

Blacktop Inc. (“Company”), is concerned about privacy issues and wants you to be familiar with how we collect, use and disclose information. This Privacy Policy describes our practices in connection with information that we or our third-party service providers collect through certain of our owned or controlled websites and web properties (e.g., widgets and applications) that contain or link to this Privacy Policy (such websites and web properties are referred to herein collectively and individually as the “Site”). By providing Personal Information (as defined below) to us, you agree to the terms and conditions of this Privacy Policy.

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third party, including Facebook, Inc., our artists, our affiliates and any third party operating any site or property to which the Site contains a link. In addition, the inclusion of a link on the Site does not imply endorsement of, or affiliation with, the linked site or property by us or by our artists or affiliates. Please note that the Site may include the ability to access and submit (including, for example, via a third-party software application or service that is available through or in connection with the Site) certain information directly to third parties such as Facebook. Such information is submitted by you directly to such third parties; this Privacy Policy does not apply to any information submitted by you to third parties.

The Site is controlled and operated from the United States; accordingly, this Privacy Policy, and our collection, use and disclosure of your Personal Information, is governed by U.S. law, and the Site is not intended to subject Company or any of its affiliates to the laws or jurisdiction of any state, country or territory other than that of the United States.

The Site is not directed to individuals under the age of thirteen (13), and we request that such individuals do not provide Personal Information on or through the Site.

**Your California Privacy Rights:** If you are a California resident, you may request certain information once per year about our disclosure of certain categories of Personal Information during the preceding calendar year to third parties for such third parties’ own direct marketing purposes.

Please send your request by email to [info@clintblack.com](mailto:info@clintblack.com). We reserve our right not to respond to requests submitted other than to the email or mailing addresses specified in this section.

## UPDATES TO THIS PRIVACY POLICY

We may change this Privacy Policy at any time. Any changes to this Privacy Policy will become effective when we make the revised Privacy Policy available on or through the Site. Your use of the Site or your submission of any information in connection with the Site following such changes means that you accept the revised Privacy Policy.

## PERSONAL INFORMATION

**Personal Information We May Collect** Two types of information are collected in connection with the Site: Personal Information and Other Information. "Personal Information" is information that identifies you as an individual. "Other Information" is any information that does not reveal your specific identity. Other Information is addressed separately below, under the heading "OTHER INFORMATION".

We and our third-party service providers may collect the following Personal Information from you:

- Name
- Postal address (including billing and shipping addresses)
- Telephone number
- Email address

We and our third-party service providers collect Personal Information through the Site, for example, when you participate in various opportunities provided through the Site, such as: •

When you register for newsletters or other communications through the Site. •

When you participate in a contest, promotion, sweepstakes, survey or other promotion through the Site.

## How We May Use Personal Information

- We and our third-party service providers may use Personal Information: To respond to your inquiries and fulfill your requests, such as to send newsletters to you or to provide you with information about our products and services.
- To send to you administrative information, including information regarding the Site and changes to our terms, conditions and policies.
- To send to you marketing communications that we believe may be of interest to you, if you have indicated that you would like to receive this type of information.
- To send to you SMS text messages, if you have indicated you would like to receive them. Please keep in mind that message and data rates may apply. You should check with your mobile service provider for applicable data rates. At any time, you may text back “HELP” for further information regarding text messages. If additional rules are provided in connection with any specific SMS text message sign-ups, such rules shall also apply and shall control in the event that they conflict with this Privacy Policy.
- To personalize your experience on the Site by presenting products and offers tailored to you.
- To allow you to participate in sweepstakes, contests and similar promotions and to administer these activities. Some of these activities have additional rules, which could contain additional information about how we use and disclose your Personal Information, so we suggest that you read these rules carefully; in the event of a conflict between such rules and this Privacy Policy, such rules will govern.
- To allow you to send messages (for example, music clips or artist information) to a friend through the Site. By using such functionality, you are telling us that you are entitled to use and provide us with your friend’s name and email address.
- For our business purposes, such as data analysis, audits, developing new products, enhancing the Site, improving our services, identifying usage trends and determining the effectiveness of promotional campaigns.
- As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government

authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates or artists; (f) to protect our rights, privacy, safety or property, or that of our affiliates, our artists, you or others; or (g) to allow us to pursue available remedies or limit the damages that we may sustain. We may combine Personal Information that you submit on or through the Site with information that we collect from and about you from other online and offline sources, including from our own websites and web properties (including apps, widgets and players) and from third-party sources. We treat such combined information as Personal Information as long as it is so combined.

### How Personal Information May Be Disclosed

- Your Personal Information may be disclosed:
- To our third-party service providers (and in some cases, our affiliates) who provide services such as website hosting, data analysis, payment processing, order fulfillment, infrastructure provision, IT services, customer service, email delivery, credit card processing, auditing and other similar services to enable them to provide such services.
- To our affiliates, to permit them to send marketing communications to you, if you have indicated that you would like to receive this type of information.
- To third parties, to permit them to send marketing communications to you, if you have agreed that we may share your information with third parties for such purposes (for example, by opting in to such sharing via the Site).
- To our artists (including any of the artists' band members, if applicable) and their representatives, so that the artists may use this information to send to you communications (including marketing communications) that they believe may be of interest to you, if you (a) sign up to join the applicable artist's mailing list and/or to receive such artist's newsletters, (b) register with the applicable artist's website, or (c) have otherwise indicated that you would like to receive information and/or marketing communications from the applicable artist. We do not control, and

are not responsible for, artists' and their representatives' use of Personal Information.

- To third parties that sponsor contests, sweepstakes and similar promotions.
- To identify you to anyone to whom you send messages on or through the Site.
- By you, on or through message boards, chat, profile pages and blogs and other services to which you are able to post information and materials. Please note that any information and materials that you post or disclose on or through such services will become public information, and may be available to visitors to the Site and to the general public, and may be redistributed through the Internet and other media channels where they will reach an even broader audience. Additionally, please note that we retain certain rights in the information and materials that you post on or through the Site, and we may use and disclose such information and materials (including any Personal Information included therein) in accordance with our Terms of Use. We urge you to be very careful when deciding to disclose your Personal Information, or any Other Information, on or through the Site. **WE ARE NOT RESPONSIBLE FOR THE USE OR DISCLOSURE OF ANY INFORMATION YOU VOLUNTARILY DISCLOSE THROUGH SUCH SERVICES ON THE SITE.**
- To a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceeding).
- To a relevant artist who is no longer affiliated with us, if you indicated an interest in such artist (for example, by registering with the artist's website).
- As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates or artists; (f) to protect our rights, privacy, safety or property, or that of our affiliates, our artists, you or others; or (g) to

allow us to pursue available remedies or limit the damages that we may sustain.

## OTHER INFORMATION

- Other Information We May Collect We and our third-party service providers may collect Other Information (defined above), such as:
- Browser information
- Server log files
- Information collected through cookies, pixel tags and other technologies
- Demographic information and other non-personally identifiable information provided by you
- Aggregated information

### How We May Collect Other Information

- We and our third-party service providers may collect Other Information in a variety of ways, including:
- Through your browser or your device: Certain information is collected by most browsers, such as your Media Access Control (MAC) address, computer type (Windows or Macintosh), screen resolution, operating system version and Internet browser type and version. We and our service providers may also collect a unique device identifier assigned to the device from which you are accessing the Site (UDID) and other transactional information for the device that we and our service providers may use to serve content to the device.
- Through server log files: An Internet Protocol (IP) address is a number that is automatically assigned to the computer or other device that you are using by your Internet Service Provider (ISP), and is identified and logged automatically in our server log files whenever a user visits the Site, along with the time of the visit and the page(s) that were visited. We and our service providers use IP addresses for purposes such as calculating Site usage levels, helping diagnose server problems and administering the Site.
- Using cookies: We and our service providers may use cookies, pixel tags, web beacons, Adobe Flash technology (including Flash Local Stored Objects (“Flash LSOs”)) and other similar

technologies to, among other things, better serve you with more tailored information, facilitate your ongoing access to and use of the Site, and collect and store information about your use of the Site. For example, pixel tags and web beacons may be used in connection with certain Site pages and HTML-formatted email messages to, among other things, track the actions of Site users and email recipients, measure the success of marketing campaigns and compile statistics about Site usage and response rates.

If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to decline the use of cookies. To learn more about cookies, please visit <http://www.allaboutcookies.org/>. If you choose to decline cookies, then some or all of the features, functionality and promotions available through the Site may not be available to you. o If you do not want Flash LSOs stored on your computer, you can adjust the settings of your Flash player to block Flash LSO storage using the tools contained using the Website Storage Settings Panel. You can also control Flash LSOs by going to the Global Storage Settings Panel and following the instructions (which may include instructions that explain, for example, how to delete existing Flash LSOs (referred to as “information” on the Macromedia site), how to prevent Flash LSOs from being placed on your computer without you being asked, and (for Flash Player 8 and later) how to block Flash LSOs that are not being delivered by the operator of the page you are on at the time). Please note that setting the Flash Player to restrict or limit acceptance of Flash LSOs may reduce or impede the functionality of some Flash applications, including, potentially, Flash applications used in connection with the Site or our online content. We expect our service providers and technology suppliers to honor any decision by you to restrict or limit Flash LSOs, but we cannot guarantee that they will do so. The use of these technologies allows our third-party vendors to deliver advertisements about our products and services when you visit the Site or other websites or web properties across the Internet. These vendors may place so-called “pixel tags,” “web beacons,” “clear GIFs” or similar technologies on the Site and other websites across the Internet, and also place or recognize third-party cookies when you visit the Site or other websites or web properties. These vendors may use information

about your visits to the Site and other websites or web properties (excluding your name, address, email address and telephone number) to provide advertisements about goods and services that may be of interest to you. If you would like more information about this practice and to know your choices about not having this information used by these companies, please visit the Network Advertising Initiative at [www.networkadvertising.org](http://www.networkadvertising.org) or the Digital Advertising Alliance at [www.aboutads.info](http://www.aboutads.info).

- From you: We may collect demographic information, such as your location, as well as Other Information, such as your preferred means of communication, when you voluntarily provide this information to us. Unless combined with Personal Information, this information does not personally identify you or any other user of the Site.
- By aggregating information: We may aggregate Personal Information so that the end-product does not personally identify you or any other user of the Site, for example, by using Personal Information to calculate the percentage of our users who like a particular artist. Aggregated Personal Information does not personally identify you or any other user of the Site.

### How We May Use and Disclose Other Information

Because Other Information does not personally identify you, we may use and disclose Other Information for any purpose. In some instances, we may combine Other Information with Personal Information (such as combining your name with your geographical location); if we combine any Other Information with Personal Information, the combined information will be treated by us as Personal Information as long as it is so combined.

### THIRD PARTY ADVERTISERS

We may use third-party advertising companies to serve ads when you visit the Site. Please note that these companies may use information about your visit to the Site to provide advertisements about goods and services that may be of interest to you. In the course of serving advertisements to the Site, these companies may place or recognize a unique cookie on your browser. If you would like more information about

this practice, and to know your choices about not having this information used by these companies, please visit <http://www.doubleclick.net/us/corporate/privacy> or [http://networkadvertising.org/optout\\_nonppii.asp](http://networkadvertising.org/optout_nonppii.asp).

## SECURITY

We seek to use reasonable organizational, technical and administrative measures to protect Personal Information under our control. Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure. We seek to strike a balance between the security of your data and your convenience. As a result, we may use a method of communication that is less secure than other, less convenient alternatives. For example, we may transmit data in unencrypted form. If you are concerned that your information may be transmitted over the Internet in unencrypted form, please do not provide us with any such information. You acknowledge and agree that any information you transmit through the Site is so transmitted at your own risk. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us in accordance with the “Contacting Us” section below.

## CHOICES AND ACCESS

Your choices regarding our use and disclosure of your Personal Information

We give you many choices regarding our use and disclosure of your Personal Information for marketing purposes. You may opt-out from:

- Receiving marketing-related emails from us and our affiliates: If you later decide you no longer want to receive marketing-related emails from us and our affiliates on a going-forward basis, you may opt-out from receiving such emails either by using the unsubscribe mechanism provided in the email or by emailing us at [info@clintblack.com](mailto:info@clintblack.com)

- Receiving marketing-related SMS text messages from us and our affiliates: If you later decide you would prefer not to receive marketing-related SMS text messages from us and our affiliates on a going-forward basis, you may opt-out from receiving such messages by texting back “STOP” or by emailing us at [info@clintblack.com](mailto:info@clintblack.com)
- Our sharing of your Personal Information with artists or unaffiliated third parties for their marketing purposes: If you later decide you would prefer that we no longer share your Personal Information on a going-forward basis with artists or unaffiliated third parties for their marketing purposes, you may opt-out from such sharing by emailing us at [info@clintblack.com](mailto:info@clintblack.com).

In each case, please make clear in your email what you are opting-out from. We will try to comply with your request(s) as soon as reasonably practicable.

Please note that, if you opt-out as described above, we will not be able to remove your Personal Information from the databases of our artists or unaffiliated third parties with which we have already shared your Personal Information as of the date that we implement your opt-out request. Please also note that, if you do opt-out from receiving marketing-related messages from us, we may still send administrative messages to you; you cannot opt-out from receiving administrative messages.

How you can access, change or suppress your Personal Information

If you would like to review, correct, update, suppress, delete or otherwise limit our use of your Personal Information that you have previously provided to us, you may contact us by emailing us at [info@clintblack.com](mailto:info@clintblack.com)

In your request, please make clear what Personal Information you would like to have changed and what limitations (if any) you would like to place on our use of your Personal Information. We will try to comply with your request as soon as reasonably practicable. We may need to retain certain information for recordkeeping purposes, and there may also be residual information that will remain within our databases and other

records which will not be removed. We are not responsible for changing, removing or suppressing information from the databases of artists or unaffiliated third parties with which we have already shared your Personal Information.

## CONTACTING US

If you have any questions about this Privacy Policy, please contact us by email at [info@clintblack.com](mailto:info@clintblack.com).

Please note that email communications are not always secure, so please do not include credit card information or other sensitive information in your email messages to us.