

ARENA CLUB PRIVACY POLICY

Arenaclub.com, Inc. (“**Arena Club**”, “**ACB**”, “**We**”, “**Us**” or “**Our**”) values Your patronage and respects Your privacy. This Privacy Policy (“**Policy**”) describes the information collection, use, protection, and sharing practices of ACB websites, mobile applications, and electronic communications described below (the “**ACB Websites**”). As used in this Policy, the terms “**You**” or “**Your**” refers to you, any entity you represent, your or its representatives, successors, assigns and affiliates, and any of your or their devices.

ACB is a corporation subject to the laws of the United States. This Policy describes Our information collection, use, protection, and sharing practices in the United States. The United States may not offer a level of privacy protection as great as that offered in other jurisdictions. In jurisdictions outside of the United States where We are subject to different or more restrictive local laws, We may adjust Our practices in those jurisdictions to comply with local laws. Otherwise, We make no representation that the practices described in this Policy are compliant with laws outside of the United States that apply to the collection, security, use and disclosure of information. Information that is collected or stored in jurisdictions outside of the United States may, subject to applicable law, be disclosed or transferred to the United States or other locations. When information is transferred to the United States, it will be handled in accordance with the laws of the United States.

In addition, the terms “**collect**”, “**process**”, “**treat**”, “**use**”, “**share**”, “**disclose**”, “**divulge**” and analogous words shall refer to your Personal Information and other data collected from our visitors and end users.

1. INFORMATION WE COLLECT

We collect information from a variety of sources and in a variety of ways, including the following:

A. **Personal Information.** When You visit, use, and/or access Our products and services (the “**ACB Services**”), You may provide Us with (and/or We may collect) information by which You can be personally identified including Your name, date of birth, postal address, e-mail address, and telephone number, and videos, recordings, and images of You (“**Personal Information**”). We may also obtain Personal Information from third parties.

B. **Employment Application Information.** If You apply for a job with Us, We may ask for certain information about You including Your work and education history, and Your profile/résumé.

C. **Purchase and Transaction Information.** When You visit, use and/or access ACB Services, We may collect information about Your activities and actions including Your transactions.

D. **Sensitive Information.** When You make a purchase, visit, use and/or access ACB Services, or engage in other transactions or activities, You may provide Us with sensitive Personal Information including Your credit or debit card number, financial account number, biometrics, medical/health-related information, driver’s license number, government-issued identification

card number, social security number, passport number, or naturalization number (“Sensitive Information”).

E. Device and Browser Information. When You visit, use, and/or access ACB Services, We may collect information about the type of device and browser You are using, the unique number assigned to Your server or Internet connection, Your physical location, and Your interactions with ACB Services. We may also use “cookies” and similar technologies to help Us recognize and serve You better.

F. Social Media Information. When You use integrated social media features on ACB Services, or other social media Websites or mobile applications, We may obtain information including Your name and e-mail address; and videos, recordings, and images of You.

2. HOW WE USE THE INFORMATION WE COLLECT

A. Use by ACB

Marketing Purposes. We may use the information We collect for Our own marketing purposes including notifying You of special promotions, offers, and events via e-mail, direct mail, social media, telephone, text message, push notifications, in-room notifications, and other means.

Non-Marketing Purposes. We may use the information We collect for non-marketing purposes including (1) validating Your identity; (2) recording and accessing transaction activity; (3) conducting statistical or demographic analysis; (4) processing, fulfilling, and tracking reservations, purchases, or other transactions; (5) complying with legal and regulatory requirements; (6) customizing Your experience while visiting, using and/or accessing ACB Services; (7) protecting and defending ACB and its affiliates against legal actions or claims; (8) preventing fraud; (9) collecting debt; (10) satisfying contractual obligations; (11) evaluating employment applications; and (12) safety and security purposes including cooperating with law enforcement or other government agencies for purposes of national security, public safety, or matters of public importance when We believe that disclosure of information is necessary or appropriate to protect the public interest (collectively “**Non- Marketing Purposes**”).

When it is possible to do so, We may link Personal Information such as Your name or e-mail address with non-Personal Information such as the unique identifier associated with Your computer or mobile device. We may also link Personal Information with other generally or publicly available information to help Us identify Your preferences or interests. The information We collect may also be merged with information available from other sources such as (1) companies that match e-mail addresses with postal addresses and other information; (2) credit card verification and credit services; and (3) other subsidiaries, resorts, casinos, or properties that are owned, operated, or affiliated with ACB.

B. Sharing within ACB

We may share the information We collect for any purpose among ACB and any individual ACB Subsidiary, or ACB Online Service. Sensitive Information will only be shared for Non-Marketing Purposes.

C. Sharing with Business Partners and Other Third Parties

We may share the information We collect with Our business partners and other third parties for joint marketing purposes or Our business partners' (or Our own) marketing purposes. Even if You opt-out of permitting Us to share Your Personal Information with Our business partners and other third parties for marketing purposes, We may still share the information We collect with them for Non-Marketing purposes such as processing transactions, fulfilling Your requests, responding to Your inquiries, etc. Sensitive Information will only be shared with Our business partners and other third parties for Non-Marketing Purposes. When We provide Sensitive Information or other Personal Information to Our business partners and other third parties, We require them to exercise reasonable care to protect such information and restrict the use of such information to the purposes for which it was provided to them.

D. Service Providers

We may engage service providers to provide certain services to Us or to perform certain services on Our behalf including analytics, marketing, fulfillment, etc. In some cases, service providers may collect or be provided with access to Your information as reasonably necessary to perform such services on the condition that they not use or disclose Your Personal Information (including Sensitive Information) for other purposes.

E. Certain Business Transactions

We may share any or all of the information We collect (including Sensitive Information) with any successor to all or part of Our business in connection with a transaction involving a sale, purchase, reorganization, or transfer of any asset of ACB.

3. YOUR COMMUNICATION PREFERENCES

How to Opt-Out of Marketing from Us and How to Opt-Out of Having Your Personal Information Shared with Others for Marketing Purposes

You have the following options related to marketing solicitations;

If You wish to opt-out of receiving marketing solicitations from Us via email, mail, phone, text message and push notification, or You do not want Us to share Your Personal Information for marketing purposes with Our business partners or other third parties please submit Your request via e-mail at support@arenaclub.com.

Although You may opt-out of the use and sharing of Personal Information for marketing purposes, We may still use and share information We collect for Non-Marketing Purposes. For example, even if You choose to opt-out from marketing-related communications, We will continue to send You transactional messages about Your activity on ACB Services.

A. State Specific Opt-Out Rights

California Residents - Your California Privacy Rights. California law requires certain businesses to respond to requests from California residents asking about the disclosure of Personal Information to third parties for third party marketing purposes. Alternately, such businesses may adopt a policy of not disclosing Personal Information to third parties for marketing purposes if a California resident has opted-out of such information sharing. We have adopted an opt-out policy. If You wish to opt-out of Our sharing Your Personal Information with third parties for marketing purposes, please follow the instructions in Section 4.B. above. The California Consumer Privacy Act of 2018 as amended and including any regulations adopted by the California Attorney General (collectively, “CCPA”) grants new privacy rights to California residents effective January 1, 2020. One such right is the right to opt-out of the sale of Personal Information to certain third parties. To learn more about the CCPA, including how California residents can opt-out of the sale of their personal information to third parties, please see section 5 below.

4. CCPA RIGHTS – APPLICABLE ONLY TO CALIFORNIA RESIDENTS

If You are a California resident, You have the right to (A) know what categories of personal information We have collected about California consumers during the preceding 12 months, including the categories of sources from which that information was collected, the business or commercial purpose for which it was collected, and the categories of third parties with whom the information was shared; (B) request to know what Personal Information We have collected, used, disclosed, and sold about You during the preceding 12 months; (C) request that We delete Your Personal Information; (D) opt-out of the sale of Your Personal Information to third parties; and (E) opt-out from receiving certain financial incentives. These rights, which are discussed more fully below, are subject to some important exceptions, which are intended, among other things, to protect the integrity and privacy of Your Personal Information. You have the right not to be discriminated against for exercising Your CCPA rights. You also have the right to designate an authorized agent to exercise Your CCPA rights on Your behalf.

A. CATEGORIES OF PERSONAL INFORMATION COLLECTED

Below are the categories of personal information We have collected about California consumers during the preceding 12 months, including the categories of sources from which that information was collected, the business or commercial purpose for which it was collected, and the categories of third parties with whom the information was shared.

Information You Provide Directly to Us and that is Collected via ACB Systems

Categories of Personal Information Collected:

Personal identifiers including name, e-mail address, postal mail address, telephone number, date of birth, credit card number, passport number, driver’s license number, bank account number,

social security number; legally protected characteristics including gender, race, and sexual orientation; commercial information including Your transactions.

Business or Commercial Purposes for Which Information Was Collected:

Provide the services and products You request; assess and improve Our products and services; assess and improve ACB Services; track Your use of ACB Services; create and update customer profiles; internal market research and analytics; notify You about promotions and special offers; generate statistical studies; security and safety; protect Our rights or property; respond to Your inquiries; perform background checks; process financial transactions

Categories of Third Parties with Whom Information Was Shared:

Third party service providers; third party business partners; government related entities (e.g., in response to subpoenas or regulator requests); data analytics provider

Information Automatically Collected Through ACB Websites and Social Media Platforms

Categories of Personal Information Collected:

Personal identifiers including internet protocol address; internet or other similar network activity such as browsing history and search history; geolocation data; inferences drawn from online behavior

Business or Commercial Purposes for Which Information Was Collected:

Provide the services and products You request; assess and improve Our products and services; assess and improve the ACB Services, ACB Services; track Your use of ACB Websites; create and update customer profiles; internal market research and analytics; protect Our rights or property; security and safety

Categories of Third Parties with Whom Information Was Shared:

Third party service providers; third party business partners; digital advertising providers; internet service providers; operating system and platform providers; government related entities

Categories of Sources from Which Information Was Collected:

Information obtained from other sources, including from service providers, third party services, business partners, and government-related entities

Categories of Personal Information Collected:

Personal identifiers; legally protected characteristics; commercial information; inferences drawn from personal information; geolocation information; professional or employment information; physical characteristics or descriptions

Business or Commercial Purposes for Which Information Was Collected:

Provide the services and products You request; assess and improve Our products and services; assess and improve ACB Services; track Your use of ACB Services; create and update customer

profiles; notify You about promotions and special offers that may be of interest to You; predict Your preferences, interests, and future transactional activities; internal market research and analytics; generate statistical studies; security and safety; protect Our rights or property; respond to Your inquiries; perform background checks; process financial transactions; detect security incidents

Categories of Third Parties with Whom Information Was Shared:

Third party service providers; third party business partners; government-related entities

B. REQUESTS TO KNOW ABOUT YOUR PERSONAL INFORMATION

You have the right to request that We disclose to You, for the 12-month period preceding the date We receive Your request, the following: (1) the categories of Personal Information We have collected about You, (2) the categories of sources from which Personal Information was collected about You, (3) the business or commercial purpose for which Your Personal Information was collected or sold, and (4) the categories of third parties to whom We have sold or disclosed Your Personal Information. In addition, You have the right to request that We disclose to You the specific pieces of Personal Information We have about You. If You are a California resident, and wish to request this information, please visit support@arenaclub.com and indicate that You wish to request this information and provide the identifying information requested. All requests are subject to verification of Your identity to protect the privacy and security of Your Personal Information. We are required to fulfill these requests no more than twice within a 12-month period.

C. REQUESTS TO DELETE YOUR PERSONAL INFORMATION

You have the right to request that We delete Your Personal Information, subject to certain exceptions such as Our need to comply with legal obligations, fulfill orders, complete transactions, etc. If You are a California resident, and wish to request deletion of Your Personal Information, please visit support@arenaclub.com and indicate that You wish to delete Your Personal Information and provide the identifying information requested. All deletion requests are subject to verification of Your identity.

D. REQUESTS TO OPT-OUT OF SALE OF YOUR PERSONAL INFORMATION

You have the right to opt-out of having Your Personal Information sold to third parties. If You are a California resident, and wish to opt-out of the sale of Your Personal Information to third parties, please visit support@arenaclub.com and indicate that You wish to opt-out of the sale of Your Personal Information to third parties and provide Your identifying information as requested. Please note that even if You opt-out of the sale of Your Personal Information, We may still (1) share Your Personal Information with service providers and other entities for business purposes consistent with the CCPA, and (2) share Your Personal Information in connection with certain business transactions consistent with Section 3 above.

For information about and to opt-out of interest-based ads from ad networks, You may visit:

- USA: Digital Advertising Alliance’s Consumer Choice webpage and the Network Advertising Initiative Consumer Opt-Out webpage.
- Canada: Digital Advertising Alliance of Canada’s Opt-Out Tool webpage.

E. VERIFICATION PROCEDURES

In order to verify requests made pursuant to the CCPA, We may require at least two (2) pieces of identifying information (e.g., email address, street address, etc.) that match information maintained by Us. In some cases, We may require additional identifying information and a signed declaration attesting to Your identity. If You do not respond to Our emails or other communications, or fail to timely provide information We request, We may be unable to fulfill Your request.

If You would like an authorized agent to submit a privacy request on Your behalf, please have the authorized agent send an email containing Your name, email address, phone number, and type of request to support@arenaclub.com. We will need to contact You as these requests will include additional validation steps as appropriate depending on the nature of the request. In situations where We receive a request from an authorized agent on Your behalf, We may (1) require signed proof that the agent is, in fact, authorized to act on Your behalf; and (2) take steps to verify Your identity.

If You would like to submit a privacy request for Your entire California household, please send an email containing Your name, email address, phone number, and type of request to support@areanclub.com. In situations where a request is for an entire household, We may require each member to verify his or her identity and that he or she is currently a member of the household, and take steps to confirm that all consumers of the household are jointly submitting the request.

However, if We have a good-faith, reasonable basis to believe that an opt-out request is fraudulent, We may deny the request and provide an explanation of the reason for the denial. In certain circumstances, We may decline a request to exercise the Right to Know or Right to Delete described above, particularly where We are unable to verify Your identity.

5. SECURITY

Information maintained in electronic form that is collected by ACB is stored on systems protected by industry standard security measures. These security measures are intended to protect these systems from unauthorized access. No security system is impenetrable and these systems could become accessible in the event of a security breach. We have controls in place that are designed to detect potential data breaches, contain and minimize the loss of data, and conduct forensic investigations of a breach.

Our staff is required to take reasonable measures to ensure that unauthorized persons cannot view or access Your Personal Information. Employees who violate Our internal privacy policies are subject to disciplinary action, up to and including termination of employment.

We cannot enforce or control the security of the computers, electronic devices, or electronic communication method(s) You may use to send e-mails and submit information to Us. You are responsible for the security of the computers, electronic devices, and electronic communication methods You use to communicate with Us. We are not responsible for the disclosure or interception of information You send Us before We receive it.

As a standard security practice, We take reasonable steps which are generally recognized in the industry to ensure that the communication methods used to support ACB Services do not permit connections or communication by methods that have known security weaknesses or vulnerabilities. As such, if You experience trouble using an ACB Website, it may be an indication that You need to upgrade Your software to a newer version that supports more secure communication methods.

In situations where Your Personal Information is collected by third parties under contract with Us for performance of their contractual duties and other purposes, We require such third parties to exercise reasonable care to protect that information and restrict the use of Your Personal Information to the purposes for which it was provided.

6. OTHER WEBSITES

We are not responsible for the information collection or privacy practices of other Websites, including Websites operated by Our business partners or other third parties, including Websites that might be co-branded with Our name. Please review and understand the privacy policies posted on any linked sites You visit before using those sites or providing any Personal Information through such sites.

7. PERSONS UNDER AGES 13 AND 18

Certain of Our areas and activities are intended for persons 18 or older. If You are under 18, You may not access or attempt to access any areas or participate in any activities that are restricted to persons 18 or older. We do not knowingly collect or allow the collection of Personal Information from persons under 13. If You are the parent or guardian of a person under 13 and believe that the person has provided Us with Personal Information, You may contact Us at support@arenaclub.com and request that it be removed from Our active marketing database.

We reserve the right to request any and all applicable proof of identification and consent proof from Our users, at any moment, without prior notice, and at Our sole and final discretion. Upon the failure to provide such proof of age, we reserve the right to immediately freeze, block or cancel any account, with no liability.

8. CHANGES TO THIS POLICY

We reserve the right to revise this Policy at any time without notice, in whole or in part, at any moment. When this Policy is revised in a material way, notice will be posted on ACB Websites that We control along with the revised Policy, indicating the date where the changes will become effective, and thus we encourage You to review Our web pages periodically.

Your use after any changes indicate Your acceptance thereof and we will post a notice regarding such changes on the ACB Websites, and may also write an email to You or otherwise notify You.

If we make any changes to this Policy that materially change how we treat Your Personal Information, we will endeavor to provide You with prompt notice of such changes, such as through a prominent notice on the ACB Websites, through a push notification or to Your email address of record. Where required by law, we will obtain Your consent or give You the opportunity to opt-out of such.

9. USER ACKNOWLEDGEMENT

As a user of ACB Websites, you will be asked to agree to this Policy by clicking on the “I Agree” checkbox on the registration page, pop-up box, tab or other analogous means. Through that action, you thereby acknowledge and agree to the terms of this Policy, which is and constitutes a legal, binding agreement between you and ACB.

Overall, this Policy is freely available for Your review prior to registration, and if You do not agree to its terms, Your remedy shall consist of not registering an account with Us and/or exiting the web tab through which you visited ACB Websites. Accordingly, by registering with Us and/or otherwise using Our products and services, You consent to the collection, transfer, processing, storage, and disclosure of Your Personal Information as described in this Policy.

10. DISCLOSURE OF INFORMATION

Through the provision of the ACB Services, We may need to legally and forcefully disclose and/ the following Personal Information:

Disclosure to Business Successors. If Our business is sold or merges in whole or in part with another business that would become responsible for providing Our Services to You, we retain the right to transfer Your Personal Information to the new business. The new business would retain the right to use Your Personal Information according to the terms of this Policy as well as to any changes to this privacy notice as instituted by the new business. We will also retain the right to transfer Your Personal Information if Our company files for bankruptcy and some or all of Our assets are sold to another individual or business.

Lawful Disclosure. We, or Our affiliates, clients, contractors, licensors, officers, agents and/or representatives, reserve the right to allow access to any of Your Personal Information when we think it is reasonably important or when You violate the terms mentioned in this Policy. Hereafter, we will have the right to disclose any or all gathered Personal Information and/or data, when the following circumstances arise: (i) if necessary under an applicable law; (ii) in reply to a legal demand, warrant or subpoena from an agency of the law; (iii) to protect ourselves and Our affiliates from any legal third party claims and procedures that may be brought to Us (inclusive of takedown notices); and/or (iv) to prevent or cause cessation of any undertakings that may be construed by Us as having the ability to be or cause a predicament or hazard to Us.

Vital Interests. We may disclose Your Personal Information where we believe it is necessary to investigate, prevent, or take action regarding potential violations of Our terms and policies, suspected fraud, situations involving potential threats to the safety of any person and illegal activities, or as evidence in litigation in which we are involved.

11. COMMERCIAL MESSAGE COMMUNICATIONS AUTHORIZATION.

Occasionally, we will ask You for express permission and approval to receive electronic messages in electronic format which are then sent to an electronic address and that contains a message asking recipients to participate in commercial activities such as newsletters, purchase of products, services and invitations to participate in surveys.

We will send You service-related announcements on occasions when it is necessary to do so. For instance, if the ACB Service is temporarily suspended for maintenance, or a new enhancement is released, which will affect the way You use Our ACB Services, we might send You an email. Generally, You may not opt-out of these communications, which are neither commercial nor promotional in nature.

Generally, You have the right to object to the processing of Your Personal Information if grounds for said objection are to direct marketing. You also have the right to opt out of receiving promotional communications at any time by: (i) contacting Us; (ii) when we may ask You to confirm or update Your marketing preferences if You instruct Us to provide further the features and functionality of the ACB Websites in the future; (iii) if there are changes in the law, regulation, or the structure of Our business.

12. COOKIE POLICY

Periodically, we may place what are known as ‘cookies’ inside Your computer device for the purpose of tracking and collecting data in regard to Your utilization of Our ACB Websites and the ACB Services.

Cookies are small files that contain information sent by a Website that is saved on Your computer’s hard drive. Cookies enable Us to gather data such as Web pages visited, links clicked, material downloaded, and allows Us to record and/or reconstruct activity from a session

or by a user. Cookies also are used to put a unique identifier on Your computer. All of this helps Us to generate statistics regarding Usage of ACB Services and for troubleshooting, analytics, issue resolution, and other purposes. You can configure Your browser to reject browser cookies or to notify You when browser cookies are offered so that You can accept or reject them. However, if You reject browser cookies You may not be able to conduct some transactions or use some services on ACB Services. In addition, blocking or deleting browser cookies may not block or delete other types of cookies including Flash cookies.

By agreeing to accept Our use of cookies, You are giving Us, and the third parties we partner with, permission to place, store, and access some or all the cookies described below on Your computer:

- Necessary Cookies. These cookies are necessary for proper functioning of Our Services, such as displaying content, logging in, validating Your session, responding to Your request for services, and other functions. Most web browsers can be set to disable the use of cookies. However, if You disable these cookies, You may not be able to access features on Our websites correctly or at all.
- Functional Cookies. These cookies enable the ACB Websites to remember Our user's choices while using Our Services, such as their language, user name, and other personal settings. They can also be used to deliver services, such as letting a user make a blog post, listen to audio, or watch videos on the ACB Websites.
- Efficiency Cookies. These cookies collect information about how You use ACB (e.g. which pages You visit, and if You experience any errors). This helps Us to improve the way Our Services work, understand the interests of Our users, and measure the effectiveness of Our advertising. Some of Our efficiency cookies are managed for Us by third parties, and these cookies do not collect information that could identify You.
- Demographics and Interests Reporting Cookies. These cookies allow devices to link the actions of a user during a browsing session and for a variety of purposes, such as remembering what a user has put in their shopping cart as they browse a websites. Session cookies also permit users to be recognized as they navigate a platform so that any item or page changes they make are remembered from page to page. Session cookies expire after a browser session; thus, they are not stored long term.
- Persistent Cookies. These cookies are stored on a user's device in between browser sessions, which allows Us to remember the user's preferences or actions across a websites (or, in some cases, across different websites).
- Session Cookies. We use session cookies to operate Our Service by remembering the user credentials that You use for Our ACB Websites. Please keep in mind that the user access credentials for admin accounts are encrypted and are not shared with any user.
- Preference Cookies. We use preference cookies to remember Your preferences and other settings.

- Security Cookies. We use security cookies for various security purposes.

You can instruct Your browser to refuse all cookies or to indicate when a cookie is being sent. If You wish so, You can easily disable cookies on Your web browsing software by following the step-by-step guides located at You can visit www.youradchoices.com and www.youronlinechoices.eu for EU visitors.

For mobile users, You have controls in Your device's mobile OS that enables You to choose whether to allow cookies, or share Your advertising ID with companies like ACB or Our advertising service providers. For information on controlling Your mobile choices, You can visit www.networkadvertising.org.

13. CONTACT

From time to time, this Policy may be translated into other languages for Your convenience, and the English language version of each of these documents shall be the version that prevails and governs Your use of the ACB Websites and the ACB Services. Upon the case of any conflict between the English language version and any translated version, the English language version will prevail.

If You have any questions or comments about Us, the ACB Websites, Our Terms and/or this Policy, please contact Us via email. Note that communications made by email or the "Contact Us" page does not constitute legal notice to the ACB legal entity.

Date of last effective update is August 29, 2022.