

# SortArena Policies

The following Copyright Policy, Privacy Policy, Feedback Policy, and Text Messaging Policy (collectively, the "Policies") apply to your use of our Products.

## Copyright Policy

We respect the intellectual property rights of others and expect our users to do the same.

It is our policy, in appropriate circumstances and at our discretion, to disable and/or terminate the accounts of users who repeatedly infringe the copyrights of others in accordance with the U.S. Digital Millennium Copyright Act (the text of which can be found at the U.S. Copyright Office Web Site, <http://www.copyright.gov>).

If you are a copyright owner, or are authorized to act on behalf of one, or authorized to act under any exclusive right under copyright, and believe that any material available on or through our website, including applications, products, user-generated content, posts or materials on user forums, or any other content (collectively referred to as "Content"), infringes upon your copyrights, you may report alleged copyright infringements by providing the information in the following DMCA Notice of Alleged Infringement ("Notice") and delivering it to our Designated Copyright Agent identified below. Upon receipt of the Notice, we will take whatever action, in our sole discretion, we deem appropriate, including removal of the Content. If we remove or disable access in response to such a notice, we may notify the owner or administrator of the Content so that he or she can make a counter notification.

Please note that filing a report of intellectual property infringement is a serious matter with legal consequences. Any person who knowingly materially misrepresents that material or activity is infringing could be liable for damages pursuant to section 512(f) of the DMCA or similar laws in other jurisdictions or countries. Accordingly, if you are not sure whether material available online infringes your copyright, we suggest that you first contact an attorney. You acknowledge that if you fail to comply with all of the notice requirements below, your copyright notice may not be valid.

### DMCA NOTICE OF ALLEGED INFRINGEMENT

- Identify the copyrighted work that you claim has been infringed, or—if multiple copyrighted works are covered by this Notice—you may

provide a representative list of the copyrighted works that you claim have been infringed.

- Identify the material that you claim is infringing (or to be the subject of infringing activity) and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit us to locate the material, including at a minimum, if applicable, the URL of the link shown on the Site(s) where such material may be found.
- Provide your mailing address, telephone number, and, if available, email address. (Note that we may provide your contact information, including your name and email address, the name and address of the owner of the right in question, and/or the contents of your report to the person who posted the material you are reporting.)

Include both of the following statements in the body of the Notice:

- "I hereby state that I have a good faith belief that the disputed use of the copyrighted material is not authorized by the copyright owner, its agent, or the law (e.g., as a fair use)."
- "I hereby state that the information in this Notice is accurate and, under penalty of perjury, that I am the owner, or authorized to act on behalf of the owner, of the copyright or of an exclusive right under the copyright that is allegedly infringed."

Provide your full legal name and your electronic or physical signature.

Deliver this Notice, with all items completed, to our Designated Copyright

Agent:

Brent Sandstrom

c/o SortArena Products

942 S Copper Key Ct.

Gilbert, Az 85233

or

email: [info@SortArena.com](mailto:info@SortArena.com)

## **Feedback Policy**

Any ideas, suggestions, and feedback about SortArena, the Site, or our Services you provide to us are entirely voluntary, and you agree that we may use such ideas, suggestions, and feedback without compensation or obligation to you.

# SortArena's Text Messaging Policy

Effective: July 24, 2018

We may offer you the ability to receive text messages as a convenience to you. Such text messages may include event scheduling notifications, information on current and upcoming events, products, or offers that may interest you.

## **Summary of our Text Message Policy**

We use text messages to notify you of upcoming events, activities, promotional offers, and live at-event notices like team rosters, class results, and standings. If you don't want to receive text messages, simply opt-out of receiving text messages in your SortArena Account or let a Producer at an event know.

## **Signing up for our text messages**

By providing a Producer or SortArena with your mobile telephone number, you agree to receive text messages. You further understand and acknowledge that any text message which we or our agents send you may be done using an automated or non-automated technology. And that a text message may include informational or promotional content (or both). Text Messages are governed by this text messaging policy ("Text Message Policy") and our Terms of Service incorporated by reference. You understand that you do not have to receive our text messages as a condition of using Services provided by SortArena.

## **Costs of signing up for our text message program**

Our text messaging feature is available as a Premium Feature in your SortArena Account; however, we may offer such service at a discount, trial, or without charge as part of a promotion or at certain events. Please note, message and data rates may apply; this feature is not available in all areas and depends on your wireless carrier's area of coverage and network availability.

## **Frequency of text messages**

The specific amount of text messages may vary depending on how you use our services and the types of text messages you registered to receive. The number of text messages you receive may depend upon factors including how you use our Services.

## **Opting out of our ongoing text message program**

If you do not want to receive future text messages, you may opt out in your Rider Account or reply to one of our text messages with **STOP** or **QUIT**. If you would like to stop receiving text messages at a particular event, please contact the event producer and request that they stop sending text messages to the mobile telephone number which you provided to them. If you subscribe to

multiple services through a single phone number, we may unsubscribe you from the service that most recently sent you a message and/or respond to your **STOP/QUIT** message by texting you a request to identify services you wish to stop. After unsubscribing, we may send you confirmation of your opt-out via text message. If you have revoked consent and want to re-enroll in our text message program, you can resume your enrollment by selecting to do so by checking the text messages box in your Rider Account.

**Modifications to this Policy**

We reserve the right to modify this Text Message Policy, or any part thereof, or add or remove terms at any time, and such modifications, additions, or deletions will be effective immediately upon posting. Your continued enrollment in SortArena's text message program shall be deemed to constitute acceptance by you of such modifications, additions, or deletions.

# SortArena's Privacy Policy

Effective: July 24, 2018

X4 CodeSpace LLC, d/b/a SortArena ("SortArena" or "we" or "ours" or "us") respects your concerns about privacy. That is why we want you to understand how we collect and use information, the types of information that is collected, and whether we share that information. When you use our website, services available on or through the website or your SortArena Account, or when you participate in an event where our software is used (collectively, the "Services"), you agree to our collection, use, disclosure, and transfer of information as described in this policy: so please carefully review it. This Privacy Policy applies to all of our Services.

For your convenience, our Privacy Policy has been organized into two sections. Section 1 lists a few important points discussed in our Privacy Policy. Section 2 contains our entire Privacy Policy. Please review these sections.

## **Section 1—Important Points**

We only collect, use, share, store, or otherwise process your personal information when we have an appropriate basis. For example, we may collect and use your personal information as necessary to provide features relating to our Services. We may process your personal information when necessary to comply with legal obligations or for purposes of your SortArena Account, or pursuing legitimate interests, if doing so is consistent with your rights and appropriate to the context, such as providing Services, performing analytics, and fixing and updating our Services.

We generally collect or receive information from you when you voluntarily provide information to us, such as by creating a SortArena Account, or to an event Producer. We may also collect information automatically, such as through cookies. Sometimes we are provided information about you from other parties, such as associations, organizations, or social networks.

The type of information we collect or receive depends on the Services you use, the websites you visit, and how you access our Services. In general, we collect or receive includes things like your name, an address—including city and state, gender, and birthyear. Our Privacy Policy contains a more comprehensive list of information that may be collected or received by us.

If you have questions or would like clarification on anything in this policy, please email us at [info@sortarena.com](mailto:info@sortarena.com).

## **Section 2—Our Privacy Policy**

### **Information we collect or receive**

We generally collect or receive information in 3 ways: (1) you voluntarily provide information to us, either directly when you create a SortArena Account or indirectly when you register to participate at a Producer event where SortArena Products are used; (2) automatically through cookies or software; and (3) other parties, such as associations, organizations, or social networks, may provide information to us.

#### **(1) Information you voluntarily choose to provide**

When you create a SortArena Account, we will collect personal information such as your name, email address, street address, including city, state and zip code, a password, and your mobile telephone number, and events you have participated in (and if you use your SortArena Account to register for or create a future event<sup>1</sup>, future events at which you may be present.

When you register at an event, you will provide and the Producer will collect certain personal information including your full name, nickname, an address, a birthyear, rating, and gender. We will also collect information such as event statistics, elapse times, cattle count, team partners, information about your horse, audio, video, and notes. We may also collect contact information such as your email address and mobile telephone number to permit us to provide you with your results electronically and provide you with status updates via email and text messages<sup>2</sup>.

Some of the personal data you provide is required so the Producer can conduct the event, for instance, you full name. You also have the option to provide us with some of the additional personal data indicated above to make it easier to identify you and your event data in order to make your event performance available to you in your Rider Account.

The exact personal data and the correctness of the personal data depends on the information requested by the Producer and the accuracy of the information provided and input into the SortArena Software. The more personal data provided and the more accurate the personal data collected is, the more correct and useful the information in your Rider Account will be. The personal

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<sup>1</sup> The event registration feature (for individuals using their Rider Account) and event creation feature (for Producers in their Producer Account) are not yet available.

<sup>2</sup> Text messages and email functions depend on service availability and may require rider to have a Rider Account. Text messaging and data charges may apply.

data available for review in your Rider Account will depend on the type of Rider Account you sign up for.

To enhance your SortArena experience, you will have the option to provide upload images and videos of you that you specifically choose to share with us or that were captured at an event where our software was used.

We may occasionally offer contests, surveys, and sweepstakes. Personal information collected for these types of promotions is used to allow you to sign up and participate in these promotions. The exact personal data collected will vary depending on the promotion.

If you purchase or subscribe to use a Premium Feature or make other purchases through our Services, you will be directed to a third-party payment processor (e.g., Paypal) to facilitate the payment. Please be aware that the third-party payment processor will collect certain personal data from you. How this third-party payment processor uses and protects your personal data is governed by their privacy policy and terms of use, not ours. We strongly encourage you to review their policies and terms of use before you use their service.

## **(2) Information collected automatically**

We collect some information automatically when you visit our Services. If a combination of information that we collect does identify you as an individual, we will treat the combined information as personal information.

We may use anonymized and aggregated information for purposes that include testing our software, systems, research, data analysis, creating marketing and promotional models, improving the Services, and developing new features and functionality within our Services.

We collect information automatically through technologies such as web browsers, cookies, log files, web beacons, and our back-end servers collect usage data transmitted from software. We use the information for purposes such as modifying or improving features, managing advertising, addressing technical issues, preventing fraud or misuse of our services, and conducting data analytics. The type of information that we automatically collect may vary, but generally includes:

- Technical information about your computer, device, hardware, or software you use to access the Internet or our services, such as IP address or other transactional or identifier information for your device (such as device make and model, information about device operating systems and browsers, or other device or system related specifications);

- Usage information and statistics about your interaction with our websites, games, game engines, and applications, which may include the URLs of our websites that you have visited, URLs of referring and exiting pages, page views, time spent on a page, number of clicks, platform type, the application you used, how long you used it and when, and other usage statistics;
- Crash reports;
- Information that facilitates a safer and more personalized experience, such as your display name or other user identification provided in connection with your use, saved preferences, and device identifiers or usage information for authentication and fraud prevention purposes;
- The location of your device, such as may be derived from your device's IP address.

Please note that if certain features on our Services are provided by third-parties, those third-parties may also use automated means of data collection and may record information about your use of our Site or others' websites over time. These features are subject to those third-parties' privacy notices and policies.

### **(3) Information we receive from Others**

In some cases, other parties provide us with information about you, or allow us to collect information about you. We generally collect or receive information from other parties regarding your past performance at events. We are not able to control the amount or type of information that other parties like social networks make available to us. However, we use only the data that we need to provide the Services we think our users want and expect.

### **How we use and share information**

We use your information to provide Services, experience, or information you request. We may also use your information for legitimate interests consistent with your rights and preferences including:

- To provide, personalize, and quantify your sorting performance at a single event and in the aggregate to measure an individual's ability from his or her past and recent performances.
- To understand how you access and use the Services to ensure technical functionality of the Services, develop new products and services, and analyze your use of the Services, including your interactions with content, advertising, and services that are made available, linked to, or offered through our Services.
- To communicate with you for event and account related purposes.
- To process your payment.

- To prevent or detect fraud.
- To communicate with you, either directly or through one of our Producers or partners, for marketing, research, participation in events, contests, sweepstakes, or promotions, via emails or text messages consistent with any permissions you may have communicated to us.
- To provide you with features, information, notifications, advertising, or other content which is based on your specific location.

We store personal information for as long as we reasonably need it to fulfill the purposes for which it was collected. For example, if you register for an event or create a SortArena Account, we will store your information for as long as needed to maintain your account, provide the Services to you and other uses, enforce any applicable terms that govern your use of the services, and maintain appropriate records to reflect our delivery of Services to you and other users. We periodically review the personal information we retain to determine whether continued storage is proper. We may share, or provide you with opportunities to share, information about you with other users of our Services, as described in this policy. We also provide services that allow our users to communicate with us, Producers, and each other, in which case personal information may be shared and account IDs may be displayed

We will share information with Producers. And we may also disclose information about you: (i) if we are required to do so by law, legal process, or a reasonable request from law enforcement authorities or other government officials, (ii) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation of suspected or actual illegal activity, or (iii) if necessary to protect the vital interests of another individual (such as to prevent death, bodily harm, or serious damage to property). We reserve the right to transfer information about our users in the event we sell or transfer all or substantially all our business or assets.

If you request, we will delete your SortArena Account. Deleting your account will not delete information associated with the RiderID, which SortArena assigns to each individual who participates at a Producer event or who registers for a SortArena Account.

### **Links**

We may display advertisements from third-parties and other content that links to third-party websites. We cannot control or be held responsible for third-parties' privacy practices and content. If you click on a third-party advertisement or link, please understand that you are leaving the SortArena Service and any personal data you provide will not be covered by our Privacy Policy. Please read

their privacy policies to find out how they collect and process your personal data.

### **Keeping your personal data safe**

We are committed to protecting our users' personal data. We implement appropriate technical and organizational measures to help protect the security of your personal data; however, please note that no system is ever completely secure. We have implemented various policies including pseudonymization, encryption, access, and retention policies to guard against unauthorized access and unnecessary retention of personal data in our systems.

Your password protects your user account, so we encourage you to use a unique and strong password, limit access to your computer and browser, and log out after having used the Services.

### **Children**

The Services are not directed to children under the age of 13 years. However, if a child wants to use our Services, how and when we will collect personal data and provide parental notice or seek parental consent will be done in accordance with United States' Children's Online Privacy Protection Act ("COPPA"). If we discover we have collected information from a child in a manner inconsistent with COPPA's requirements, we will either delete the information or immediately seek the parent's consent for that collection.

### **Changes to this Privacy Policy**

We may occasionally make changes to this Privacy Policy.

When we make material changes to this Privacy Policy, we'll provide you with prominent notice as appropriate under the circumstances, e.g., by displaying a prominent notice within the Service, on our website, or by sending you an email.

Please, make sure you read any such notice carefully.

### **How to contact us**

Thank you for reading our Privacy Policy. If you have questions about our policy, please contact us at [info@sortarena.com](mailto:info@sortarena.com).