

# Bullpen Strategy Group, Inc. Privacy Policy

**Effective Date:** September 10, 2020

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## A. Bullpen Strategy Privacy Statement

Bullpen Strategy Group, Inc. (“**Bullpen Strategy**”, “**we**”, “**our**”, “**us**”) offers a service that allows Bullpen Strategy customers (“**Customers**”) and their users (“**you**”) the ability to gather specialized analysis through Twitter to solve problems, grow, and manage risk through Bullpen Strategy’s online tools including our website **bullpenstrategygroup.com** (the “**Site**”) (collectively, the “**Services**”). As part of the Services we may collect, use and disclose Personal Data.

Your privacy is valued and respected by Bullpen Strategy. This Privacy Policy (“**Privacy Policy**”) describes the types of information, including Personal Data, that Bullpen Strategy processes as part of our Services. This Privacy Policy outlines your rights regarding Bullpen Strategy’s use and disclosure of your Personal Data.

As used in this Privacy Policy, the term “**Personal Data**” means information that identifies you or your household directly or indirectly, by reference to identifier(s) such as your name, identification number, location data, online identifier or one or more factors specific to your physical, physiological, genetic, mental, economic, cultural, educational, commercial, professional or social identity.

This Privacy Policy is part of our Terms of Service (**bullpenstrategygroup.com/termsofuse**) which is incorporated by reference.

If you have any questions about our privacy practices, please refer to the end of this Privacy Policy for information about how to contact us.

## B. Personal Data Collected by Bullpen Strategy

1. Types of Personal Data Collected. Bullpen Strategy collects Personal Data about you as described in this section.
  - a. *Personal Data provided by our Customers.* Bullpen Strategy collects and stores Personal Data provided to us by our Customers as part of the Services. This includes name, demographic information and contact information. We use the data received from our Customers in order to deliver the Services and administer your access to the Services.
  - b. *Personal Data that You Knowingly and Willingly Provide.* Bullpen Strategy collects information that you knowingly and voluntarily provide when you use our Service (such as through web forms or profile screens). This includes your name and contact information. We primarily use this information to administer the Services, respond to requests and coordinate access.
  - c. *Personal Data Collected by Cookies and Other Similar Technologies.* Bullpen Strategy may obtain information about you by installing “cookies” on your device. We use cookies to collect statistical information about the way visitors use our Service including which pages of our Site they visit, which links they use, and how long they stay on each page. Bullpen Strategy also may use cookies to

create a database of your previous choices and preferences, saving you time and effort. More information on our use of cookies can be found in Section G(2).

### **C. How Is Your Personal Data Used?**

We process your Personal Data, including sharing with third parties, where processing is necessary for the purposes of our legitimate commercial interests and performance of the Services, except where such interests are overridden by your rights and interests or processing is required to protect your vital interests or those of another person or processing is otherwise required by law.

We do not sell your Personal Data.

We may use Personal Data we collect about you on its own or combine it with other information we have about you to:

- Achieve our business purpose in providing the Services;
- To perform and improve the Services (including providing Personal Data to our Customers);
- Perform internal operations, such as tracking and improving the effectiveness of our Services;
- Conduct research;
- Conduct audits;
- Provide information to our suppliers;
- Provide information to our representatives and/or advisors, such as our attorneys, accountants, and others to help us comply with legal, accounting, or security requirements;
- Resolve disputes between users and/or a user and the company as set forth in our Terms of Service;
- Transfer your information, such as to servers outside of the United States, or as part of a merger or sale of the business;
- Protect the rights, safety, and information of our members, third parties, as well as our own. This includes fraud prevention, business or product recalls, prosecuting and defending a court arbitration or similar proceeding, and more; and
- Comply with legal requirements, such as in response to a subpoena or similar investigative demand.

Bullpen Strategy may aggregate, combine, anonymize and/or pseudonymize any data that we process, including Personal Data. This may be done for the purpose of performing the Services, correcting data currently held by Bullpen Strategy, expanding data sets, research, and other data modeling.

### **D. Who Can Access the Personal Data We Collect?**

Bullpen Strategy will only disclose your Personal Data as set forth in this Privacy Policy, as permitted by law, or with your consent.

We will only transfer your Personal Data to trusted third-parties who provide sufficient guarantees in respect of the technical and organizational security measures governing the processing to be carried out and who can demonstrate a commitment to compliance with those measures.

Where third parties are processing Personal Data on our behalf, they will be required to agree, by contractual means or otherwise, to process the Personal Data in accordance with the applicable law and to act only on our instructions.

Bullpen Strategy may disclose your Personal Data to the following entities and for the listed purposes:

1. Customers and Other Authorized Business Partners. For the purpose of providing the Services, we share Personal Data of a Customer's users with that Customer and other authorized business partners.
2. Employees. Only authorized employees have access to your Personal Data.
3. Affiliates. Bullpen Strategy shares Personal Data with our affiliates companies.
4. Agents and Service Providers. We employ other companies and individuals to perform functions on our behalf. Examples of such functions include fulfilling orders, delivering packages, sending postal mail and e-mail, removing repetitive information from customer lists, analyzing data, providing technical support, providing search results and links (including paid listings and links) and providing customer service. We may share Personal Data with these agents as we deem necessary for such third parties to perform their functions.
5. To Comply with Legal Process, Protect Company, or Enforce our Rights. We may further disclose your Personal Data when it is necessary to: (i) conform to legal requirements or comply with legal process; (ii) enforce or apply our conditions of use and other agreements; (iii) protect the rights, safety or property of Bullpen Strategy, our affiliates, our Customers, service providers, you or the public, or (iv) prevent a crime or protect national security (including exchanging information with other companies and organizations for fraud protection and credit risk reduction).
6. As Part of a Merger or Sale of Business. We may disclose or transfer your Personal Data in connection with a substantial corporate transaction, such as the sale of our business, a divestiture, merger, consolidation, or asset sale, or in the unlikely event of bankruptcy.

## **E. Your Rights Regarding Personal Data and Bullpen Strategy Processes**

1. Correction & Removal. If any of the information that we have about you is incorrect, or you wish to have information (including Personal Data) removed from our records, please contact us at [privacy@bullpenstrategygroup.com](mailto:privacy@bullpenstrategygroup.com). We will respond to such inquiries within fifteen (15) business days.

2. **Your California Privacy Rights.** California’s “Shine the Light” law (Civil Code Section § 1798.83) permits individuals with whom we have a business relationship who are California residents to request certain information regarding our disclosure of Personal Data to third parties for their direct marketing purposes. To make such a request, please email us at [privacy@bullpenstrategygroup.com](mailto:privacy@bullpenstrategygroup.com).
3. **Notice to California Residents.** The California Consumer Privacy Act of 2018 (“**CCPA**”) provides several rights to California residents with regards to the collection, disclosure, sale, and deletion of their Personal Data. The Bullpen Strategy Privacy Notice for California Residents **bullpenstrategygroup.com/CAPrivacy** describes in more detail Bullpen Strategy’s compliance with CCPA and how residents of California may exercise their CCPA Rights. If you have questions about exercising your CCPA Rights, please contact us as set forth in Section L.
4. **Notice to Nevada Residents.** We do not transfer personal information for monetary consideration. If you would like to tell us not to sell your information in the future please email us at [privacy@bullpenstrategygroup.com](mailto:privacy@bullpenstrategygroup.com) with your name, postal address, telephone number and email address with “Nevada do not sell” in the subject line.

#### **F. Minors and Children’s Privacy**

Bullpen Strategy does not knowingly collect Personal Data from children under the age of 18. If we learn that Personal Data of persons less than 18 years-of-age has been collected through our Service, we will take the appropriate steps to delete this information. If you are a parent or guardian and discover that your child or a minor under the age of 13 has posted, submitted or otherwise communicated Personal Data to us without your consent, then you may alert us at [privacy@bullpenstrategygroup.com](mailto:privacy@bullpenstrategygroup.com) so that we may take appropriate action to remove the minor's Personal Data from our systems.

#### **Site-Specific Terms**

1. **Do Not Track Policy.** Bullpen Strategy does not respond to web browser “do not track” signals on our Site. As such, your navigation of our Site may be tracked as part of the gathering of quantitative user information described above. If you arrive at our Site by way of a link from a third party site that does respond to “do not track” requests, the recognition of any “do not track” request you have initiated will end as soon as you reach our Site.
2. **Cookie Policy.** When you first access the Site, you will receive a message advising you that cookies are in use. **By continuing to browse the Site, you agree to our use of cookies as described in this Privacy Notice.** If you do not wish to receive cookies, you may set your browser to reject cookies or to alert you when a cookie is placed on your computer. If you limit or disable the use of cookies when you visit the Site, you may be unable to use the full functionality of our Site. For more information about our specific use of cookies, please reference our Cookie Policy **bullpenstrategygroup.com/cookies** which is incorporated herein by reference. We may also permit select third parties to use

cookies to collect information about our Site visitors' online activities across other websites or over time in order to assist us with advertising or Site analytics. The use of cookies by third parties is not covered by our Privacy Policy, as we do not have access to or control over their cookies.

3. **Google Analytics**. Our Service uses Google Analytics to track statistics and analytics about the use of our Service. The cookies installed by Google Analytics are described in our Cookie Policy.
4. **Links to Third Party Services**. Our Site may contain links to third party websites, applications and services not operated by Bullpen Strategy. These links are provided as a service and do not imply any endorsement by Bullpen Strategy of the activities or content of these sites, applications or services nor any association with their operators. Bullpen Strategy is not responsible for the privacy policies or practices of any third party including websites or services directly linked to our Site.
5. **Social Media Features**. Our Site may include social media features, such as the Facebook "Like" button and widgets, such as the "Share This" button or interactive mini-programs that run on our Site. These features may collect your IP address, which page you are visiting on our Site, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our Site. Your interactions with these features are governed by the privacy policy of the company providing it.

## **H. Security**

Bullpen Strategy takes the security of your Personal Data seriously. We utilize industry-accepted reasonable security practices and have implemented adequate technical and organizational measures to protect the confidentiality, security and integrity of your Personal Data. The measures we have implemented take into account the current available security technologies, cost, and risk presented by the type of Personal Data we process.

Although we use reasonable security measures to help protect your Personal Data against unauthorized disclosure or loss, we cannot guarantee the security of Personal Data transmitted to us over the Internet. While we strive to use commercially acceptable means to protect your Personal Data, there is no guarantee that information may not be accessed, disclosed, altered or destroyed.

## **I. Storage and Retention**

The Personal Data that we store is generally stored on Bullpen Strategy's servers located in the United States. If you are located in another jurisdiction, you should be aware that once your Personal Data is submitted through our Service, it will be transferred to our servers in the United States and that the United States currently does not have uniform data protection laws in place. We will retain Personal Data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal requirements.

## **J. International Users**

1. **U.S. Based Company.** We are headquartered in the United States. Your Personal Data may be accessed by us or transferred to us in the United States or to our affiliates, partners, merchants, or service providers who are located worldwide. If you are visiting our Service from outside the United States, be aware that your information may be transferred to, stored, and processed in the United States where our servers are located, and our central database is operated. By using our Service, you consent to any transfer of this information.

We will protect the privacy and security of Personal Data according to this privacy statement, regardless of where it is processed or stored, however you explicitly acknowledge and consent to the fact that Personal Data stored or processed in the United States will be subject to the laws of the United States, including the ability of governments, courts or law enforcement or regulatory agencies of the United States to obtain disclosure of your Personal Data.

1. **FOR INDIVIDUALS IN THE EUROPEAN UNION.** Under the General Data Protection Regulation 2016/679, you have the right to ask us not to process your Personal Data for marketing purposes. We will usually inform you (before collecting your Personal Data) if we intend to use your Personal Data for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your Personal Data. You can also exercise the right by contacting us as described in Section L.

In certain circumstances, you have the right to:

- request access to any Personal Data we hold about you as well as related information, including the recipients or categories of recipients to whom the Personal Data has been shared;
- obtain without undue delay the completion of any incomplete Personal Data or the rectification of any inaccurate Personal Data we hold about you;
- request Personal Data held about you to be deleted provided the Personal Data is not required by Bullpen Strategy for compliance with a legal obligation under European or Member State law or for the establishment, exercise or defense of a legal claim;
- prevent or restrict processing of your Personal Data, except to the extent processing is required for the establishment, exercise or defense of legal claims; and
- request transfer of Personal Data directly to a third party where this is technically feasible.

In addition, where you believe that the Bullpen Strategy has not complied with its obligations under this Privacy Notice or European law, you have the right to make a complaint to an EU Data Protection Authority.

You can exercise any of these rights by contacting us using as described in Section L.

## **K. Changes to this Privacy Policy**

Bullpen Strategy reserves the right to update or modify this Privacy Policy from time to time. If we make any material changes to this Privacy Policy or the way we use, share or collect Personal Data, we will revise the “Effective Date” at the top of this Privacy Policy and prominently post an announcement of the changes on our website prior to the new policy taking effect. The changes to the Privacy Policy will become effective within the period of time posted, but in any event a reasonable period of time. We encourage you to review this Privacy Policy regularly to ensure that you are familiar with Bullpen Strategy’s current practices.

## **L. Privacy Inquiries**

If you have any questions or concerns about this Privacy Policy or our privacy practices please contact us as follows:

- By emailing the Privacy Department at [privacy@bullpenstrategygroup.com](mailto:privacy@bullpenstrategygroup.com)
- By mail post to: Bullpen Strategy  
Attn: Privacy Department  
1500 Wilson Blvd.  
5<sup>th</sup> Floor  
Arlington, VA 22209

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