

## Underdog Fantasy Sports, LLC

### Privacy Policy

Your privacy is important to us at Underdog Sports, LLC d/b/a Underdog Fantasy and their affiliates (collectively “**Underdog**,” “**we**,” “**us**,” or “**our**”), and we are committed to safeguarding, preserving, and respecting your privacy rights. This online privacy statement (the “**Statement**” or “**Policy**”) describes how we collect, use, disclose, and secure the personal information we gather about you through our website, <https://underdogfantasy.com/>, (the “**Site**”), our application, when you view or interact with Underdog social media accounts or any social media accounts or content affiliated with us, when you participate in Fantasy Contests (as defined in our Terms of Use), and when you otherwise interact with us (collectively, the “**Services**”).

For purposes of this Statement, personal information means data that classifies as personal information, personal data, personally identifiable information, or similar terms under applicable data privacy and security laws and regulations. It does not include data excluded or exempted from those laws and regulations, such as aggregated, anonymized, or deidentified data. Nothing in this Statement will constitute an admission or evidence that any particular data privacy or information security law or regulation applies to Underdog generally or in any specific context.

This Policy expressly incorporates any privacy notices we may issue to supplement this Policy. Depending on your residency, a supplemental privacy notice may apply to you. For example, if you are a California resident, please view our California Privacy Policy.

#### 1. You Consent to This Statement

You should read this Statement carefully, so that you understand our privacy practices and our Terms of Use. By accessing, browsing, downloading, or otherwise using the Services, you confirm that you have read, understood, and agreed with this Statement. If you do not agree to this Statement, you may not use the Services.

This Statement and the Terms of Use apply regardless of how the Services are accessed and will cover any technologies or devices by which we make the Services available to you.

We may provide you with additional privacy notices where we believe it is appropriate to do so. It is important that you read this Statement together with any other privacy notice or terms we may provide on specific occasions, so that you are fully aware of how and why we are using your data. This Statement supplements these other notices and is not intended to override them.

If you have any questions or concerns about our personal information policies or practices, you can contact us in the methods described in the “**Contact Us**” section below.

#### 2. What Types of Information Do We Collect?

We collect information you voluntarily provide directly to us, information that we collect automatically when you interact with the Services, and information collected from third parties. The categories of personal information that we collect and the purposes for which we collect that information are described below.

## Categories of Personal Information We Collect

The following list describes the categories of personal information we collect.

- *Account Information* includes name, email address, postal mailing address, telephone number, date of birth, profile photo, username, and password. We may also collect identity verification information in connection with creating your account such as your Social Security Number, passport information, driver’s license information, other identity documents, and tax-related information. We collect this information for the purposes of account creation and maintenance, advertising and marketing, analytics and research, customer service, providing the Services, and website security and maintenance.
- *Analytics Information*. We collect certain analytics information automatically as you navigate our Services. This includes

cookies, tracking pixels, tags or similar tools, which may collect information about your browser, device, geolocation, and interactions with the Services, Site, or emails. For more information, please view the **“How Do We Use “Cookies” and Other Tracking Technologies?”** section below. We collect this information for the purposes of account management, advertising and marketing, analytics and research, customer service, providing the Services, and website security and maintenance.

- *Contact Information* includes name, email address, postal mailing address, contacts you choose to submit, and phone number. We collect this information when you provide it directly to us such as signing up for newsletters, requesting information about Underdog services, creating an account, or filling out a form. We collect this information for the purposes of advertising and marketing, analytics and research, and customer service.
- *Geolocation Information* includes information related to your IP address or GPS location. This information may be collected using analytics tools, or when you share location information with us. We collect this information when you allow it to verify your identity, to comply with applicable federal and state law, and to prevent and detect fraud.
- *Payment and Commercial Information* includes name, address, phone number, third party payment service provider-related information, debit or credit card information, purchase and participation history, or other payment processing information. We, or our service providers, collect this information for the purposes of account management, customer service, providing the Services, and website security and maintenance.
- *Responses to Surveys and Questionnaires* includes information you provide to us when you respond to marketing materials, promotions, contests, or other surveys. We collect this information for the purposes of advertising and marketing, analytics and research, and customer service.
- *Social Media Information* includes information that you post by sharing on a blog or another social media platform, or information you post on public areas of our Services, such as your profile photo. We collect this information when you provide it directly to us. Please note that your comments will be visible to the public, so you should never share personal information that you would like to keep private. We collect this information for the purposes of advertising and marketing, and analytics and research.
- *User-Generated Content*. If you post, upload, comment, or otherwise submit content on the Services, we may collect certain information about you such as your name and email address and products you may have purchased. Be aware that as a default, any information you post on the Services, including without limitation reviews, comments, and text, may be available to and searchable by all users of the Services. We collect this information for the purposes of advertising and marketing, and analytics and research.

## Purposes for Collection of Personal Information

The following chart identifies the purposes for which we may collect your personal information, as well as information regarding our use and disclosure of that personal information. Please note that we may not collect each category of information about each user of our Services.

Purpose	Categories of Personal Information	Targeted Ad / Sales	Data Shared with Third Parties	Categories of Third Parties
Account Management	Account Information Analytics Information Payment and Commercial Information	Yes / No	Analytics Information	Analytics Providers Third Party Advertisers

Providing the Services	Account Information Analytics Information Payment and Commercial Information	Yes / No	Analytics Information Commercial History Contact Information	Analytics Providers Third Party Advertisers
Advertising and Marketing	Account Information Analytics Information Contact Information Payment and Commercial Information Responses to Surveys and Questionnaires Social Media Information User Generated Content	Yes / No	Analytics Information Commercial History Contact Information	Analytics Providers Third Party Advertisers
Analytics and Research	Account Information Analytics Information Contact Information Payment and Commercial Information Responses to Surveys and Questionnaires Social Media Information User Generated Content	Yes / No	Analytics Information Commercial History Contact Information Social Media Information	Analytics Providers Third Party Advertisers
Customer Service	Account Information Analytics Information Contact Information Payment and Commercial Information Responses to Surveys and Questionnaires	Yes / No	Analytics Information	Analytics Providers Third Party Advertisers
Website Security and Maintenance	Account Information Analytics Information	No / No	N/A	N/A

## Other Ways We May Collect, Use, or Share the Information

We may also reserve the right to collect, use, or share personal information for the following purposes:

- *To Provide the Services.* We will use your personal information to provide the Services, including to administer Fantasy Contests, to improve operations and offerings, and for security purposes.
- *To Present the Site.* We will use personal information to present our Site and its contents in a suitable and effective manner for you and your device.
- *For Legal Purposes.* We reserve the right to cooperate with local, provincial, state, federal and international officials in any investigation requiring either personal information or reports about lawful or unlawful user activity on this site. We also reserve the right to share your personal information to establish, exercise, or defend our legal and property rights, including providing information to others for the purposes of fraud prevention. We may also share your personal information with any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that personal information.

Please note that we are in a highly regulated industry, and we therefore may need to provide your information to regulators, agencies, or other groups that have oversight. We may also use your information to fulfill our obligations under applicable laws, regulations, or standards, including relating to threat detection and to determine whether we can provide Services to you.

- *Responsible Play.* As part of our commitment to responsible play, we may use the information collected about you to assess whether you are responsibly using the Services. In the event we identify potentially problematic information, we may reach out to you to provide resources to help ensure that you are using the Services responsibly. By using our Site or Services, you consent to our use of your information for these purposes.

*Identity Verification Vendors.* We use identity verification services to confirm your identity, to comply with federal law, and to detect and prevent fraud. We may disclose account information such as your name, date of birth, address, and identification information to achieve this purpose. You may authorize our services to verify your identity with a credit bureau for the purposes of identity verification which will not affect your credit score.

- *Business Transactions or Mergers.* We reserve the right to share your personal information to third parties as part of any potential business or asset sale, merger, acquisition, investment, round of funding, or similar type of transaction. Additionally, if we are entering into a corporate transaction with a third party, we may receive personal information in connection with the diligence. If we close a transaction, the third party may transfer personal information, which we would use as described in this Policy.
- *Bankruptcy or Insolvency.* In the event of bankruptcy, insolvency, or dissolution proceedings, we may share your personal information with third parties as part of the sale or reorganization process.
- *Service Providers.* We use service providers to perform various functions on our behalf. Such service providers will be under contractual obligations to safeguard your personal information and only process it in accordance with our instructions, or as otherwise permitted by applicable laws. We may also receive personal information from service providers.
- *Business Partners and Affiliates.* We may collect personal information from and share personal information with our business partners and affiliates, including legal advisors and financial advisors, marketing partners, and leaderboards. We may combine that information with other information we collect about you, but we will always use the information as described in this Policy. We may also share information with our affiliates, subsidiaries, joint ventures or other companies under common control.

### 3. How Do We Use “Cookies” and Other Tracking Technologies?

We may send one or more cookies to your computer or other device. We may also use other similar technologies such as tracking pixels, tags, or similar tools when you visit our Services. These technologies can collect data regarding your operating system, browser type, device type, screen resolution, IP address, and other technical information, as well as navigation events and session information as you interact with our Services. This information allows us to understand how you use the Services.

## What Are Cookies?

Cookies are small files created by websites, including our Services, that reside on your computer’s hard drive and that store information about your use of a particular website. When you access our Services, we use cookies and other tracking technologies to:

- Estimate our audience size and usage patterns;
- Store information about your preferences, allowing us to customize our Services according to your individual needs;
- Contact you to provide you with information or services that you request from us;
- Advertise new content, events, and services that relate to your interests;
- Provide you with more personalized content that is most relevant to your interest areas; and
- Recognize when you return to our Services.

We set some cookies ourselves and others are set by third parties. You can manage your cookies preference as described in the “**Managing Your Cookies**” section below.

## What Types of Cookies Do We Use and Why?

The following chart lists the different types of cookies that we and our service providers use on the Services, examples of who serves those cookies and links to the privacy notices and opt-out information of those cookie servers. Because the specific cookies we use may vary over time, as well as differ by the specific page you are browsing, the below chart is illustrative only.

Types of Cookies	Purpose	Who Serves (for example)
Essential	These cookies are required for the operation of the Services and enable you to move around the Services and use its features. Disabling these cookies can negatively impact the performance of Services.	<ul style="list-style-type: none"><li>• Underdog</li><li>• <a href="#">Adobe</a></li><li>• <a href="#">Amazon</a></li><li>• <a href="#">Google</a></li></ul>
Functionality	These cookies are used to recognize you when you return to the Services. This enables us to personalize content for you and remember your preferences. These cookies also enable your interactions with the Services such as emailing us and customer support chat.	<ul style="list-style-type: none"><li>• <a href="#">Fontawesome.com</a></li><li>• <a href="#">Google</a></li><li>• <a href="#">Wix</a></li><li>• <a href="#">Zendesk</a></li></ul>

Analytics, Performance, and Research	These cookies, beacons, and pixels allow us to analyze activities on the Services. They can be used to improve the functioning of the Services. For example, these cookies recognize and count the number of visitors and see how they move around the Services. Analytics cookies also help us measure the performance of our advertising campaigns to help us improve them and to optimize the content on the Services for those who engage with our advertising.	<ul style="list-style-type: none"> <li>• <a href="#">Amplitude</a></li> <li>• <a href="#">Brandwatch</a></li> <li>• <a href="#">Google</a></li> <li>• <a href="#">Meta</a></li> </ul>
Social Networking	These cookies are used to enable you to share pages and content that you find interesting on our Services through third-party social networking and other websites. These cookies may also be used for advertising purposes.	<ul style="list-style-type: none"> <li>• <a href="#">Discord</a></li> <li>• <a href="#">Google</a></li> <li>• <a href="#">LinkedIn</a></li> <li>• <a href="#">Meta</a></li> <li>• <a href="#">Twitter</a></li> </ul>
Advertising	These cookies and pixels are used to deliver relevant ads, track ad campaign performance, or track email marketing.	<ul style="list-style-type: none"> <li>• <a href="#">AppNexus</a></li> <li>• <a href="#">Beeswax</a></li> <li>• <a href="#">Branch</a></li> <li>• <a href="#">Connextra</a></li> <li>• <a href="#">Google</a></li> <li>• <a href="#">Meta</a></li> </ul>

We do not use analytical tools in a manner that discloses to third parties that a specific person viewed specific video materials.

## How Long Do Cookies Stay on My Device?

Some cookies operate from the time you visit the Services until the end of that particular browsing session. These cookies, which are called “session cookies,” expire and are automatically deleted when you close your Internet browser.

Some cookies will stay on your device between browsing sessions and will not expire or automatically delete when you close your Internet browser. These cookies are called “persistent cookies” and the length of time they will remain on your device will vary from cookie to cookie. Persistent cookies are used for a number of purposes, such as storing your preferences so that they are available for your next visit and to keep a more accurate account of how often you visit the Services, how your use of the Services may change over time, and the effectiveness of advertising efforts.

## Managing Your Cookies

It may be possible to block cookies by changing your Internet browser settings to refuse all or some cookies. If you choose to block all

cookies (including essential cookies), you may not be able to access all or parts of the Services.

You can find out more about cookies and how to manage them by visiting [www.AboutCookies.org](http://www.AboutCookies.org).

## Does the Site Respond to “Do Not Track” Signals?

At this time, our Site does not respond differently based on a user’s Do Not Track signal.

### 4. Colorado, Connecticut, Virginia, and Utah Users’ Rights

Colorado, Connecticut, Utah, and Virginia residents have certain rights with respect to their data. These rights are established through the Colorado Privacy Act (“CPA”), the Connecticut Data Privacy Act (“CTDPA”), the Utah Consumer Privacy Act (“UCPA”), and the Virginia Consumer Data Protection Act (“VCDPA”). The chart below explains these rights and lists the states whose residents may exercise those rights. To exercise any of the following rights listed in the chart below, please see our Data Subject Request page or our Your Privacy Rights page below.

Consumer Right	Explanation	Applies to Residents of:
<b>Right to Know/Access</b>	You have the right to confirm whether we are processing your personal data, and the right to access that data.	Colorado, Connecticut, Utah, Virginia
<b>Right of Correction</b>	You have the right to correct inaccuracies in your personal data, taking into account the nature of the personal data and the purposes of the processing of the personal data.	Colorado, Connecticut, Virginia
<b>Right of Deletion</b>	You have the right to delete, subject to certain exceptions, your personal data provided by you or obtained about you.  <u>*Note:</u> If you are a Utah resident, this only applies to personal data you have provided directly to us.	Colorado, Connecticut, Utah*, Virginia
<b>Right of Portability</b>	Up to two times per calendar year, you have the right to obtain your personal data in a portable and—to the extent technically feasible—readily usable format that allows you to transmit the data to another entity without hindrance.  <u>*Note:</u> If you are a Utah resident, this only applies to processing carried out by automated means.	Colorado, Connecticut, Utah*, Virginia
<b>Right to Opt-out:</b> <i>Colorado, Connecticut, and Virginia</i>	You have the right to opt-out of the processing of your personal data for the purposes of: <ol style="list-style-type: none"><li>1. Targeted advertising;</li><li>2. The sale of personal data; and/or</li><li>3. Profiling in furtherance of decisions that produce legal or similarly significant effects concerning you.</li></ol>	Colorado, Connecticut, Virginia

	To opt-out, please visit our Your Privacy Rights page below.	
<b>Right to Opt-out:</b> <i>Utah</i>	You have the right to opt-out of the sale of personal data or targeted advertising. To opt-out, please visit our Your Privacy Rights page below.	Utah

Underdog will not discriminate against an individual because the individual does not consent to the sale of their data.

## Sensitive Information

Sensitive Data as defined in the CTDPA, UCPA and VCDPA includes precise geolocation information. We will not collect this information from Connecticut and Virginia residents without first obtaining consent. Utah residents have the right to opt out of this collection.

## Exercising Your Rights

If you are a Colorado, Connecticut, Virginia, or Utah resident and wish to exercise one of the above rights and it applies to you, please visit our Data Subject Request page or our Your Privacy Rights page below.

If necessary, we may request additional information reasonably necessary to authenticate you and your request.

In certain circumstances, you may make a request on behalf of another such as if you are an authorized agent or the parent or guardian of a child on behalf of whom you wish to exercise their rights.

We will respond to these consumer requests, if applicable, within 45 days of receipt of the request and without undue delay. If we need to extend this period, we will notify you of the delay and explain the reasonably necessary justifications for our delay.

We will provide responses to your requests free of charge unless certain exclusions apply, depending on the state in which you reside. We may charge a fee in:

- Colorado, Connecticut, and Utah, if you make more than one request in a twelve-month period; and
- Connecticut and Virginia, if the request is manifestly unfounded or excessive, or repetitive in nature.

## Appealing a Rights Request Decision

If you are a resident of Colorado, Connecticut, or Virginia, and we deny or fail to take action on your request to exercise your applicable consumer privacy rights, you may appeal our decision. To do this, you may email us at [support@underdogfantasy.com](mailto:support@underdogfantasy.com). In the email appeal, please specify the right(s) you requested to exercise and the date you made such a request.

We will inform you in writing within 45 days of any action taken or not taken in response to the appeal. We will also provide a written explanation of the reasons for our decisions regarding your request(s).

### 5. Nevada Users' Rights

Under Nevada law, certain Nevada consumers may opt out of the sale of certain personally identifiable information for monetary consideration to a person for that person to license or sell such information to additional persons. We do not sell personally identifiable information under Nevada law.

If you are a Nevada resident who has purchased or leased goods or services from us, you may (A) submit a request to opt out of any potential future sales, and/or (B) request changes to your Covered Information by emailing us at [support@underdogfantasy.com](mailto:support@underdogfantasy.com).



Please note we will take reasonable steps to verify your identity and the authenticity of the request.

#### **4. Advertising and Marketing Choice**

We respect your rights in how your personal information is used and shared. We may communicate with you via email, telephone, postal mail, and/or your mobile device about our products and services. If at any time you would like to unsubscribe from receiving future marketing emails, you can email us at [support@underdogfantasy.com](mailto:support@underdogfantasy.com) or follow the instructions at the bottom of each applicable email, and we will promptly remove you from those marketing correspondences that you choose to no longer receive. Please note, however, that we may still need to contact you regarding other matters.

#### **5. How Long Is Your Personal Information Kept**

We will retain your personal information until the personal information is no longer necessary to accomplish the purpose for which it was provided. We may retain your personal information for longer periods for specific purposes to the extent that we are obliged to do so in accordance with applicable laws and regulations, to protect you, other people, and us from fraud, abuse, an unauthorized access, as necessary to protect our legal rights, or for certain business requirements.

We will delete your personal information when it is no longer necessary for the purpose for which it was collected, or upon your request, subject to exceptions as discussed in this Statement or under applicable law, contract, or regulation.

If you use our mobile application, you can delete your account by submitting a request to [support@underdogfantasy.com](mailto:support@underdogfantasy.com) or by deleting your account through the application itself. If you delete your account from within the application, we will delete the accompanying personal data unless we are required to retain it for legal, regulatory, contractual, or other compliance purposes.

You can access and update certain personal information Underdog holds about you at any time by logging into your account via the Services.

#### **6. Our Commitment to Data Security**

The security of your personal information is important to us. We take various reasonable organizational, administrative, and technical measures to protect your personal information from unauthorized access, disclosure, alteration, or destruction. If required by law to do so, we will notify you and/or the relevant supervisory authority in the event of a data breach.

However, we cannot and do not guarantee complete security, as it does not exist on the Internet.

#### **7. Where Your Personal Information Is Held**

We process personal information on our servers in the United States of America, and may do so in other countries. If you use our Services or otherwise provide us with information from outside of the United States, you expressly consent to the transfer of your data to the United States, the processing of your data in the United States, and the storage of your data in the United States.

#### **8. Third Party Links**

Underdog's Services may contain links to third-party websites. When we provide links, we do so only as a convenience and we are not responsible for any content of any third-party website or any links contained within. It is important to note that this Statement only applies to Underdog's Services. We are not responsible and assume no responsibility for any personal information collected, stored, or used by any third party as a result of you visiting third-party websites. We also advise that you carefully read the privacy notice of any third-party websites you choose to visit.

#### **9. Children's Privacy**

Protecting the privacy of the very young is especially important. Our Services are not intended for children under 18 years of age, and we do not knowingly collect personal information from children under 18. In the event that we learn that we have collected personal information from a child under age 18 without verification or parental consent, we will immediately delete that information. If you believe that we might have any information from or about a child under 18, please contact us using the information provided in the "Contact Us" section below.

#### **10. Policy Changes**

This Statement may change from time to time. If we need to change this Statement at some point in the future, we will post any changes on this page. If we make a significant or material change to this Statement we will notify you via email. You should check these terms when you use the Site. Your continued use of the Site constitutes acceptance of the most current version of this Statement.

## 11. Contact Us

If you have any questions about this Privacy Policy, please contact us by email at [support@underdogfantasy.com](mailto:support@underdogfantasy.com) or at 150 Waterbury St., Brooklyn, NY 11206, Attention: Legal.

### Underdog Fantasy California Privacy Policy

Your privacy is important to us at Underdog Sports, LLC and our affiliates and subsidiaries (“**Underdog**,” “**we**,” “**us**,” or “**our**”), and we are committed to safeguarding, preserving, and respecting your privacy rights. If you are a California resident, you have certain rights with respect to the collection, use, transfer, and processing of your personal information, as defined by the California Consumer Privacy Act (“CCPA”), Cal. Civ. Code § 1798.100 *et seq.*, as amended by the California Privacy Rights Act, and implementing regulations.

This California Privacy Policy (“**Policy**”) describes how we collect, use, share, disclose, retain, and secure the personal information we gather about you through our website, <https://underdogfantasy.com/> (collectively, the “**Site**”), when you interact with us as a customer, or otherwise (collectively, the “**Services**”), that is subject to the CCPA. It does not apply to personal information that is excluded or exempted. It also does not apply to personal information collected from employees or contractor in that capacity.

We reserve the right to limit these rights where permitted under applicable law, including where your identity cannot be reasonably verified or to the extent your rights adversely affect the rights and freedoms of others.

#### ***What Information Do We Collect?***

The below examples are illustrative examples from the CCPA and do not reflect the specific pieces of information we collect.

In the previous 12 months, we have collected the following categories of personal information (categories of personal information are as defined in Cal. Civ. Code. § 1798.140(v)):

Category	Examples	Collected	Retention Period
<b>A. Identifiers</b>	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.	Yes	Duration of the relationship or as required by law
<b>B. Personal Information</b>	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, 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.  Some personal information included in this category may overlap with other categories.	Yes	Duration of the relationship or as required by law

<b>C. Protected Classification Characteristics Under California or Federal Law</b>	Age (40 years or older), 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), sexual orientation, veteran or military status, genetic information (including familial genetic information).	Yes	Duration of the relationship or as required by law
<b>D. Commercial Information</b>	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	Yes	Duration of the relationship or as required by law
<b>E. Biometric Information</b>	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	No	N/A
<b>F. Internet or Other Similar Network Activity</b>	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Yes	26 months
<b>G. Geolocation Data</b>	Physical location or movements.	Yes	26 months
<b>H. Sensory Data</b>	Audio, electronic, visual, thermal, olfactory, or similar information.	No	N/A
<b>I. Professional or Employment-Related Information</b>	Current or past job history or performance evaluations.	No	N/A
<b>J. Non-Public Education Information</b>	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	No	N/A

<b>K. Inferences Drawn of the Consumer</b>	Inferences drawn from personal information identified above to create a profile about a consumer reflecting a consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	Yes	26 months
<b>L. Sensitive Personal Information</b>	<p>Personal information that reveals (a) Social Security, driver's license, state identification card, or passport number; (b) account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credential allowing access to an account; (c) precise geolocation; (d) racial or ethnic origin, religious or philosophical beliefs, or union membership; (e) the contents of a consumer's mail, email, and text messages unless the business is the intended recipient of the communication; or (f) genetic data.</p> <p>Biometric information processed for the purpose of uniquely identifying a consumer, personal information collected and analyzed concerning a consumer's health, sex life, or sexual orientation.</p> <p>Some Sensitive Personal Information included in this category may overlap with other categories.</p>	Yes	Duration of the relationship or as required by law

***Sources From Which Personal Information Is Collected***

We collect your personal information directly from you, from your interaction with the Site, from publicly available sources, and from service providers and third parties which collect the personal information directly from you.

***Business or Commercial Purposes for Which Personal Information Is Collected***

Your personal information is used for the following purposes: account creation and management; to provide the Services and Site; advertising and marketing; analytics and research; customer service; website security and maintenance; and for legal, regulatory, and other compliance purposes. Please see our Privacy Policy for additional information.

***Third Parties with Whom Personal Information Is Disclosed, Shared, or Sold***

In the preceding 12 months, we have disclosed the following personal information about consumers for business purposes:

We disclose personal information in categories A (identifiers), B (personal), D (commercial), F (internet), G (geolocation), K (inferences), and L (sensitive) with service providers.

1. We disclose personal information in categories A (identifiers), B (personal), D (commercial), F (internet), G (geolocation), K (inferences), and L (sensitive) with government agencies for legal, regulatory, or other compliance purposes.
2. We disclose content posted on our social media platforms with other consumers. Such posts may include personal information in categories A (identifiers) and B (personal), but the content depends on the individual posts. Please note that your comments will be visible to the public, so you should never share personal information that you would like to keep private.
3. We may share all of our information, including your personal information, with our subsidiaries and affiliates in connection with providing the Services to you or otherwise in connection with business operations.

In the preceding 12 months, we have shared for cross-context behavior advertising the following the personal information in categories A (identifiers), B (personal), D (commercial), F (internet), G (geolocation), and K (inferences).

In the preceding twelve (12) months, we have not sold the personal information of any consumer for monetary consideration. However, our use of cookies and other tracking technologies may be considered a sale of personal information under the CCPA. Categories of

personal information that we have sold under the CCPA include categories A (identifiers), B (personal), D (commercial), F (internet), G (geolocation), and K (inferences). Additionally, we share information from category A (identifiers) such as your email address with our partners in connection with their promotions. Categories of third parties to whom personal information is sold under the CCPA include data analytics providers and advertising and marketing providers.

You can opt out of the sale or sharing of your personal information by visiting our [Your Privacy Choices](#) page. Please note that your use of our website will still be tracked by Underdog and its service providers.

We do not have actual knowledge that we sell or share the personal information of consumers under sixteen (16) years of age.

### ***Individual Rights***

#### 1. Right to Know About Personal Information Collected, Disclosed, Shared, or Sold

You have the right to request that we disclose the personal information we collect, use, and disclose about you to third parties. There are two types of Rights to Know requests that you can make:

1. Right to Know (Abbreviated Request): If you make a Right to Know (Abbreviated Request), you will receive the following information about you:
  - a. Categories of personal information collected, sold, or shared;
  - b. Categories of sources from which personal information is collected;
  - c. Categories of third parties to whom the information is sold, shared or disclosed;
  - d. Business or commercial purpose for collecting, sharing, or selling personal information;
  - e. Categories of personal information disclosed for a business purpose and categories of persons to whom it was disclosed for a business purpose.
2. Right to Know (Specific Pieces of Information Request): If you make a Right to Know (Specific Pieces of Information Request), you will receive the following information about you:
  - a. Specific pieces of personal information collected about you.

This information will be provided to you free of charge, unless we determine that your request is manifestly unfounded or excessive. You may request this information twice in a 12-month period.

There are certain exceptions to a consumer's Right to Know. We will state in our response if an exception applies.

#### 1. Right of Deletion

You have the right to request that we and our service providers delete any personal information about you which we have collected from you upon receipt of a verifiable request. This right is subject to certain exceptions. We will state in our response if an exception applies.

#### 1. Right to Opt-Out of the Sale or Sharing of Personal Information

You have the right to opt-out of the sale or sharing of your personal information by a business subject to certain laws and regulations. You can opt out of the sale or sharing of your personal information by visiting our [Your Privacy Choices](#) page.

Please note that opt-out choices may be stored via cookies. If you clear cookies, if your browser blocks cookies, or if you view the page from a different browser or device, your opt-out choice may no longer be logged or recognized.

#### 1. Right to Non-Discrimination

You have the right not to receive discriminatory treatment for exercising the privacy rights conferred by California law. We will not discriminate against you because you exercised any of your privacy rights, including, but not limited to, by: denying goods or services to you; charging different prices or rates for goods or services, including through the use of discounts or other benefits or imposing

penalties; providing a different level of quality of goods or services to you; or suggesting that you will receive a different price or rate for goods or services or a different level or quality of goods or services. We will also not retaliate against any employee, applicant for employment, or independent contractor for exercising their rights under the CCPA.

#### 1. Right of Correction

If we maintain inaccurate personal information about you, then you have the right to request that we correct the inaccurate personal information upon receipt of a verifiable request. Taking into account the nature of the personal information and purposes of processing the personal information, you have the right to request that we correct inaccurate personal information about you, if applicable.

#### 1. Right to Limit Use and Disclosure of Sensitive Personal Information

If we process Sensitive Personal Information, we will only do so for the purposes specifically authorized by California law and in a manner that is necessary and proportionate for those purposes. As such, we do not perform any processing for which a Right to Limit request is available.

#### 1. Submitting Requests

You can submit your request by visiting our Data Subject Request page below, emailing us at [support@underdogfantasy.com](mailto:support@underdogfantasy.com).

#### 1. Verifying Requests

To ensure the protection of your personal information, we must verify that the individual submitting a request to know, request to delete, or request to correct is the consumer to whom the request relates prior to processing the request. To verify a California consumer's identity, we may request up to three pieces of personal information about you when you make a request to compare against our records. We may also request that you sign a declaration under the penalty of perjury from the consumer whose personal information is the subject of the request.

Making a verifiable consumer request does not require you to create an account with us.

We will only use personal information provided in your request to verify your identity and will delete any information you provide after processing the request. We reserve the right to take additional steps as necessary to verify the identity of California consumers where we have reason to believe a request is fraudulent.

#### 1. Authorized Agents

You may choose a person or a business registered with the California Secretary of State that you authorize to act on your behalf to submit your requests ("Authorized Agent"). If you choose to use an Authorized Agent, we require that you provide the Authorized Agent with written permission to allow them to submit your request and that you verify your identity directly with us. Failure to do so may result in Underdog denying your request.

### **Data Subject Requests**

California, Colorado, Connecticut, Utah, and Virginia residents have certain rights with respect to their data. Please note that your eligibility to exercise certain rights depends on your state of residency. If a right does not apply to you, we will inform you in our response.

#### **California Residents.**

For more information about your rights, please review our California Privacy Policy above. For more information about how to opt out of the sale or sharing of your personal information please visit our Your Privacy Choices page below.

#### **Colorado, Connecticut, Utah, and Virginia Residents.**

For more information about your rights, please review our Privacy Policy above. For more information about how to opt out of the sale of your personal data, the use of your personal data for the purposes of targeted advertising, please visit the Your Privacy Choices page below.

## Data Subject Request Instructions

In order to make a data subject request, please submit the following information via email to [support@underdogfantasy.com](mailto:support@underdogfantasy.com).

First and last name

Email associated with your Underdog Fantasy account

State of residency

Relationship to Underdog (e.g., customer, vendor, etc.)

Whether you are submitting this request on behalf of someone else

Your data privacy request type:

*California only:* Right to Know: Abbreviated

*California only:* Right to Know: Specific Pieces of Information

Right to Access

Right to Delete

Right to Correct

Right of Portability

We will confirm receipt of this request using the email address you have provided above. If you do not receive confirmation, please email us at [support@underdogfantasy.com](mailto:support@underdogfantasy.com). Underdog will do its best to substantively respond within one month of receiving your request.

### Your Right to Opt-out.

*California Residents.* As a California resident, you have the right to tell us not to disclose or transfer your Personal Information to a third party in exchange for something of value, and to not share your Personal Information for cross context behavior advertising. This is referred to as the "opt out" or "do not sell or share my info" right.

*Colorado, Connecticut, and Virginia Residents.* As a Colorado, Connecticut, or Virginia resident, you have the right to opt out of the processing of Personal Data for the purposes of the sale of Personal Data, targeted advertising, or profiling in furtherance of decisions that produce legal or similarly significant effects.

**How to Opt-Out.** As detailed in our California Privacy Policy and our Privacy Policy above, we use certain third party analytical cookies or other technology that may be considered "sales" and "sharing" under California law, and which constitute "targeted advertising" under Colorado, Connecticut, Utah, and Virginia laws. To opt out of those cookies, please follow the links below:

Types of Cookies	Purpose	Who Serves (for example)
Analytics, Performance, and Research	These cookies, beacons, and pixels allow us to analyze activities on the Services. They can be used to improve the functioning of the Services. For example, these cookies recognize and count the number of visitors and see how they move around the Services. Analytics cookies also help us measure the performance of our advertising campaigns to help us improve them and to optimize the content on the Services for those who engage with our advertising.	<a href="#">Amplitude</a> <a href="#">Brandwatch</a> <a href="#">Google</a> <a href="#">Meta</a>
Social	These cookies are used to enable you to share pages and content that you find interesting on our	<a href="#">Discord</a>

Networking	Services through third-party social networking and other websites. These cookies may also be used for advertising purposes.	<a href="#">Google</a> <a href="#">LinkedIn</a> <a href="#">Meta</a> <a href="#">Twitter</a>
Advertising	These cookies and pixels are used to deliver relevant ads, track ad campaign performance, or track email marketing.	<a href="#">AppNexus</a> <a href="#">Beeswax</a> <a href="#">Branch</a> <a href="#">Google</a> <a href="#">Meta</a>

You may also exercise your right to opt-out of our use of cookies and tracking technologies through the controls available to you in your browser through its settings, which may be adapted to reflect your consent to the use of cookies. Most browsers also enable you to review and erase cookies. To learn more about browser controls, please consult the documentation that your browser manufacturer provides.

Learn how to clear cookies:	Learn how to prevent cross-site tracking:
<a href="#">Chrome</a>	<a href="#">Chrome</a>
<a href="#">Edge</a>	<a href="#">Edge</a>
<a href="#">Firefox</a>	<a href="#">Firefox</a>
<a href="#">Safari</a>	

Please note that opt-out choices may be stored via cookies. If you clear cookies, if your browser blocks cookies, or if you view the page from a different browser or device, your opt-out choice may no longer be logged or recognized.

If you have any questions, please contact us using the following contact information:

**Email:** [support@underdogfantasy.com](mailto:support@underdogfantasy.com)

**Postal Address:** 150 Waterbury St., Brooklyn, NY 11206, Attention: Legal