

## **KBDS FM Privacy Policy**

This Privacy Policy describes how KBDS 103.9FM (“KBDS” or “we” or “our” or “us”) treats certain information collected or provided in connection with an end user’s (“you” or “your” or “user”) use of KBDS’ website, [www.FIRE1039.com](http://www.FIRE1039.com), and any other website, social media pages, apps, or other digital medium owned or operated by KBDS (collectively, the “Site”). This Privacy Policy also applies to any Personal Information (defined below) collected, stored, or used by us, such as information you provide us through the above media, by email, mail, or telephonic communications in connection with our Site and any and all products or services provided to you by KBDS (“Services”).

The information provided in this Privacy Policy is designed to inform you of what information we collect, why we collect such information, how we use the information we collect, and the choices we offer, including how to access and update information. By accessing or using our Site, you acknowledge and consent to the Terms and Conditions and this Privacy Policy, including our collection, use, and disclosure of your Personal Information, as described below. This Privacy Policy is not a contract and does not create any legal rights.

*Please read this Privacy Policy carefully.*

### **Our Collection and Use of Personal Information**

“Personal Information” is any information that can be used to identify you. This Privacy Policy does not cover data we, or our authorized third-party vendors or partners, collect that cannot be used to identify an individual, or to pseudonymous data.

We get most Personal Information directly from you, through the Site, or from transactions with you in connection with our Services. We might also obtain Personal Information about you from other Site users or other entities with whom we have contact. For example, we may obtain Personal Information through public records, or transactions you have with our authorized third-party vendors or partners. If you are sharing information with us about any other individual, you must obtain their consent.

The categories of Personal Information we may collect from you include:

- Your name.
- Contact information, including your phone number, email address and mailing address.
- Payment card number (or other payment method) and related validation information.
- Information you provide when interacting with the Site, including transaction data, and communications (including email or direct messages “DM”).
- Website analytics information, including when, how often, and for how long you use the Site; information related to your geographic location; the content you submit and view; the name of the domain and host from which you access the Internet; and the IP address of the computer or device you are using.
- Other identifiable information about you as may be required.

We collect Personal Information to help identify you; to perform contractual obligations, including our Services and/or processing and fulfillment of orders; to communicate with you; to properly administer our Site and to maintain records; to research and analyze the use of our Site and Services so we can improve our Services; to detect and prevent fraud; to exercise and defend legal claims; to comply with legal obligations; and for other purposes as described in this Privacy Policy.

We may also collect and maintain Personal Information about you to create a personal profile containing preferences and other information that you voluntarily provide to us. Examples of the types of information we may collect for this purpose include your first and last name, phone number, a valid email address, and geographic location or address. Additionally, we may use your email address to send confirmation of transactions and, if necessary, to contact you to help process a transaction. We may also use your email address to notify you about special offers, promotions, upcoming events, or matters may be of interest to you.

You can choose to not provide certain information to us but it may delay or prevent us from providing our Services to you, including your ability to fully access our Site, participate in our Services, receive our newsletters, or similar features.

We may also automatically receive and store certain types of Personal Information whenever you visit the Site, such as information from Google Analytics (see <https://policies.google.com/privacy>) on when, how often, and for how long you use the Site, information related to your geographic location, and the content you submit and view. This information may include the name of the domain and host from which you access the Internet and the IP address of the computer or device you are using. We may log and use your IP address to administer the Site, to help diagnose problems with our server, to analyze trends, to track users' webpage movements, to help identify you and/or verify your use, and to gather broad demographic information for aggregate use. We may use standard tools, such as cookies or web beacons, to monitor the Site and Internet usage and to improve or customize the content on the Site. You should be able to control the use of cookies with respect to your own devices by changing your own browser settings.

Our web servers may collect log data, which provides aggregate information about the number of visits to different pages on the Site. We use such aggregate log data to improve access to the Site based on visitors' web browsers and operating system types to make the Site available to as many users as possible. We do not link the log data collected to Personal Information. Third party providers may also collect aggregate log data independently from us.

We do not currently respond to Do Not Track or Global Privacy Control browser settings because a uniform technological standard has not yet been developed, and we do not have control over other sites' use or acceptance of Do Not Track browser settings or the Global Privacy Control signal. We reserve the right to update our practices and Privacy Policy as such standards evolve.

### **Categories of Personal Information Disclosed or Sold**

We do not sell your Personal Information to any third parties. We do not knowingly collect or sell Personal Information of consumers under the age of sixteen (16). In the preceding twelve (12) months, we did not sell any categories of Personal Information.

In order to conduct our business and better serve you, we may disclose Personal Information and other information about you or your activities on our Site or while using our Services with:

- Our affiliates.
- Our service providers and vendors, such as payment processors, promotional partners, website hosts, analytics providers, legal counsel, and various customer, technology, and operational support.
- Third parties approved by you, such as social media sites.
- Financial and legal institutions.

- Law enforcement agencies, regulatory bodies, courts, or other public authorities, to comply with our legal and regulatory obligations, to respond to requests from governmental authorities, to protect our rights, to defend against legal claims, or as otherwise required by law.

The type of information we may share with others may include (a) your name and contact information, including your phone number, email address, and mailing address; (b) your payment card number (or other payment method) and related validation information; (c) information you provide when interacting with the Site; (d) website analytics information, including when, how often, and for how long you use the Site; information related to your geographic location; the content you submit and view; the name of the domain and host from which you access the Internet; and the IP address of the computer or device you are using; and (e) other identifiable information about you, such as date of birth, gender, age, and photographic images of you, including for purchases, exhibitions, commissions, or sweepstakes/contest entrants and/or winners.

Some third-party providers may independently collect Personal Information when you visit our Site. Our authorized third-party vendors and partners have their own privacy policies which govern the use, handling, and disclosure of your Personal Information.

We also may use third-party web analytics services on our Site, such as those of Google Analytics (see <https://policies.google.com/privacy>). The information collected may be used by KBDS and/or others in aggregated / anonymized formats to, among other things, evaluate use of the Site and relevant Services, analyze and track data, determine the popularity of certain content, deliver advertising and content targeted to your interests on our Services and other websites, and better understand your online activity. For more information about interest-based ads, or to opt out of having your web browsing information used for behavioral advertising purposes, please visit [www.aboutads.info/choices](http://www.aboutads.info/choices).

### **Retention, Confidentiality, and Security of Personal Information**

We retain Personal Information for as long as is reasonably necessary for our business operations and to fulfill the purpose of collection or further processing as described in this Privacy Policy; as we determine is necessary for business records; and to comply with applicable law.

We restrict access to Personal Information to those who need to know in order to provide services to you and to conduct our internal operations. We maintain reasonable physical, electronic, and procedural safeguards to guard your information. However, the Internet and digital information is not absolutely secure and, thus, we cannot promise guaranteed security. In the unlikely event that we believe that the security of your Personal Information in our possession or control may have been compromised, we may seek to notify you. As applicable, we will comply with notification requirements for a security breach and may also notify you using the email address you have provided to us.

In the event of a merger, acquisition, corporate change, or bankruptcy, we may share or transfer your Personal Information as part of a transfer of our assets to the acquiring entity.

### **Children Under 13**

We do not knowingly collect information directly from minors and the Site is intended for adults over the age of eighteen (18). If you are a parent or guardian and believe that your child under the age of thirteen (13) has provided Personal Information directly to us without your consent, please notify us at [info@shemogulmedia.com](mailto:info@shemogulmedia.com).

If we become aware that information is or has been submitted by or collected directly from a minor under the age of thirteen (13), we will work to promptly delete this information.

## **Your Rights**

Under state or international law, you may have certain rights. Please read below for the rights that apply to residents of certain jurisdictions.

### *Residents of California*

As we do not sell your personal information, there is no need to submit a request to opt-out.

We will not disclose your Personal Information to third parties for them to use for their direct marketing purposes unless you agree to us making that disclosure.

“Do not track”: Section 22575 of the California Business & Professions Code requires website and online service operators to disclose whether they honor web browser “Do Not Track” settings. Some browsers incorporate a “Do Not Track” (DNT) feature that, when turned on, signals to websites and online services that you do not wish to be tracked. Because there is not yet an accepted standard for how to respond to browser DNT signals, we do not currently respond to them. For more information about Do Not Track, please visit [www.allaboutdnt.org](http://www.allaboutdnt.org).

“Shine the Light” law: Effective January 1, 2005, under California Civil Code Section 1798.83, if an individual who is a California resident has provided Personal Information to a business in connection with a business relationship that is primarily for personal, family, or household purposes, and if that business has within the immediately preceding calendar year disclosed such an individual’s Personal Information to a third party and knows or should have known that such third party used the information for its own direct marketing purposes, then that business is obligated to disclose in writing to such individual upon request, what Personal Information was shared and with whom it was shared.

Additionally, you have the following rights:

- You have the right to correct inaccuracies in your Personal Information in our possession.
- You have the right to request we delete Personal Information we have collected about you.
- You have the right to request that we disclose the specific pieces of Personal Information we have collected about you.
- You have the right to request the categories of Personal Information we have collected about you; the categories of Personal Information we sold or shared about you; the categories of third parties to whom the Personal Information was sold or shared, by category of Personal Information; the categories of Personal Information we disclosed about you for a business purpose; and the categories of third parties to whom we disclosed Personal Information for a business purpose.

If you or your authorized agent would like to submit a verifiable consumer request to correct inaccuracies, to delete, or for information, please contact us at [info@shemogulmedia.com](mailto:info@shemogulmedia.com) or KBDS, 4300 Stine Rd # 209, Bakersfield, California 93313; phone: 661-372-0057. You or your agent must provide sufficient confirmable identifying information in order for us to verify your request.

You have the right to not be discriminated against for exercising any of these rights. Any request for a disclosure required under this California law should be sent to us as indicated below in the Contact Us section below. Please

note that under this law, we are not required to respond to your request more than once in a calendar year, nor are we required to respond to any request that is not sent to the email or mailing address designated above.

### Users from Outside the United States

Our Site is hosted in the United States and our Services are governed by United States law. If you are using the Services from outside the United States, please be aware that your Personal Information may be transferred to, stored, and processed in the United States where our servers are located. The data protection and other laws of the United States and other countries might not be as comprehensive as those in your country. By using the Services, you consent to your Personal Information being transferred to our facilities and/or to the facilities of those third parties with whom we share it as described in this Privacy Policy.

As described in this Privacy Policy, we will only use (process) your Personal Information if you have given us consent to do so, it is necessary to fulfill a contract, or it is necessary for a legal obligation. When we transfer your personal information to other countries, we will protect that information as described in this Privacy Policy and in accordance with applicable law. We use contractual protections for the transfer of personal information among various jurisdictions (including, for example, the European Commission's standard contractual clauses).

To deliver Services to you, it may also be necessary for us to transfer your Personal Information to the United States.

Under certain circumstances, you may have the following rights:

- The right to request access to your Personal Information in our possession.
- The right to request rectification (correction of inaccuracies) of your Personal Information in our possession.
- The right to erasure (deletion) or of certain restriction of processing of your Personal Information in our possession.
- The right to object to the processing of your Personal Information in our possession.
- The right to data portability (transfer) of your personal data in our possession.
- In the future, if we process any of your Personal Information by automated means, you may have the right to data portability (transfer) of your Personal Information in our possession.

Where you have given us consent to process your Personal Information for a specific purpose, you may withdraw that consent for processing that has not yet occurred.

In the European Union, you may also have the right to file a complaint with a supervisory authority.

For questions, please contact us at or SheMogul Media, 1615 V St, Bakersfield, California 93301; phone: 661-372-0057. You or your agent must provide sufficient confirmable identifying information in order for us to verify your request.

### **Viewing and Amending Information**

If you no longer wish to receive communications from KBDS, please contact us at [info@shemogulmedia.com](mailto:info@shemogulmedia.com) or KBDS, 4300 Stine Rd # 209, Bakersfield, California 93313; phone: 661-372-0057. Opt-out requests may not be able to be immediately processed and we may continue to send you other types of transactional email communications.

Please note that while changes or deletions to an Account or Personal Information may be reflected promptly in the active user database, our servers or our associated third parties may retain previously provided information, and may be required to keep certain information or not delete it, or keep information for a certain period of time.

Any changes to, or deletion of, Personal Information does not affect any other information collected by us, or which we may retain and continue to use or disclose in accordance with this Privacy Policy. If we already provided your Personal Information to a third party before you changed your preferences or updated your account, you may need to change your preferences directly with that third party.

### **Contact Us**

If you have any questions or concerns about our Privacy Policy, or would like to exercise your rights under applicable law, please contact us at [info@shemogulmedia.com](mailto:info@shemogulmedia.com) or KBDS, 4300 Stine Rd # 209, Bakersfield, California 93313; 661-372-0057. You or your agent must provide sufficient confirmable and/or identifying information in order for us to verify and process your request.

We reserve the right to verify the identity of any person making a request to opt-out or to delete or modify Personal Information; provided, however, that we will have no liability of any kind resulting from false or erroneous requests or any change or deletion made by us for any reason.

### **Changes and Updates to the Privacy Policy**

This Privacy Policy applies to all relevant information collected by or provided to us or our authorized third-party vendors or partners as of the Effective Date. When we make any material changes to this Privacy Policy, we will update the Effective Date and may inform you by email to the address associated with your interaction with our Site or our Services. We will treat your continued use of this Site or our Services following such policy as your acknowledgement and acceptance of the changes.

The Effective Date of this Privacy Policy is June \_\_\_\_, 2024.