

# PRIVACY POLICY

Updated October 19, 2022

If you'd like to view the prior version of our Privacy Policy, please click [here](#).

This Privacy Policy applies to [diamond-sports.com](#) and [www.diamonddugout.com](#) (collectively, "the Websites") operated by Diamond Sports ("DIAMOND", "we", "our") and tells you how we collect, use, share and protect information about users of our sites ("you"). This Privacy Policy also tells how you can access and update your information and make certain choices regarding your information. You agree that your use of the Websites signifies your assent to this Privacy Policy. If you do not agree with this Privacy Policy, do not use the Websites or give us any of your information.

This Privacy Policy provides information in the following areas:

1. What information we collect
2. How we use the information we collect
3. How we protect your information and data retention
4. If and when we share your information and why
5. How you can exercise your privacy rights
6. Other useful information

## 1. WHAT INFORMATION WE COLLECT

In order to fully access some services on the Websites, you may have to complete a registration process, during which we will collect personal information about you. The information may include your name, address, telephone number, credit card information, and email address. By registering with us, you consent to the use and method of disclosure as described in this Privacy Policy.

We use cookies to help remember and process your use of the Websites, items in your shopping cart, understand and save your preferences for future visits and compile aggregate data about site traffic and site interaction in order to be able to offer a better experience in the future. We may also contract with third party service providers to assist us in better understanding our site visitors. These service providers are not permitted to use the information collected on our behalf except to help us conduct and improve our business.

We may also automatically collect certain information about your device and usage of our products and services. This is a common data collection practice and helps us provide a better experience for you.

Additionally, the settings in your browser may allow you to automatically transmit a “Do Not Track” signal to websites and services you visit. Please note, there is no industry consensus on what should be done with these signals and accordingly, until the law requires us to do so, we do not monitor or take action with respect to these signals.

The categories of information we have collected and continue to collect, including the last twelve months are as follows:

- Identifiers, including name, email address, IP address, account number, and address
- Customer records information, such as name, address, phone number, billing address, and/or credit or debit card information
- Demographics, such as your age or gender
- Internet or other electronic network activity information, such as information regarding interaction with the Websites
- Geolocation data provided through location enabled services such as WiFi and GPS
- Commercial information, including purchasing history and interaction with the site

We obtain the above categories of personal information listed above from the following categories of sources:

- Directly from you. For example, products you purchase and forms you complete
- Indirectly from you. For example observing your interaction with the Websites

## **2. HOW WE USE THE INFORMATION WE COLLECT**

The Websites only use your personal information for the original purpose for which it was given. Your personal information will not be sold to unaffiliated third parties without your approval at the time of collection.

Any of the information we collect from you may be used for one of the following business purposes:

- To process orders and transactions
- To improve the websites
- To continuously improve and personalize your shopping experience, keep our records up to date, to provide support to customers, to enable third parties to carry out logistical functions on our behalf, and for day-to-day running and management of the business

- To send periodic emails (the email address used for account creation or order processing may be used to send you information and updates pertaining to your order, in addition to receiving occasional email updates about company news and promotions)
- In the manner described to you when collecting your personal information or as otherwise set forth in the CCPA

Diamond will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

We may transfer personally identifiable information as an asset in connection with a proposed or actual merger or sale (including any transfers made as part of an insolvency or bankruptcy proceeding) involving all or part of our business or as part of a corporate reorganization, stock sale or other change in control.

We may disclose contact information in special cases where we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be violating our Terms and Conditions of Use or may be causing injury or interference with our rights, property, our customers or anyone who could be harmed by such activities.

### **3. HOW WE PROTECT YOUR INFORMATION AND DATA RETENTION**

We are committed to protecting the information we receive from you. We take appropriate security measures to protect your information against unauthorized access to or unauthorized alteration, disclosure or destruction of data. To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information, we maintain appropriate physical, electronic, and managerial procedures to safeguard and secure the information and data stored on our system. While no system is completely secure, we believe the measures we have implemented reduce the likelihood of security problems to a level appropriate to the type of data involved.

We use industry standard encryption for sensitive financial information such as credit card information supplied to our online store. Please note however that there are many independent online stores that sell Diamond products but are not owned or operated by Diamond and may have different practices. You should read the privacy policy of any such site before using them.

It is important that you take measures to keep your information secure. Choose difficult online passwords and don't share them or store them. Log out of your

accounts after every online session. Know the risks involved with using a shared or public computer or Wi-Fi network. You should also make use of privacy settings and controls.

We will retain your personal information for as long as you maintain an account or as otherwise necessary to provide services, and/or as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

#### **4. IF AND WHEN WE SHARE YOUR INFORMATION AND WHY**

We do not sell, trade, or otherwise transfer your personally identifiable information to outside parties. This does not include third parties who assist us in operating our website or fulfilling and facilitating orders and transactions. We use a variety of third-party service providers to help us provide services related to the websites. Services provided by third parties may help us with:

- Tracking website analytics
- Site maintenance and debugging
- Order & payment processing
- Order shipping & logistics

We only share your information with trusted third parties that agree to keep it private and comply with privacy obligations. We also reserve the right to release your personal information when we believe release is necessary to comply with the law, enforce our site policies, or protect our or other's rights, property or safety.

The categories of information we have disclosed for a business purpose, including the last twelve months are as follows:

- Identifiers, including name, email address, IP address, account number, and postal address
- Customer records information, such as name, address, phone number, billing address, or credit or debit card information
- Demographics, such as your age or gender
- Internet or other electronic network activity information, such as information regarding interaction with the Websites
- Geolocation data provided through location enabled services such as WiFi and GPS
- Commercial information, including purchasing history and interaction with the site

We do not sell personal information to third parties for monetary value. However, the term "sale" is defined broadly under the California Consumer Privacy Act

(CCPA). To the extent that “sale” is interpreted under the CCPA to include internet based advertising, or other data uses described above, we will comply with all applicable laws as to those activities.

## **5. YOUR PRIVACY RIGHTS UNDER THE CALIFORNIA CONSUMER PRIVACY ACT (CCPA) AND HOW TO EXERCISE THEM**

### **Opt-Out of the Sale of Personal Information**

As a California consumer, you have the right to direct us not to sell your personal information at any time, known as the “right to opt-out.” Consumers who opt-in to personal information sales may opt-out of future sales at any time. To opt-out, simply click the “Do Not Sell My Personal Information” button, and from there, you can select what types of personal information will be sold (note the broad definition of “sale” in the CCPA, detailed above).

### **Non-Discrimination**

- We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:
  - Deny you goods or services.
  - Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties
  - Provide you a different level or quality of goods or services.
  - Suggest that you may receive a different price or rate for goods or services, or a different level or quality of goods or services

### **Access to Specific Personal Information and Data Portability Rights**

All California consumers have the right to request that we disclose certain information to you about the collection and use of your personal information over the last twelve months. Upon receipt and confirmation of your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information
- The specific pieces of personal information we collected about you
- The categories of personal information we sold, or if we have not sold your personal information

- The categories of personal information we've disclosed for a business purpose, or if we have not disclosed your personal information for a business purpose

### **Deletion Request Rights**

All California consumers have the right to request that we delete your personal information that we've collected and/or retained from you, subject to certain exemptions and exceptions. Upon receipt and confirmation of your verifiable consumer request, we will delete your personal information from our records, as well as direct our service providers to delete your personal information, unless an exception applies. We may deny deletion request if retaining the information is necessary for us and/or our service providers to:

- Comply with a legal obligation
- Complete a transaction, provide a good or service, or otherwise perform a contract
- Debug products
- Detect security incidents, protect against fraudulent or illegal activity, or prosecute those responsible for such activities
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it

### **Exercising Access, Data Portability, and Deletion Rights**

To exercise the access, data portability, and/or deletion rights described above, any California consumer may submit a verifiable consumer request by contacting us at:

- [compliance@diamond-sports.com](mailto:compliance@diamond-sports.com)
- (800) 366-2999 x220

Only you (California consumer) or an agent registered with the California Secretary of State that you authorize to act on your behalf may make a request related to your personal information (and the parent/legal guardian of a minor). We cannot fulfill your verifiable consumer request if we cannot verify your identity and/or authority to make the request.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must provide sufficient information that allows us to reasonably verify that you or your authorized representative are the person whose personal information is at issue/being requested. Making a verifiable consumer request does not require you to create an account with us.

### **Response Timing and Format**

We strive to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. If you have an account with us, you can elect to have our response delivered to that account. If you don't have an account, you can elect to have our response delivered by mail or electronically.

Any disclosures we provide will only cover the 12 month period preceding the verifiable consumer request, and will be provided in a format that is readily usable and sharable. If applicable, the response will also explain the reason(s) we can't comply with a request. We do not charge a fee to process or respond to a verifiable consumer request, unless it is excessive, repetitive, or manifestly unfounded.

## **6. OTHER IMPORTANT INFORMATION**

### **a) Children's Privacy and Parental Controls**

We do not knowingly collect personal information from children under 13. Nevertheless, our databases may contain personal data of individuals under 13 because it is not always possible to determine the age of the user. DIAMOND believes that parents should supervise their children's online activities and consider using parental control tools available from online services and software manufacturers that help provide a child-friendly online environment. These tools can also prevent children from disclosing online their name, address and other personal information without parental permission.

### **b) Disclaimer to Security**

By consenting to the Terms and Conditions of the Websites and hence the Privacy Policy, you consent that no data transmission over the Internet is completely secure. We cannot guarantee or warrant the security of any information you provide to us and you transmit such information to us at your own risk.

### **c) Notification of Changes**

DIAMOND reserves the right to change this Privacy Policy from time to time at its sole discretion. Your continued use of the Websites indicates your assent to the Privacy Policy as posted.

## **7. CONTACT INFORMATION**

If you have any questions or concerns regarding this Privacy Policy please contact:

Diamond Sports  
Attention: Compliance  
PO Box 55090  
Irvine, CA 92619-5090  
Or email us at: [compliance@diamond-sports.com](mailto:compliance@diamond-sports.com)