

THE BERT SHOW, LLC

Privacy Policy

UPDATED AS OF JANUARY 1, 2018

The Bert Show, LLC (“The Bert Show,” “TBS,” “we,” “us,” or “our”) is dedicated to preserving your confidence and trust as it relates to the privacy of our mobile application users and visitors. To further this commitment, we have adopted this Privacy Policy to help you make an informed decision on whether to use or continue to use any of The Bert Show mobile applications or web services. Please read this policy so you understand how we collect, safeguard, use and share the information you provide to us through the TBS Mobile Application, and any and all other mobile or web based media (collectively the “TBS Platform”).

PRIVACY POLICY

This Privacy Policy applies only to information submitted and collected by The Bert Show via the TBS Platform. The Bert Show takes the protection of your personal privacy very seriously and it is our principal concern. Our goal in outlining our policy on the collection and use of your information is to ensure the highest level of confidentiality and security. When you provide your personal information on any TBS Platform, we will not give or sell your personal information to any outside company for its use in marketing or solicitation without your permission, which may be express or implied. We will maintain the confidentiality of your personal information and it will be used only to support your customer relationship with TBS and to assist us in providing better and more targeted content and services to you. Additionally, internal practices are in place to help protect your privacy by limiting employee access to and use of customer information. When we ask you to provide personal information through any TBS Platform, it is done with the primary goal of improving the relationship between you and The Bert Show. At The Bert Show, we allow you to maintain control over your personal information while attempting to provide a more interactive experience. Our intention is to send communications only to those of you who have chosen or have elected to receive such communications. At any time, you have the right to decline receiving future communications from The Bert Show in any manner, including email, text, social media, fax, telephone and postal mail.

INFORMATION COLLECTED THROUGH TBS PLATFORMS

Although you may provide certain personally identifiable information (such as your phone number, e-mail address, credit card or other payment information, and the like) when purchasing the TBS Mobile Application, this information is provided to the online/mobile application store in connection with your purchase and/or registration of the Mobile Application. The online/mobile application store does not share your information with The Bert Show. Except as set forth herein, when you utilize any TBS Platform, you do so anonymously. Personal information that could be used to identify you as an individual is not automatically collected. However, there are several ways in which information about you may be collected through the TBS Platform. The information that we collect through your download and/or use of the TBS Platform is limited to (i) the personal information that you voluntarily choose to provide through contest entries or site/app registration, such as your name, address, phone number, e-mail address and similar information; (ii) any public profile information within your social media profile on Google+, Facebook, Twitter, Instagram or Snapchat, including, but not limited to, your first and/or last name, profile picture, and e-mail address.

For the support of our internal operations and to continue to improve and maintain the TBS Platform, The Bert Show collects your device identifier (“Device ID”) and IP address. We do not access or store information that you have saved on your mobile device such as contacts and appointments. In addition, if permitted by your mobile device settings, the TBS Mobile Application may provide, to third-party advertisers, (i) your Device ID and (ii) your precise location data.

As a result of your use of the TBS Platform, The Bert Show may collection anonymous information. This is information that does not directly or indirectly identify you as an individual user. The Bert Show and other third parties may passively collect non-personal information from you when you access or use the TBS Platform. We may collect: (i) imprecise location information, either provided by you or your mobile device interacting with the TBS Platform; (ii) usage, viewing and technical data; and (iii) any other information that may be passively collected by third-parties, including device type.

HOW WE USE AND DISCLOSE THE INFORMATION WE COLLECT

We collect only information that is needed, and we tell you how we use it. We limit the collection of information about you to what we need to know to manage your user experience; provide customer service, including responding to your questions and communicating with you about your activities on the TBS Platform; make access to certain areas and features of the TBS Platform available to you; verify your identity; offer new products and services (if applicable); notify you of changes to The Bert Show policies; perform market research, analytics and operations; tailor content, advertisements, and offers, contests and sweepstakes we make available to you; improve the TBS Platform; fulfill any legal and regulatory requirements; and for purposes disclosed at the time you provide your personal information or otherwise with your consent. Under certain circumstances we may share location data with our third party partners for market research and other data analytics related purposes. We tell you about the general uses of information we collect about you, and we will provide additional explanation if requested. You may change, update or add additional information about yourself at any time through the TBS Platforms that offer this feature. If a TBS Platform does not currently provide this ability, you can still change your data profile by contacting us.

As a result of providing your personal information to us, the TBS Platform can provide a more customized and personal experience, making your interaction with us more productive, helpful and fun, and will enhance the services and offers that we can bring to you. If you provide us with your e-mail address or cell phone number, or have done so in the past, we may send you e-mail or text offers or newsletters. These offers or newsletters are based on information you provided in your registration forms, surveys, or from information that may indicate purchasing preferences and lifestyle. These e-mail/text offers will come from The Bert Show only. Your information, email address or cell phone number is never sold to a third party. All offers are carefully developed to guarantee that they meet our standards. Our goal is to target offers that you will find to be of value to you. At any time, you may request to discontinue receiving these communications from us by simply replying to the e-mail address or text number included in every e-mail/text message that you receive from us.

From time to time, we may offer contests or other promotions on the TBS Platform. If you enter a contest or sweepstakes, or participate in a promotional event, we will ask you to

provide information about yourself (such as your name, address, and e-mail address). Among other things, we will need this information to contact you if you win, and we may also use this information for marketing purposes. We may share this information with any sponsors and prize providers of the contest, sweepstakes, or promotional event; sponsors and prize providers will be identified in the official rules. We may also share this information with other third-party service providers that help administer our contests, sweepstakes, and promotional events, such as by conducting drawings, and/or delivering prizes to winners. If you do not want to provide the requested information or have the information provided to sponsors, prize providers, or other third-party service providers, please do not enter the contest, sweepstakes, or participate in the promotional event.

We monitor URL click-throughs found in our electronic communications. The click-through rate is reviewed in order to track (i) participation in contests and sweepstakes to judge effectiveness and award prizes; (ii) your interests and preferences; (iii) response rates for marketing purposes; or (iv) to report to a client in aggregate form only, the response of listeners. Individual activity is never shared with employees or third parties.

We may share your personal information with third parties that perform functions on our behalf (or on behalf of our partners) such as service providers that host or operate the TBS Platform, analyze data, process transactions and payments, fulfill orders or provide customer service; advertisers; sponsors or other third parties that participate in or administer our promotions, surveys or provide marketing or promotional assistance and our partners in co-branded sites and promotions. Your personal information may also be used by us or shared with our subsidiaries, affiliates, sponsors, partners, advertisers, professional advisors or other third parties in connection with marketing, promotional, and other offers, as well as product information, and for such third party's analytics and market research. The TBS Platform may include Nielsen's proprietary measurement software which may allow you to contribute to market research. For more information, visit: <http://www.nielsen.com/digitalprivacy>.

We may share your personal information with other entities and our affiliates primarily for business and operational purposes. In the event that we are involved in a bankruptcy, merger, acquisition, reorganization or sale of assets, your information may be sold or transferred as part of that transaction. Additionally, we may transfer and disclose your information to third parties to comply with a legal obligation; when we believe in good faith that the law or a governmental authority requires it; to verify or enforce our Terms of Use or other applicable policies; to

address fraud, security or technical issues; to respond to an emergency; or otherwise to protect our rights or property or security of third parties, visitors to the TBS Platform or the public.

OTHER DISCLOSURES

Third-party platforms and services accessible through the TBS Platform have separate privacy and information collection practices, independent of us. The Bert Show has no responsibility or liability for these independent policies or actions. You are solely responsible for maintaining your personal information, the secrecy of your passwords, membership ID, or any account information. Please be careful and responsible whenever you are online. If you post personal information online that is accessible to the public, you may receive unsolicited messages from other parties in return. While we aim to protect your personal information, The Bert Show cannot ensure or warrant the security of any information you transmit to us, and you do so at your own risk. While we put forth our best efforts in adhering to these minimum privacy standards, additional restrictions may be imposed to comply with state and local laws, and/or station-specific programs, products and services.

DATA SECURITY

Access to your Personal Information is limited to those who specifically need it to conduct their business responsibilities. We use security techniques designed to protect your personal information; especially information that is used by employees and business partners to provide services to you. In addition to providing you with the opportunity to refuse marketing offers, we release information only with your consent or at your requests, or when required to do so by law or other regulatory authority. When a court order or subpoena requires us to release information, we notify you directly so that your legal rights can be exercised, if appropriate. The only exceptions to this policy are when we are prohibited by court order or law from notifying you, or cases in which fraud and/or criminal activity is suspected. Finally, each TBS employee is personally responsible for maintaining listener and customer confidentiality. Employees who violate these policies are subject to disciplinary action, up to and including termination of employment. Employees are expected to report violations-and may do so confidentially to their managers or other supervisors. Each radio station has an employee who has been assigned the responsibility for assuring the adherence to The Bert Show's privacy policy. Please check The Bert Show website for this contact information.

While we take information security seriously, please understand that no electronic data transmission or storage of information can be guaranteed to be 100% secure. Therefore, we cannot ensure or warrant the security of any information you transmit to us or that we receive as a result of your use of the TBS Platform. You acknowledge and agree that you are providing your information to us at with knowledge of the inherent risks related thereto.

YOUR PRIVACY RIGHTS, CHOICE AND ACCESS

You may always direct us not to: (i) share your Personal Information with third-parties (other than our service providers), (ii) use your Personal Information to provide you with information or offers, or (iii) send you newsletters, emails or other communications, by: (A) modifying your registered user information on the TBS Platform; (ii) contacting us by mail at The Bert Show, 5th Floor, 780 Johnson Ferry Road NE, Atlanta, GA 30342; Attn: Customer Service; or (iii) following the removal instructions in the communication that you receive. Your opt-out request will be processed within 30 days of the date on which we receive it.

If you wish to modify, verify, correct, or delete any of your Personal Information collected through the TBS Platform, you may edit your registered user information or contact us at the above address. In accordance with our routine record keeping, we may delete certain records that contain Personal Information you have submitted through the TBS Platform. We are under no obligation to store such Personal Information indefinitely and disclaim any liability arising out of, or related to, the destruction of such Personal Information. It may not always possible to completely remove or delete all of your information from our databases without some residual data because of backups and other reasons. We will retain your information (including geo-location data) for as long as your account is active or as needed to provide you services. If you wish to cancel your account or request that we no longer use your information to provide you services contact us at producer@thebertshow.com. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We do not control certain privacy settings and preferences maintained by our social media partners like (but not limited to) Facebook, Twitter and Instagram. If you wish to make changes to those settings and preferences, you may do so by visiting the settings page of the appropriate social media site.

ADVERTISING/BEHAVIORAL TARGETING; HOW TO OPT-OUT

We may use third party ad network providers to help present ads on the TBS Platform, as well as other service providers to evaluate and provide us with information about the use of the TBS Platform and viewing of our content. Such providers may place and access cookies, pixel tags, or similar technologies on your device to serve you ads or other content personalized to your interests which they infer from your browsing on the TBS Platform and other sites you have visited. In doing so, the provider collects or has access to non-Personal Information such as your Usage Information. The use of cookies, pixel tags, or similar technologies by these providers is subject to their own privacy policies, not ours.

If you do not want to receive the benefits of targeted advertising, you may opt out of some network advertising programs that use your information by visiting the NAI Opt-Out Page. Please note that even if you choose to remove your information (opt out), you will still see advertisements while you are browsing online. However, the advertisements you see may be less relevant to you and your interests. Additionally, many network advertising programs allow you to view and manage the interest categories they have compiled from your online browsing activities. These interest categories help determine the types of targeted advertisements you may receive. The NAI Opt-Out Page provides a tool that identifies its member companies that have cookies on your browser and provides a mechanism to opt out of receiving cookies from those companies. Please note that if you opt-out of targeted advertising, we may still track your visits to the TBS Platform for our own analytics, operations and security purposes.

PROTECTING THE PRIVACY OF CHILDREN

Children should always get permission from their parents before sending any information about themselves (such as their names, email addresses, and phone numbers) over the Internet, to us or to anyone else. The TBS Platform is not directed at children under the age of 13 and we will not knowingly allow anyone under 13 to provide us any Personal Information. If you are under the age of 13, please do not provide any information about yourself to any TBS Platform.

CHANGES TO THIS PRIVACY STATEMENT

Technology is an evolving medium. If we need to change this Privacy Policy at some point in the future, we will post the changes to this Privacy Policy on the TBS Platform and update the reference to the effective date to reflect the date of the amendment. By visiting the TBS Platform, you agree that your visit, and any dispute over privacy, is governed by this Privacy Policy.

QUESTIONS OR COMMENTS ABOUT THIS PRIVACY POLICY

If you have questions or wish to send us comments about this Privacy Policy, please contact us at:

The Bert Show, LLC
5th Floor
780 Johnson Ferry Road NE
Atlanta, Georgia 30342
producer@thebertshow.com