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# Privacy Policy

**PRIVACY POLICY – Stack Sports.** Welcome to Stack Sports, a Web-based software platform operated by SPay, Inc. d/b/a Stack Sports (“Stack Sports,” “we,” “our,” or “us”) for athletes, parents, coaches, team managers, tournament directors, clubs, leagues and associations. We are committed to protecting your privacy in accordance with the terms of this Privacy Policy. This Privacy Policy explains how we collect, use, share and protect your personal information. It applies to Stack Sports’ collection of information on our websites, applications, services and tools (collectively, our “Service”). Please remember that we integrate with and provide many of our Services to organizations who have their own privacy practices, which may also govern your data in different ways. This Privacy Policy applies only to our own data practices, and not to the practices of third parties that we do not control. By using our Services, you agree to the terms of this Privacy Policy and our Terms of Use (<http://stacksports.com/terms>). The affiliated companies of Stack Sports to whom this Policy applies are listed [here](#).

## 1. INFORMATION WE COLLECT

We, or our service providers on our behalf, collect personal information about our users so

that we can provide our Services. This includes information provided to us directly, such as personal information you provide when you visit the Services, and information that is passively or automatically collected from you, such as anonymous information collected from your browser or device. This policy describes our data practices and the choices available to you about how your data is used. The categories of information we collect may include:

A. Registration and profile information collected when you join the Service. We may collect personal information such as a username, first and last name, birthdate, phone number, email address, and other information when you register for a Stack Sports account, participate in a Stack Sports ballot, promotion, drawing, sweepstakes or contest, or if you correspond with us. We may collect payment and billing information if you sign up for premium services.

B. Data collected through the use of the Service. After you set up your account, you may be able to provide additional information which may be shared through your public profile, such as your height, weight, gender, interests, friends, contacts, referrals, photograph and/or video and other biographical, biometric or personal information (“Profile Information”), and information about your athletic performance or information relating to your team, league, or organization. This information may be provided by a third party, such as a parent, player, youth coach, high school coach, college coach, tournament director, team manager, club, league or association or it may be provided by you directly. Associations, clubs, leagues, coaches and team managers may provide information about their teams and biographical and contact information about athletes and may also add notes and commentary relevant to the team or recruiting. We also collect information about how you use the Service, how you input data and the data you input.

C. Contact Information. Stack Sports may collect information from an address book or stored contact list that a user uploads or otherwise provides access to Stack Sports. If you are a tournament director, team manager, club coach, league or association representative, high school coach, or college coach, who uploads information about

athletes, we will send an email to any athlete (or parent of such athlete) who is not already a member of the Service, inviting the athlete to join the Service. If you are a college coach, you can turn off these emails on the Settings page.

D. Information we collect from third parties. We may collect information about you from publicly available sources or other third parties, including your tournament schedule, player statistics, etc. We may also receive information about you and your friends when you interact with our sites through various social media, for example, by liking us on Facebook, following us on Twitter, or connecting on Instagram, Vimeo, or other social networks. The data we receive is dependent upon your privacy settings with the social network. You should always review, and if necessary, adjust your privacy settings on third-party websites and services before linking or connecting them to the Stack Sports Service.

E. Information we collect automatically: device information, which may include your IP address, browser types, browser language, operating system, platform type, device types, and device IDs such as unique identifiers or advertising identifiers; usage information, which may include files you download, domain names, landing pages, your browsing activity, what you click, scrolling and keystroke activity, pages viewed, advertising viewed or visited, forms or fields you complete or partially complete, search terms, whether you open an email and your interaction with the content, access times, and error logs, and other similar information; location information, which may include the city, state and ZIP code associated with your IP address, information derived through Wi-Fi triangulation, and precise location information from GPS-based functionality on your mobile devices or from your use of our mobile apps, and with your consent, your precise GPS information; viewing behavior, which may include the content you view, how long you watch each video, the quality of the service you receive (e.g. buffering, load times) as well as advertisements you have been shown or interacted with; and offline information, which may include certain information that may also be stored while you are offline and transmitted to us when you next connect to the Internet, regardless of where you connect from or the device you use to connect.

F. Monitoring user activity. We may at our discretion, but are not obligated to, monitor the communications that take place on our Service, such as messaging, in order to protect our users and monitor the effectiveness of our Service. You acknowledge that you have no expectation of privacy with respect to any such communications or postings, and you expressly consent to such monitoring.

## 2. HOW WE USE COOKIES AND OTHER TRACKING TECHNOLOGY TO COLLECT INFORMATION.

We automatically collect certain types of usage information when you visit our website or use our Service. For instance, when you visit our website, we may send one or more cookies — a small text file containing a string of alphanumeric characters used by many websites — to your computer that uniquely identifies your browser and lets us help you log in faster and enhance your navigation through the site. A cookie may also convey information to us about how you use the Service (e.g., the pages you view, the links you click, how frequently you access the Service, and other actions you take on the Service), and allow us to track your usage of the Service over time. We may collect log file information about your browser or mobile device each time you access the Service. Log file information may include anonymous information such as your web request, Internet Protocol (“IP”) address, browser type, information about your mobile device, referring / exit pages and URLs, number of clicks and how you interact with links on the Service, domain names, landing pages, pages viewed, and other such information. We may employ clear gifs (also known as web beacons), which are used to anonymously track the online usage patterns of our Users. In addition, we may also use clear gifs in HTML-based emails sent to our users to track which emails are opened and which links are clicked by recipients. The information allows for more accurate reporting and improvement of the Service. We may also collect analytics data, or use third-party analytics tools, to help us measure traffic and usage trends for the Service or to create profiles about you for advertising, marketing and analytics purposes. These tools collect information sent by your browser or mobile device, including the pages you visit, your use of third party applications, and other information that assists us in analyzing and improving the Service. If you would prefer not to accept cookies, most browsers will allow you to: (i) change your

browser settings to notify you when you receive a cookie, which lets you choose whether or not to accept it; (ii) disable existing cookies; or (iii) set your browser to automatically reject any cookies. Please be advised however that some Service features may not work with cookies disabled and that for certain features you may not be able to disable cookies. You may also set your email options to prevent the automatic downloading of images that may contain technologies that would allow us to know whether you have accessed our email and performed certain functions with it. Although we do our best to honor the privacy preferences of our Users, we are not able to respond to Do Not Track signals from your browser at this time.

When you access the Service by or through a mobile device, we may receive or collect and store a unique identification numbers associated with your device or our mobile application (including, for example, a UDID, Unique ID for Advertisers (“IDFA”), Google Ad ID, or Windows Advertising ID), mobile carrier, device type, model and manufacturer, mobile device operating system brand and model, phone number, and, depending on your mobile device settings, your geographical location data, including GPS coordinates (e.g. latitude and/or longitude) or similar information regarding the location of your mobile device.

When you upload photographs to Stack Sports websites and platforms, those files may contain location information or other metadata. This metadata may be accessible to others if you share content on the Service.

We may use the data collected through cookies, log file, device identifiers, location data, clear gifs and other collection information to: (a) remember information so that you will not have to re-enter it during your visit or the next time you visit the site; (b) provide custom, personalized content and information, including advertising; (c) provide and monitor the effectiveness of our Service; (d) monitor aggregate metrics such as total number of visitors, traffic, usage, and demographic patterns on our website and our Service; (e) diagnose or fix technology problems; and (f) otherwise to plan for and enhance our service.

Third Party Tracking and Online Advertising. We may permit third party ad networks, social media companies, and other third party services to collect information about browsing behavior from visitors to our Service through cookies, social plug-ins, or other tracking technology. We may permit third party online advertising networks to collect information about your use of our websites over time so that they may play or display ads that may be relevant to your interests on our Service as well as on other websites or services. Typically, the information is collected through cookies or similar tracking technologies. The only way to completely “opt out” of the collection of any information through cookies or other tracking technology is to actively manage the settings on your browser or mobile device. Please refer to your browser’s or mobile device’s technical information for instructions on how to delete and disable cookies, and other tracking/recording tools. (To learn more about cookies, clear gifs/web beacons and related technologies and how you may opt-out of some of this tracking, you may wish to visit <http://www.allaboutcookies.org> and/or the Network Advertising Initiative’s online resources, at <http://www.networkadvertising.org>). Depending on your mobile device, you may not be able to control tracking technologies through settings.

By visiting the Service, whether as a registered user or otherwise, you acknowledge, and agree that you are giving us your consent to track your activities and your use of the Service through the technologies described above, as well as similar technologies developed in the future, and that we may use such tracking technologies in the emails we send to you. Third parties may themselves set and access their own tracking technologies when you visit our Services and they may have access to information about you and your online activities over time and across different websites or applications when you use the Service. Third parties’ use of such tracking technologies is not in our control and is subject to such third parties’ privacy policies.

### 3. HOW WE MAY USE YOUR INFORMATION

We use information to operate, maintain, and provide to you the features of the Services. We may use this information to communicate with you, such as to send you email messages, and push notifications and to permit other users of the Service to contact you.

You may control your receipt of email by visiting the “Settings” page on our website, contacting us at [help@stacksports.com](mailto:help@stacksports.com) to opt-out of receiving such messages, or unsubscribing through the email itself using the unsubscribe link. We may also send you Service-related emails or messages (e.g., account verification, payment confirmations, change or updates to features of the Service, technical and security notices). You may not opt-out of Service-related emails. For more information about your communication preferences, see “Your Choices Regarding Your Information” below.

Depending on the specific Stack Sports service that you use, we may use your information to: (a) provide the Stack Sports Services, including responding to your requests or inquiries; providing technical support; (b) send you service-related communications, including announcements and administrative messages;

Display certain content, such as content you upload and make available, comments, and game statistics and rankings; (c) better understand how you use the Stack Sports services so we can improve them; provide you with more personalized user experiences such as delivering advertising based on your activities and interests; (d) create profiles about you, including adding information we obtain from third parties, which may be used for analytics, marketing and advertising, send you emails, newsletters, surveys and information about products, services and promotions offered by Stack Sports, our partners, and other organizations with which we work; (e) process your entries into sweepstakes, contests or promotions to the extent we offer them; (f) recognize your devices and associate the information with your profile including, using data collected or received from Stack Sports affiliates, service providers, advertisers, and other third parties, such as your device information, to match mobile advertising and cookie identifiers; (g) matching your devices if you log into the same online service on multiple devices or web browsers or if your devices share similar attributes that support an inference that they are used by the same user or household; (h) using information to match your interests across devices, as well as for analytics, ad serving or reporting, or to improve the services; (i) identifying you or your device or associated information with you, your device, or your profile whenever you visit a Stack Sports Service, even if you do so when logged out or without intentionally identifying yourself; (j) provide Services for our tournaments, events,

combines and competitions, such as ticketing and payment services, mapping guidance, offers, and player rosters; (k) prevent fraud or other potentially illegal activities and defend our legal rights; (l) protect the safety of our users and others; and (m) enforce our terms of service

#### 4. SHARING OF YOUR INFORMATION

We may share your personal information in the instances described below. For further information on your choices regarding your information, see the “Your Choices About Your Information” section below.

Remember, our Service allows you to connect with others and share information about yourself with other individuals and organizations. Your profile and information, including your name, photo, and other personal information, may be available publicly to other members of the Service by default and may be searchable by search engines which may display certain of your information publicly. If you are an athlete on Stack Sports, you may be able to adjust your profile settings to entirely prevent the general public from viewing your profile, though it will remain visible to other users of the Service. Also, remember that organizations and other third parties that use Stack Sports Services may have their own data collection and use policies that Stack Sports does not control, even in situations where Stack Sports may access or maintain such data on behalf of the organization. Please review the privacy policies of any third party organization before sharing your personal information with that organization.

We may also share your personal information with:

- A. Other companies owned by or under common ownership at Stack Sports. These companies will use your personal information in the same way as we can under this policy;
- B. Third-party vendors and other service providers that perform services on our behalf, as needed to carry out their work for us, which may include identifying and serving targeted advertisements, billing, payment processing, content or service fulfillment, providing research and analytic services, website hosting, transaction fulfillment, database

maintenance, contest, sweepstakes and promotion administration, fraud prevention, technology services and platforms, identity management and acquisition and conversion services.

C. Trusted business partners who may use your information to contact you about opportunities that may be of interest to you.

D. Other users of the Stack Sports Service. Your information, including both information you provide and information we have collected about you from other users, may be searchable by or made available to other users of the Service. These users may contact you via email or, with your consent, via text messages. Once your information has been shared with another user of the Service, that user may use and maintain copies of your information outside of the Service. You may be able to control some elements of data sharing through your settings.

E. With colleges and universities. Stack Sports may disclose your personal information directly or via a third party to representatives of accredited colleges and universities that you have indicated you are interested in attending, as well as to representatives of other accredited colleges and universities that Stack Sports and/or our business partners may be of interest to you.

F. The public. Any information that you voluntarily disclose for posting to the Service is viewable by other users and the public. For example, a tournament director may print a list of athletes at an event and distribute that list to tournament attendees who may or may not be members of the Service.

G. Other parties in connection with a company transaction, such as a merger, sale of company assets or shares, reorganization, financing, change of control or acquisition of all or a portion of our business by another company or third party or in the event of a bankruptcy or related or similar proceedings;

H. Other parties in connection with information about you along with a hashed or masked identifier, with third parties so they may better personalize your experience with them and the offers they send you.

I. Third parties as required by law or subpoena or to if we reasonably believe that such action is necessary to (a) comply with the law and the reasonable requests of government, regulatory, law enforcement, or public authorities; (b) to enforce our Terms of Use <http://StackSports.com/terms> or to protect the security or integrity of our Service; (c) protect our legal rights, privacy or safety, and the rights, privacy and safety of our affiliates, our employees, agents, contractors, or other individuals; (d) protect against fraud or other illegal activity or for risk management purposes; and/or (e) permit us to pursue available remedies, commence, participate in, or defend litigation, or limit the damages that we may sustain.

We may also aggregate or otherwise strip data of all personally identifying characteristics and may share that aggregated, anonymized, hashed or tagged data with third parties.

## 5. YOUR CHOICES ABOUT YOUR INFORMATION

Access, correct and update personal information. You can access, correct and update certain personal information that you have provided to us by clicking on “Edit Profile” and “Account Settings” on our website.

Communications preferences: You may update your communication preferences at any time by logging into your account and updating your contact information or changing your account settings. You can also stop receiving promotional email communications from Stack Sports by clicking on the “unsubscribe link” provided in such communications. You can also stop receiving promotional text messaging from Stack Sports by following the instructions to stop the delivery of such messages, which may include by replying “STOP” to the received text message. We make commercially reasonable efforts to promptly process all unsubscribe requests. As noted above, you may not opt out of Service-related communications (e.g., account verification, purchase and billing confirmations and reminders, changes/updates to features of the Service, technical and security notices).

Please note that Coaches and other users may contact you through or outside of the Service and Stack Sports may not be able to control your preferences for those types of communications.

The Service may allow college coaches to communicate with the athletes on their roster via text message if the college coach sender has their athletes' consent to do so.

If you have any questions about modifying your account information or changing your communication preferences, you can contact us directly at [help@stacksports.com](mailto:help@stacksports.com).

**Privacy Settings:** Subject to your profile and privacy settings, any information that you make public is searchable by other Users and may be accessible via API(s) and viewable on search engines. You may be able to restrict some of this public sharing by changing your profile privacy settings on the Service or by limiting the type of data in your profile. Changing your privacy settings will not have any effect on information that was previously shared through the Service. Remember that even if you remove information that you posted to the Service, copies may remain viewable in cached and archived pages of the Service, or if other Users have copied or saved that information.

Certain information is not searchable or viewable to other Users. This can include: analytics information about your performance on the website, notes you make on your recruiting progress, ratings you give to other Users, your lists of other Users and non-Users, and messages you send and receive.

**How long we keep your Information:** Following termination or deactivation of your User account, Stack Sports may retain your profile information for a commercially reasonable time for backup, archival, or audit purposes. Please contact us at [help@stacksports.com](mailto:help@stacksports.com) if you wish to delete your account. In some instances we may not be able to delete your content but we will inform you of the reason.

Please be aware that we will not be able to delete any content you have shared with others on the Service or with social media sites. Please also be aware that we may be able to

delete data that you provided to the Service about yourself or others, but we may not be able to delete data about you that was provided by another user, such as a youth coach, college coach, or tournament director. By way of example, if a youth coach adds an athlete's information to a team roster or a college coach adds a recruit to the college coach's list, that information cannot be deleted by the athlete once it has been shared or entered by the coach).

## 6. HOW WE STORE AND PROTECT YOUR INFORMATION

**Storage and Processing:** Your information collected through the Service may be stored and processed in the United States or any other country in which Stack Sports or its subsidiaries, affiliates or service providers maintain facilities. If you are located in the European Union or other regions with laws governing data collection and use that may differ from U.S. law, please note that we may transfer information, including personal information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction, and you consent to the transfer of information to the U.S. or any other country in which Stack Sports or its parent, subsidiaries, affiliates or service providers maintain facilities and the use and disclosure of information about you as described in this Privacy Policy.

**Keeping your information safe:** Stack Sports cares about the security of your information, and uses commercially reasonable physical, administrative, and technological safeguards to preserve the integrity and security of all information collected through the Service. However, no security system is impenetrable and we cannot guarantee the security of our systems. In the event that any information under our control is compromised as a result of a breach of security, Stack Sports will take reasonable steps to investigate the situation and where appropriate, notify those individuals whose information may have been compromised and take other steps, in accordance with any applicable laws and regulations.

## 7. CHILDREN'S PRIVACY; MINORS; SCHOOLS

Stack Sports does not knowingly collect or solicit any information from anyone under the

age of 13 or knowingly allow such persons to register as Users. In the event that we learn that we have collected personal information from a child under age 13, we will delete that information as quickly as possible. If you believe that we might have collected any information from a child under 13, please contact us at [help@stacksports.com](mailto:help@stacksports.com).

We recommend that minors over the age of 13 ask their parents for permission before sending any information about themselves to us or anyone else over the Internet.

Minors under 18 years old, or their parents, may request the removal of information that they posted to Stack Sports sites by contacting [privacy@stacksports.com](mailto:privacy@stacksports.com). Upon such request, Stack Sports will anonymize, or remove any content posted by a minor, unless required by law to retain such content or information.

Schools and other organizations that are covered by state student privacy laws will be able to control the collection and processing of student data when they create and utilize certain solutions we make available to them, such as sports team management solutions.

#### 8. LINKS TO OTHER WEB SITES AND SERVICES

Our Service may integrate with or contains links to other third party sites and services. We are not responsible for the practices employed by third party websites or services embedded in, linked to, or linked from the Service and your interactions with any third-party website or service are subject to that third party's own rules and policies. In addition, you agree that we are not responsible for and we do not have any control over any third parties that you authorize to access your information, including the organizations you interact with on our Service.

#### 9. HOW TO CONTACT US

If you have any questions about this Privacy Policy or the Service, please contact us at [help@stacksports.com](mailto:help@stacksports.com).

#### 10. CHANGES TO OUR PRIVACY POLICY

Stack Sports may modify or update this Privacy Policy from time to time to reflect the

changes in our business and practices, and so you should review this page periodically. When we change the policy in a material manner we will update the ‘last modified’ date at the bottom of this page.

## 11. INTERNATIONAL TRANSFER

This Service is governed by and operated in accordance with US law. If you are located outside of the US, you use this Service at your own risk. By using this Service, you acknowledge that the data protection and other laws of other countries, such as the United States, may provide a less comprehensive or protective standard of protection than those in your country, and consent to your Information being collected, processed and transferred as set forth in this Privacy Policy and US law. We will take steps to ensure that your information receives an appropriate level of protection.

## 12. HOW YOU CAN ACCESS OR CORRECT INFORMATION

Access to certain account-specific personal information that is collected from our Services and that we maintain may be available to you. For example, if you created a password-protected account within our Service, you can access that account to review certain information you provided. You may also send an e-mail or letter to the following e-mail or street address requesting access to or correction of your personal information. Please include your registration information for such service such as first name, last name and e-mail address in the request. We may ask you to provide additional information for identity verification purposes, or to verify that you are in possession of an applicable email account.

E-mail Administration

Stack Sports LLC

c/o Stack Sports

5360 Legacy Drive

Suite 150

Plano, TX 75034

Telephone: (866) 892-0777

Email: [privacy@stacksports.com](mailto:privacy@stacksports.com)

### 13. HOW TO OPT OUT OF MARKETING COMMUNICATIONS

If you would like to opt out from our sharing of your personal Information with unaffiliated third parties for the third parties' direct marketing purposes you may contact our Privacy Policy Coordinator at the above address or [privacy@Stack Sports.com](mailto:privacy@StackSports.com) and request that we opt you out of such sharing. We may ask you to provide additional information for identity verification purposes, or to verify that you are in possession of an applicable email account.

If you have signed up to receive our e-mails and prefer not to receive marketing information from this Service, follow the “unsubscribe” instructions provided on any marketing e-mail you receive from us. If you have signed up to receive text messages from us and no longer wish to receive such messages, you may follow the instructions to stop the delivery of such messages, which may include by replying “STOP” to the received text message.

### 14. California Residents —Privacy Rights

California's Civil Code section 1798.83 requires certain businesses to respond to requests from California customers asking about the business' practices related to disclosing personal information to third parties for the third parties' direct marketing purposes. Alternately, businesses, such as ours, may have in place a policy not to disclose personal information of customers to third parties for the third parties' direct marketing purposes if the customer has exercised an option to opt-out of such information-sharing. As discussed above in Section 13, if you wish to opt-out of our sharing of your personal Information with third parties for the third parties' direct marketing purposes, please contact our Privacy Policy Coordinator as described above. If you are a resident of California, you can request a list of the third parties to which we have disclosed certain personal information (as defined by California law) during the preceding year for those third parties' direct marketing

purposes. California residents may contact us at: Chief Privacy Officer, STACK SPORTS, 5360 Legacy Drive, Suite 150, Plano, TX 75034. You must include the statement “Your California Privacy Rights” in the body of your request, as well as your name, street address, city, state, and zip code. Also, in the body of your request, please provide sufficient information for us to determine if this applies to you. You need to attest to the fact that you are a California resident and provide a current California address for our response. We will not accept requests by telephone, email, or facsimile, and we are not responsible for notices that are not labeled or sent properly, or that do not have complete information.

This privacy policy was last modified on August 23rd, 2019.