

ABOVE THE NOISE FOUNDATION

WEBSITE PRIVACY NOTICE

Updated as of: February 7, 2018

We are committed to protecting your privacy. Our privacy policy is designed to explain the information we collect and how we use it to provide our Services (“**Privacy Policy**”). Our Privacy Policy applies to any users of the **Site** and related services and offerings (collectively, the “**Services**”). Capitalized terms not defined in this Privacy Policy have the meanings given in our Terms of Use located at <https://abovethenoisefoundation.org/terms-of-use>.

By using the Services, you consent to our collection, storage, use and disclosure of your personal information and other information as described in this Privacy Policy.

IF YOU ARE A USER ACCESSING THE SERVICES FROM THE EUROPEAN UNION, ASIA, OR ANY OTHER REGION WITH LAWS OR REGULATIONS GOVERNING PERSONAL DATA COLLECTION, USE, AND DISCLOSURE THAT DIFFER FROM UNITED STATES LAWS, PLEASE BE ADVISED THAT THROUGH YOUR CONTINUED USE OF THE SERVICES, WHICH ARE GOVERNED BY UNITED STATES LAW, THIS PRIVACY NOTICE, AND OUR TERMS OF USE, YOU MAY BE TRANSMITTING YOUR PERSONAL INFORMATION TO THE UNITED STATES AND YOU CONSENT TO THAT TRANSMISSION. ADDITIONALLY, YOU UNDERSTAND THAT YOUR PERSONAL INFORMATION MAY BE TRANSMITTED TO AND PROCESSED IN COUNTRIES (INCLUDING THE UNITED STATES) WHERE LAWS REGARDING PROCESSING PERSONAL INFORMATION MAY BE LESS STRINGENT THAN THE PROCESSING OF PERSONAL INFORMATION IN YOUR COUNTRY.

INFORMATION WE COLLECT AND RECEIVE

We collect both Personal Information and Anonymous Information about our users. “**Personal Information**” is information that can be used to contact or identify you, such as your full name, email address, phone number and billing information, as well as information that is linked to such information. “**Anonymous Information**” is information that cannot be used to contact or identify you and is not linked to information that can be used to contact or identify you, and includes passively collected information about your activities on our Services, such as usage data, to the extent that information is not linked to your Personal Information.

You may be asked to provide Personal Information when:

- Registering for the Services, including any information that you provide to us in participation in sweepstakes and contests, signing up to receive notifications and newsletter, or completing other forms via the Services. This may include your first and last name, email address, home address, work experience, gender, profile picture, birthday and phone number. We may authorize a third party trusted vendors to also collect your credit card type, number, expiration date, and security code as well as your billing address for payment purposes on our behalf.
- Communicating with us or with other users through the Services, and via text, email or otherwise for any purpose including without limitation for use of our customer support;

- Providing information in your user preferences, to customer support services or that you post on any messaging forums, if any; and
- Purchasing a product or service through the Services, where we or a third-party vendor may collect payment and/or credit card information on our behalf.

We may receive Personal Information about you from social networking websites. In such a case, the third party will notify you that we will have access to your information and the governing privacy policy.

You can access and browse certain portions of the Site without disclosing Personal Information, although, like most websites, we passively collect certain information from your mobile phone, tablet computer, computer and/or similar devices, such as your IP address, when you browse and use the Services. In order to utilize some features of the Services offered by us, you must register and provide us with Personal Information.

Our servers (which are hosted by a third-party service provider) collect information from you, including your browser type, operating system, Internet Protocol (IP), domain name, and/or a date/time stamp for your visit to the App, Site or Service. We also use cookies and URL information to gather information regarding the date and time of your visit and the information for which you searched and which you viewed. **“Cookies”** are small pieces of information that a website sends to your computer’s hard drive while you are viewing a website. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our App and Site. Persistent Cookies can be removed by following Internet browser help file directions.

We may also use third-party tracking services, such as Google Analytics, to track and analyze data from users of our Services and location-enabled services to facilitate delivery of our Services.

Please note that you can choose not to provide us with certain information, but this may limit the features of the Service you can use.

HOW WE USE YOUR INFORMATION

We will use your Personal Information in the ways described below or described at the time that the information is collected.

In general, we use your Personal Information as necessary or appropriate to:

- provide you with customer support;
- register you and provide you with access to the Services;
- perform the Services;
- respond to your inquiries or requests;
- send communications and administrative emails about the Services;
- personalize and better tailor the features, performance and support of the Services for your use;
- send you promotional/marketing information, newsletters, offers or other information from us or on behalf of our sponsors, partners or advertisers;
- provide you with opportunities and functionality that we think would be of particular interest to you;
- improve the quality of the Services,

- contact you regarding your survey responses, or your promotion, sweepstakes or contest entry; and
- analyze, benchmark and conduct research on, user data and user interactions with the Services.

HOW WE SHARE AND DISCLOSE INFORMATION

We know how important it is to keep your information confidential. We will not rent, sell or share your Personal Information with third parties except as specifically set forth herein or as specifically approved by you. If you do not want us to use or disclose Personal Information collected about you in the ways identified in this Privacy Policy, you may choose not to provide your Personal Information or you may choose not to use the Services.

Users.

Any information you choose to share in connection with the use of forums, social media websites or message boards should reflect how much you want us, our other users, and third parties to know about you. We recommend that you guard your anonymity and Personal Information and we encourage you to think carefully about what Personal Information you disclose through these platforms.

Service Providers.

We may employ third-party companies and individuals to facilitate or enhance our Services, to provide the Services on our behalf, to perform tasks (e.g., without limitation, ticket sales, maintenance services, database management, web analytics and improvement of the Services) or to assist us in analyzing how our Services are used. These third parties may have access to your Personal Information but only to perform these tasks on our behalf and are obligated not to disclose it or use it for any other purposes other than as described in the Privacy Policy.

Anonymous Information.

We may share such Anonymous Information with third parties, and, depending on the circumstances, we may or may not charge third parties for such information, or limit the third parties' use of the same.

Compliance with Laws, Law Enforcement and Safety.

We will disclose any information about you to government or law enforcement officials or private parties as we in good faith believe necessary or appropriate to respond to claims and legal process (including but not limited to subpoenas), to comply with applicable laws, to protect our property and rights, you or a third party, to protect the safety of the public or any person, or to prevent or stop activity we may consider to pose a risk of being, or is illegal, unethical or legally actionable.

Internal Use

We may share all or some of your Personal Information with any of our subsidiaries, joint ventures, or other companies under common control, in which case we will require them to honor this Privacy Policy. Additionally, in the event we go through a business transition such as a merger, acquisition by another company, or sale of all or a portion of our assets, your Personal Information may be among the assets transferred. You acknowledge that such transfers may occur and are permitted by this Privacy

Policy, and that any entity that acquires us, is merged with us or that acquires our assets may continue to process your Personal Information as set forth in this Privacy Policy.

Online Surveys/Sweepstakes and Contests.

From time to time, we conduct online surveys and offer sweepstakes or contests on the Site (each, a "**Promotion**"), and we may collect Personal Information in connection with the same. We may use your Personal Information to contact you regarding your Promotion entry, or to contact you if you win a Promotion (if applicable). You should carefully review the rules, if any, of each Promotion in which you participate through the Site, as they may contain additional important information about the use of your Personal Information. To the extent that such rules conflict with this Privacy Policy, such rules will govern that particular Promotion.

CHILDREN'S INFORMATION

The Services are not directed or intended for children under 13 years of age. We do not knowingly collect or solicit Personal Information from individuals under 13 years of age. No one under age 13 may provide any Personal Information to or on the Site. If you are under 13 years of age, you should not register or provide Personal Information through the Site. If we later obtain actual knowledge that a user is under 13 years of age, we will take steps to remove that user's Personal Information from our systems. If you are the parent or guardian of a child whom you believe has disclosed Personal Information to us, please contact us at info@abovethenoisefoundation.org so that we may delete and remove such child's information from our systems.

We strongly recommend that minors 13 years of age or older ask their parents for permission before sending any information about themselves to anyone over the Internet and we encourage parents to teach their children about safe Internet use practices.

If you believe that we might have any information from a child under age 13, please contact us via email at: info@abovethenoisefoundation.org

THIRD PARTY SITES AND SERVICES

The Services may contain links to websites Third-Party Sites that we do not control. This includes any websites that you linked to from advertisements that appear on the Services. We also use a variety of technologies and social media options to communicate and interact with our users, including, but not limited to, Facebook, Twitter, YouTube, which are not operated or controlled by us. We do not monitor, control, or endorse the information collection or privacy practices of Third-Party Sites. We encourage you to become familiar with the privacy practices of each website you visit and to contact them if you have any questions about their respective privacy policies and practices.

This Privacy Policy applies solely to information collected by us through the Services and does not apply to Third-Party Sites. The ability to access information of third parties from the Services, or links to Third-Party Sites, is for your convenience only and does not signify our endorsement of such third parties, their products, services, websites, locations or their content.

SECURITY AND DATA RETENTION

We are concerned with safeguarding your information and employ measures designed to protect your information from unauthorized access. We will make any legally required disclosures of any breach of the

security, confidentiality, or integrity of your unencrypted electronically stored “personal information “ or "personal data" (as defined in applicable state statutes on security breach notification) to you via email or conspicuous posting on the Services in the most expedient time possible and without unreasonable delay, insofar as consistent with (i) the legitimate needs of law enforcement or (ii) any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. Although "guaranteed security" does not exist either on or off the Internet, we make commercially reasonable efforts to make the collection and security of such information consistent with this Privacy Policy and all applicable laws and regulations.

We will retain your Personal Information only for as long as necessary to fulfill the purpose(s) for which it was collected and to comply with applicable laws and your consent to such purpose remains valid after termination of our relationship with you.

YOUR CHOICES

Remember, you have several choices available when it comes to your Personal Information:

Limit the Personal Data You Provide. You can still use the Site without providing any Personal Information or by limiting the Personal Information you provide. If you choose not to provide any Personal Information or limit the Personal Information you provide, you may not be able to use certain Site functionality and/or Services.

Opt-Out. When you supply us with Personal Information, you may be asked to indicate whether you are interested in receiving information from us about special offers in connection with the Services, and/or our advertisers, sponsors or partners. In all promotional emails, you will be given the opportunity to opt out of receiving such messages in the future by clicking on the link at the bottom of the email that says "**unsubscribe.**" It may take up to ten (10) days for us to process an opt-out request.

Even if you have unsubscribed from receiving promotional emails from us, we may send you other types of important e-mail communications without offering you the opportunity to opt out of receiving them. These may include customer service announcements, administrative notices and surveys.

Please note that opting out of receiving promotional email communications will affect only future communications from us. If we already provided your information to a third party (such as a sponsor or affiliate) before you changed your preferences or updated your information, you may have to change your preferences directly with that third party as well.

Changing or Deleting Your Information. You must specify in your email the information you would like updated or removed. Keep in mind, however, that even if you request that we delete or change your Personal Information, we may retain your Personal Information in conformance with our data retention policy and there may be residual Personal Information that remains within our or Third-Party Sites’ databases, access logs, and other records. In addition, we are not responsible for updating or removing your Personal Information contained in the lists or databases of third parties who have been provided information as permitted by this Privacy Policy.

CALIFORNIA PRIVACY RIGHTS

Under California’s “Shine the Light” law, California residents have the right to request in writing from businesses with whom they have an established business relationship: (i) a list of the categories of Personal Information, such as name, address, e-mail address, and the type of services provided to that

customer, that a business has disclosed to third parties (including affiliates that are separate legal entities) during the immediately preceding calendar year for the third parties' direct marketing purposes, and (ii) the names and addresses of all such third parties. To request the above information, California residents please email us at info@abovethenoisefoundation.org.

PRIVACY POLICY CHANGES

We reserve the right to change, modify, add or remove portions of this Privacy Policy at any time and without prior notice, and any changes will become effective immediately upon being posted unless we advise you otherwise. However, we will not use your Personal Information in a way that is materially different from the uses described in this Privacy Policy without giving you an opportunity to opt-out. Your continued use of the Services after this Privacy Policy has been amended shall be deemed to be your continued acceptance of the terms and conditions of the Privacy Policy, as amended.

CONTACT US

If you have any questions about this Privacy Policy, please contact us at:
info@abovethenoisefoundation.org.

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