

## **Privacy Policy**

This Privacy Policy sets out the privacy policies and practices for Make 'Em All, LLC and its affiliates (“FLAT CAT® Golf”) with respect to our collection, use, and disclosure of personal information, including in respect of websites that we operate from time to time such as [www.flatcatgolf.com](http://www.flatcatgolf.com) (collectively, the “Sites”). This Privacy Policy may be updated by FLAT CAT® Golf giving reasonable notice of the revised terms (including by e-mail or by posting on the Site), and this Privacy Policy may be supplemented or modified by agreements entered into between FLAT CAT® Golf and an individual from time to time.

In this Privacy Policy, “personal information” means any information about an identifiable individual, as further defined under applicable State laws, Canadian law, and/or EU law.

### **Collection and Use of Personal Information**

FLAT CAT® Golf collects and uses personal information from customers and others (an “Individual”) as follows:

- FLAT CAT® Golf may collect and maintain personal information such as an Individual’s name, contact information, payment card information and purchase history when an Individual subscribes for services or purchases products on our website.
- FLAT CAT® Golf may collect personal information from an Individual where the Individual submits an application for programs operated from time-to-time by FLAT CAT® Golf or for an employment opportunity (such as that contained in a resume, cover letter, or similar employment-related materials). We use submitted personal information as is reasonably required to assess the Individual’s eligibility in the Programs and to advertise and promote the Programs or to assess the Individual’s suitability for employment at FLAT CAT® Golf as well as to process the application and respond to the Individual.
- When participating in a contest or promotion, we may collect personal information, such as a contest winner’s name, city of residence, and prize

winnings in order to award prizes and promote such contests. This information may be published in connection with contests.

- From time to time, we may obtain an Individual's consent to use the Individual's contact information to provide periodic newsletters or updates, announcements and special promotions regarding FLAT CAT® Golf products and services.
- Personal information about an Individual, including name, email address, mailing address, phone number, credit card or other financial information, and a username and password, may be collected when an Individual signs up for our Site services. FLAT CAT® Golf uses such personal information as is reasonably necessary for operating and managing these services, including without limitation processing online registrations, billing credit cards, processing payments, and to develop and improve our product and service offerings.
- FLAT CAT® Golf may collect demographic and profile data in connection with the Sites and, together with publicly available information, we use such data to tailor each Individual's experience at the Sites and display content according to an Individual's preferences.

In order to use certain features on the Sites, an Individual may be required to register and provide personal information such as name, email address, location, date of birth, and/or the user name and password that the Individual chooses. We use this information to identify you, provide the requested feature and, with respect to date of birth, to verify that you meet the minimum age requirement. Your username or other information may be disclosed in conjunction with such services (e.g., posting feedback with username and location). By making publicly available his or her personal information on the Sites, the Individual consents to the publication of such personal information. By publishing personal information about another individual, the Individual represents that he or she has, where required by applicable privacy laws, obtained the consent of such individuals to publish such information.

When you contact us with a comment, question or complaint, you may be asked for information that identifies you (such as your name, address and a phone

number) along with additional information we need to help us promptly answer your question or respond to your comment or complaint. We may also retain this information to assist you in the future and to improve our customer service and product and service offerings.

FLAT CAT® Golf may use customer information for additional purposes that are identified at or before the time that the information is acquired and/or used for those identified purposes.

### **Disclosure of Personal Information**

FLAT CAT® Golf will not disclose, trade, rent, sell or otherwise transfer personal information for purposes other than as those set out herein, except with an Individual's consent or as required or permitted by law.

#### **FLAT CAT® Golf may transfer or disclose personal information as follows:**

FLAT CAT® Golf may transfer your personal information to third-party service providers or agents who provide services to or on behalf of FLAT CAT® Golf such as hosting, data management and storage services, and market analyses. Either FLAT CAT® Golf or such third party service provider may use servers for such purposes located in the United States or another foreign country. The personal information of an Individual may be processed and stored in the United States or such other foreign country, and the governments, courts or law enforcement or regulatory agencies of that country may be able to obtain disclosure of personal information through the laws of the foreign country.

FLAT CAT® Golf, our affiliates, and our service providers may provide your personal information in response to a search warrant or other legally valid inquiry or order, or to an investigative body in the case of a breach of an agreement or contravention of law, or as otherwise required by applicable US, Canadian or other law. We may also disclose personal information where necessary for the establishment, exercise or defense of legal claims.

We may transfer any information we have about you as an asset in connection with a merger or sale (including transfers made as part of insolvency or

bankruptcy proceedings) involving all or part of FLAT CAT® Golf or as part of a corporate reorganization or stock sale or other change in corporate control.

### **Cookies and IP Addresses**

FLAT CAT® Golf collects and uses an Individual's IP address to help identify the Individual, gather broad demographic information about users of the Sites, diagnose problems with FLAT CAT® Golf systems, and administer the Sites.

Depending on an Individual's browser settings, the Sites may use cookies. A cookie is a tiny element of data that our Sites can send to an Individual's browser, which may then be stored on their hard drive so we can recognize them when they return to the Sites. We use cookies to deliver content according to the Individual's preferences and to save the Individual's password so that the Individual is not required to re-enter it while the Individual uses the Sites. If an Individual's browser settings do not accept cookies from our Sites, they may not be able to take advantage of all of the features of our Sites.

### **Third Party Links**

Our Sites may contain links to other sites that FLAT CAT® Golf does not own or operate. Also, links to our Sites may be featured on third party websites on which we advertise. Except as provided herein, FLAT CAT® Golf will not provide an Individual's personal information to these third parties without the Individual's consent. We provide links to third party websites as a convenience to Individuals. These links are not intended as an endorsement of or referral to the linked websites. The linked websites have separate and independent privacy statements, notices and terms of use, which we recommend Individuals read carefully. FLAT CAT® Golf does not have any control over such websites, and therefore you agree that FLAT CAT® Golf has no responsibility or liability for the manner in which the organizations that operate such linked websites may collect, use, disclose, secure and/or otherwise treat an Individual's personal information.

### **Security**

FLAT CAT® Golf has implemented measures designed to protect against the theft, loss, unauthorized access, use, disclosure and alteration of personal information

in our custody and control with security measures appropriate to the sensitivity of the information, including through the use of reasonable physical, organizational, and technological safeguards and appropriate training of employees. FLAT CAT® Golf's third party service providers are obligated to maintain confidentiality and security of the personal information transferred to them and are not authorized to use such information other than to provide the services or as otherwise permitted by law.

An Individual's online access to certain of their personal information may be protected with a username and/or password that the Individual chooses. FLAT CAT® Golf strongly suggests that Individuals do not disclose their username or password to anyone. FLAT CAT® Golf never asks for an Individual's password in any unsolicited communication.

FLAT CAT® Golf retains personal information only as long as necessary for the purposes outlined in this Privacy Policy or as required or permitted by law.

### **Opt-Out**

Individuals are given the opportunity to opt-out of receiving communications from FLAT CAT® Golf by using the unsubscribe mechanism at the bottom of email communications we send or by contacting our Chief Privacy Officer (the "Privacy Officer") using the contact information provided below.

### **Access/Corrections**

An Individual may contact the Privacy Officer to access, modify or correct inaccuracies in any of his or her personal information that is under FLAT CAT® Golf's custody or control. An Individual may also direct a written complaint regarding compliance with this Privacy Policy to the Privacy Officer and, within a reasonable time upon receiving the written complaint, the Privacy Officer will conduct an investigation into the matter. Within a reasonable time of concluding the investigation, the Privacy Officer will respond to the complaint and, if appropriate, FLAT CAT® Golf will take appropriate measure necessary to rectify the source of the complaint.

## **Contact**

If an Individual has any questions about this Privacy Policy or the collection, use, disclosure, or retention of the Individual's personal information by FLAT CAT® Golf or its service providers, please contact the Privacy Officer as follows:

[privacyinfo@flatcatgolf.com](mailto:privacyinfo@flatcatgolf.com)