parties, such as our promotion and advertising partners, in new ways not described in this Privacy Policy. When we do, we will notify you about why we want to share the information.

We may collect and aggregate information, such as how many people entered a promotion, and share it with our partners and affiliates but we design out information-sharing practices to avoid use of information that directly identifies any individual person.

HOW WE PROTECT AND RETAIN INFORMATION

We use physical, technical and organizational measures designed to protect your personal information against unauthorized access and loss. We restrict access to your personal information to those employees and authorized suppliers who need to know that information to perform their job functions.

Although we take precautions intended to help protect information that we process, no system or electronic data transmission is completely secure. Please use your own security measures to protect your personal information. If you create an account with us, please protect your password – actions taken through your user account are deemed authorized by you. If you believe that your account or information is no longer secure, please notify us immediately at data@ActivateBAM.com.

We may suspend your use of all or part of the Services without notice if we suspect or detect any breach of security. You understand and agree that we may deliver electronic notifications about breaches of security to the email address associated with your account or in our database.

We retain your personal information for as long as needed to fulfill the purpose for which it was collected unless a longer retention period is required or permitted by law. When your personal information is no longer needed, we securely destroy it as required by law.

CALIFORNIA PRIVACY NOTICE

The California Consumer Privacy Act of 2018 (“**CCPA**”) offers residents of the State of California – referred to as “**Consumers**” in CCPA – certain privacy rights with respect to their Personal Information. This California Privacy Notice describes the privacy rights available to California Consumers and how to exercise them.

In CCPA, “**Personal Information**” means information that identifies, relates to, describes, is capable of being associated with or could reasonably be linked, directly or indirectly, with a particular California Consumer or household.

California Privacy Rights

If you are a California Consumer, then CCPA gives you the following rights:

- You have the right to request information about the Personal Information that we collected about you (see table below) and how and why we collect it.
- You have the right to opt out of BAM’s sale of your Personal Information when and if BAM determines the purpose and means of processing your Personal Information. (In CCPA, “**sale**” means transferring or making available Personal Information to third parties for monetary or other valuable consideration.) Please click here [\[add link to opt out page\]](#) for details about how to opt out of sale.
- You have the right to request information about our disclosure for business purposes of your Personal Information to third parties.
- You have the right to request the deletion of your Personal Information.
- You have the right to not be discriminated against for exercising any of these rights.

The following table lists categories of Personal Information that generally match the categories in the definition of Personal Information in CCPA. We indicate for each listed category the specific types of Personal Information in the category that we have collected within the past 12 months. We use all of the Personal Information that we collect for the purposes described in this Privacy Policy and table below.

Category of Personal Information in CCPA	Examples of Personal Information in CCPA Category that BAM Collects	Why BAM Collects this Personal Information
A. Identifiers	Name, postal address, email address, unique identifier, Internet Protocol address, user account name, Social Security number and similar identifiers.	<ul style="list-style-type: none"> ○ To customize your experience ○ To promote our customers and their products and services ○ To deliver advertising some of which is targeted based on your online activity and inferred interests ○ To issue you the relevant tax forms if you win a prize in one of our promotions ○ To communicate with you
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	name, signature, social security number, address, telephone number and current employer and work address	<ul style="list-style-type: none"> ○ To customize your experience ○ To promote our customers and their products and services ○ To deliver advertising some of which is targeted based on your online activity and inferred interests ○ To issue you the relevant tax forms if you win a prize in one of our promotions ○ To communicate with you
C. Protected classification characteristics under California or federal law	NONE	N/A

Category of Personal Information in CCPA	Examples of Personal Information in CCPA Category that BAM Collects	Why BAM Collects this Personal Information
D. Commercial information	Records products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	<ul style="list-style-type: none"> ○ To customize your experience ○ To promote our customers and their products and services ○ To deliver advertising some of which is targeted based on your online activity and inferred interests
E. Biometric information	NONE	N/A
F. Internet or other similar network activity	Browsing history, search history, information on a consumer's interaction with online services and digital advertisements.	<ul style="list-style-type: none"> ○ To customize your experience ○ To promote our customers and their products and services ○ To deliver advertising some of which is targeted based on your online activity and inferred interests
G. Geolocation data	Physical location or movements from GPS, WiFi and/or Bluetooth (when a user's device operating system settings allow collection)	To deliver targeted offers on behalf of our customers based on a user's location
H. Audio, electronic, visual, thermal, olfactory or similar information.	NONE	N/A
I. Professional or employment-related information	Current employer and work address.	To verify employer, work address and job title when we conduct surveys on behalf of our customers
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g, 34 C.F.R. Part 99))	NONE	N/A
K. Inferences drawn from other categories (A. – L above) to create a profile about a consumer	Profile reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes."	<ul style="list-style-type: none"> ○ To customize your experience ○ To deliver advertising, some of which is targeted based on your online activity and inferred interests

We provide information about how we use and disclose personal information above in this Privacy Policy.

In CCPA, “**sale**” means transferring or making available Personal Information to third parties for monetary or other valuable consideration. Since we share most of this Personal Information with other businesses (such as our customers, sponsors and co-branding partners) and this sharing enables BAM to generate valuable consideration (such as racing team sponsorships and advertising), it is likely that each of these categories was “sold” in the past twelve months.

How to Submit Your Request to Exercise Your California Privacy Rights

Please note:

- We may (and in some cases are required to) verify your identity before we can act on your request to exercise your privacy rights.
- We may not honor part or all of a request you make to exercise your rights under CCPA – for example, certain information we collect is exempt from this California Privacy Notice, such as publicly-available information collected from a government agency. When this occurs, we will explain why in our response.

If you are a California resident and would like to exercise one or more of your privacy rights, please:

- (1) Fill out <https://form.jotform.com/200497391242050>.
- (2) Call us at 1-877-428-3226 Please tell our customer service team that you are a California resident and would like to exercise your privacy rights.
- (3) Send an email to data@activatebam.com Please include “California Privacy Rights” in the subject line.

If this California Privacy Notice and any provision in the rest of our Privacy Policy conflict, then this California Privacy Notice controls for the processing of Personal Information of California Consumers.

A different California law permits California residents to request a notice disclosing the categories of personal information about you that we have shared with third parties for their direct marketing purposes during the preceding calendar year. To request this notice, please submit your request by mail to Brand Activation Maximizer, LLC, 7201 Caldwell Road, Harrisburg, North Carolina 28075 or by email to data@activatebam.com. Please include “California Privacy Rights” in the subject line.

If you receive marketing emails from us, you can opt out at any time by clicking the opt-out or unsubscribe link in the marketing email. Once you opt out, we will no longer send you marketing emails but still may send you emails with transactional or similar information, such as informing you that you won a sweepstakes.

CHILDREN’S PRIVACY

BAM does not knowingly collect personal information from minors. If we learn that a minor has provided us with personal information, we delete that personal information from our records.

QUESTIONS?

If you have any questions about this Privacy Policy or the Services, please contact us at info@ActivateBAM.com or at:

Brand Activation Maximizer, LLC
7201 Caldwell Road
Harrisburg, North Carolina 28075