

**FASIG-TIPTON COMPANY, INC.**  
**PRIVACY POLICY**

This Privacy Policy (at times, this “Policy”) discloses the privacy practices for [www.fasigtipton.com](http://www.fasigtipton.com) (the “Website”) and all services offered by us through the Website or otherwise, including without limitation, all mobile, tablet, and other smart devices applications and application program interfaces and associated services (collectively, the “Service” or our “Service”). Fasig-Tipton Company, Inc. (“Fasig-Tipton,” “us,” or “we”) is committed to protecting your privacy online. Please read the information below to learn the following regarding your use of the Service. You acknowledge that this Privacy Policy is part of our Terms and Conditions of Use, and by accessing or using our Service, you agree to be bound by all of its terms and conditions. If you do not agree to these terms, please do not access or use the Service. For clarity, this Policy also hereby specifically incorporates Fasig-Tipton’s Terms and Conditions of Use by reference into this Policy in its entirety.

Fasig-Tipton processes data on and through the Service as both a data processor and as a data controller. This Privacy Policy is intended to help you understand:

- What personal information and data we collect and why we collect it;
- What we do with your personal information and data; and
- Your rights to access, update, and delete your personal information and data.

We reserve the right to change this Privacy Policy at any time. Such changes, modifications, additions, or deletions shall be effective immediately upon notice thereof, which may be given by means including, but not limited to issuing an email to the email address listed by registered users and posting the revised Policy on this page. If we make changes to this Privacy Policy, we will post the revised Privacy Policy on the Service and update the “Last Updated” date at the top of this Privacy Policy. We also may choose to provide you with notice of the modification by email before the date when such revised Privacy Policy becomes effective.

If you disagree with any revised version of this Privacy Policy, you may cease your use of the Service, cancel any account you have registered through the Service, or exercise any of your rights set forth herein with respect to your personal information. Otherwise, your continued access to or use of the Service will constitute your: (a) acknowledgment of the modified Policy; and (b) agreement to abide and be bound by the modified Policy. You acknowledge and agree that it is your responsibility to maintain a valid email address as a registered user, to review the Website and the Service and this Policy periodically, and to be aware of any modifications.

## **1. Types of Information Collected**

To better provide you with our numerous services, we collect two types of information about our users: (i) “Personally Identifiable Information;” and (ii) “Nonpersonally Identifiable Information” (at times collectively with Personally Identifiable Information, your “Information”) Our primary goal in collecting information from you is to provide you with a smooth, efficient, and customized experience while using our Service.

**Personally Identifiable Information:** This refers to information that lets us know the specifics of who you are. When you engage in certain activities through the Service, such as registering an account and submitting information to that account, accessing the portal, engaging in a transaction, ordering a product or service, submitting content and/or posting content in various areas, filling out a survey, joining our mailing list or email list, or sending us feedback, we may ask you to provide certain information about yourself by filling out and submitting an online form(s). To open your new account, you also may be required to complete and submit additional forms necessary for the purchase and sale of horse(s) and/or bidding as to the same. It is completely optional for you to engage in these activities. However if you elect to engage in these activities, we may ask that you provide us with Personally Identifiable Information, such as your first and last name, mailing address (including zip code), email address, employer, job title and department, telephone and facsimile numbers, social security numbers, and other Personally Identifiable Information. When ordering products or services through the Service, you may be asked to provide a credit card number or

other payment information. Your account includes the option to opt in to a third party text update and alert system that requires us to process your name and telephone number to a third party service provider(s). Depending upon the activity, some of the information we ask you to provide may be identified as mandatory while other information may be identified as voluntary. If you do not provide the mandatory data with respect to a particular activity, you will not be able to engage in that activity.

**Nonpersonally Identifiable Information:** This refers to information that does not by itself identify a specific individual. We gather certain information about you based upon where you visit on or throughout our Service in several ways. This information is compiled and analyzed on both a personal and an aggregated basis. This information may include the Website's Uniform Resource Locator ("URL") from which your visit originated, which URL you access next, what browser you are using, and your Internet Protocol ("IP") address. A URL is the global address of documents and other resources on the World Wide Web (the "Web" or the "Internet"). An IP address is an identifier for a computer or device on a Transmission Control Protocol/Internet Protocol ("TCP/IP") network, such as the Web. Networks like the Web use the TCP/IP protocol to route information based on the IP address of the destination. In other words, an IP address is a number that is automatically assigned to your computer whenever you are surfing the Web, allowing Web servers to locate and identify your computer. Computers require IP addresses for users to communicate on or through the Internet.

## **2. Collection Methods and Use of Information**

We do not collect any Personally Identifiable Information about you unless you voluntarily provide it to us. You provide certain Personally Identifiable Information to us when you: (a) register for our services and register your email address with us; (b) enter sweepstakes or contests sponsored by us or one of our partners; (c) sign up for special offers from selected third parties; (d) send email messages, submit forms, or transmit other information by telephone or letter; or (e) submit your credit card or other payment information when ordering and purchasing products and services on or through our Service. We also may collect information from you at other points

on or through our Service that state that such information is being collected. Further, we use Google Analytics or other technological analytics, through which we obtain and/or aggregate user information, including your Information, and analyze details about the use of the Service to enhance the use of the Service for users and for our own internal business purposes.

In addition, we also may collect, or our third party ad server and/or content server may collect, certain Nonpersonally Identifiable Information. This Nonpersonally Identifiable Information ultimately is stored in the form of store categories and in some cases, specific URLs. We use your IP address to diagnose problems with our servers, certain software, to administer our Service, and to gather demographic information. Our third party ad servers also will provide us with summary, but not individual, reports that will tell us how many ads were presented and clicked upon at or through our Service.

We primarily will use your Personally Identifiable Information to provide our services to you, as required by our agreements with you. We also will use Personally Identifiable Information to enhance the operation of our Service, to fill orders or help facilitate transactions, to improve the auction process and offering of horses for sale, to improve our marketing and promotional efforts, to statistically analyze use of the Service, to improve our product and service offerings, and to customize our Website's and our Service's content, layout, and services. We may use Personally Identifiable Information to deliver information to you and to contact you regarding administrative notices. We also may use Personally Identifiable Information to resolve disputes, troubleshoot problems, and enforce our agreements with you, including without limitation our Service Terms and Conditions of Use, Conditions of Sale, Consignor Agreement, Acknowledgment of Purchase, Credit Application, Authorization of Agent, and this Privacy Policy. You acknowledge that all such documents and agreements are incorporated herein by this reference in their entirety and apply to this Privacy Policy, further including without limitation, all rules of conduct, disclaimers of warranty, limitations of liability, indemnification, and dispute resolution provisions.

For clarity, We use, store, and process information and data, including Personally Identifiable Information, about you to provide, understand, improve, and develop the Service. We use, store, and process information collected for the following purposes:

- To enable you to access the Service and/or your Fasig-Tipton account.
- To provide, improve, and develop our Service.
- To provide information or services you have requested.
- To provide customer service and/or respond to inquiries from you.
- To process and maintain your registrations and/or your Fasig-Tipton Account.
- To enhance the auction process and provide relevant information to sellers, consignors, or purchasers offering horses for sale at auction.
- To send you service or support messages, updates, security alerts, and account notifications.
- To fulfill any other purpose that you might request upon you consenting to our use of your personal information or data for such purpose if possible.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including but not limited to providing access to the Service or to your account or billing and collection.
- To notify you about any changes to our Service or any products or services we offer or provide.
- To conduct and administer sales and keep proper records of those transactions.

We process this personal information and data with your voluntary consent in disclosing it to us.

### **3. Release of Information**

We do not sell, trade, or rent your Personally Identifiable Information to any third parties. We do publish the results of auctions/sales of horses on and

through the Service and by using the Service in connection with any such auction(s), you expressly consent to our use of your Information by so publishing it on and through the Service. Additionally, we provide some of our services through contractual arrangements with affiliates, service providers, service partners, and other third parties (collectively, our “Service Partners”). At times, we and our Service Partners use your Personally Identifiable Information to operate our Service and their sites and to deliver their services to you. For example, we must: (i) release your credit card information to the card-issuing bank to confirm payment for products and services purchased, including transactions concerning the purchase and sale of horse(s) and/or bidding as to the same, on or through the Service; (ii) release your address information to the delivery service to deliver products that you might order; and (iii) provide order information to third parties that help us provide customer service.

We will encourage our Service Partners to adopt and post their own separate privacy policies and related documentation and materials. However notwithstanding whether those items are posted and/or provided to you, the use of your Personally Identifiable Information by our Service Partners will be governed by their own separate privacy policies and related documentation and materials and is not subject to our control.

Occasionally, we may be required by law enforcement or judicial authorities to provide Personally Identifiable Information to the appropriate governmental authorities. We will disclose Personally Identifiable Information upon receipt of a court order or subpoena or in pursuance of cooperating and complying with any law enforcement action or investigation. We fully cooperate with law enforcement agencies in identifying those who use our services for illegal activities. We reserve the right to report to law enforcement agencies any activities that we have any information or reason to believe might possibly be unlawful and/or might possibly lead to unlawful activity of any kind.

In the event that our assets are sold or transferred to another party or that another transaction occurs in which your Personally Identifiable Information is one of the assets transferred, all information and data that has been collected

and saved likely will be included in that transfer. We will post a notice on or through the Service in the event of such a transfer and all of your rights with regard to your Personally Identifiable Information will remain for you to exercise at all times as outlined in this Privacy Policy or otherwise through the Service.

We also may provide Nonpersonally Identifiable Information about our customers' and users' sales, transaction, traffic patterns, and related Service information to third party advertisers, but these statistics will not include any Personally Identifiable Information.

## **4. Your Rights**

You may exercise any of the rights described in this Section 4 by sending an email to [privacy@fasigtipton.com](mailto:privacy@fasigtipton.com). Please note that we may ask you to verify your identity before taking further action on your request.

**4.1 Managing Your Information:** You may access and update some of your information through your Fasig-Tipton account settings and/or otherwise through the Service.

**4.2 Rectification of Inaccurate or Incomplete Information:** You have the right to ask us to correct inaccurate or incomplete personal information concerning you (and that you cannot update yourself within your account and/or otherwise through the Service). We also believe you should have the ability to access and edit the Personally Identifiable Information that you have provided to us. You may change any of your Personally Identifiable Information in your account through the Service at any time by linking to your account in accordance with instructions posted elsewhere on or through the Website or the Service. You also may access and correct your Personally Identifiable Information and privacy preferences by contacting us by email at: [privacy@fasigtipton.com](mailto:privacy@fasigtipton.com). Please include your name, address, and/or email address when you contact us.

**4.3 Data Access and Portability:** In some jurisdictions, applicable law may entitle you to request copies of your personal information held by us. You may also be entitled to request copies of personal information that you have provided to us in a structured, commonly used, and machine-readable format and/or to request for us to transmit this information to another service provider (where technologically practicable and feasible).

**4.4 Data Retention and Erasure:** If you no longer want us to use your information to provide access to the Service to you, you can request that we erase your personal information and close any accounts created through the Service by following the instructions in the below Section 10 entitled “Miscellaneous Privacy Issues and Contacting Us.” Please note that if you request the erasure of your personal information:

- We may retain some of your personal information as necessary for our legitimate business interests, such as fraud detection and prevention and enhancing safety and the functionality and improvement of the Service.
- We may retain and use your personal information to the extent necessary to comply with our legal obligations, such as for tax, legal reporting, and auditing obligations.
- You may ask to have the information provided or your account deleted or removed. However because we keep track of past transactions, you cannot delete information associated with past transactions on or through the Service. In addition, it may be impossible to completely delete your information without some residual information because of backups that we create and maintain for quality assurance purposes.

**4.5 Withdrawing Consent and Restriction of Processing:** Where you have provided your consent to the processing of your personal information by Fasig-Tipton, you may withdraw your consent at any time by sending an electronic communication to us specifying which consent you are withdrawing, as otherwise provided for under this Privacy Policy. Please note that the



withdrawal of your consent does not affect the lawfulness of any processing activities based on such consent before its withdrawal.

**4.6 Lodging Complaints:** You may have the right to lodge complaints about the data processing activities carried out by Fasig-Tipton to the appropriate data protection authorities. However, please understand that by communicating any such concerns to us in advance, you will help put Fasig-Tipton in the best position to resolve any such concerns in the most efficient and effective way, especially in light of Fasig-Tipton's commitment to the safety, security, and privacy of your personal information and data.

## **5. User Choices on Collection and Use of Information**

From time to time, we may send you an email(s) regarding our products and services. In addition, if you indicated upon registration that you are interested in receiving offers or information from us and our Service Partners, we occasionally may send you direct mail about products and services that we feel may be of interest to you. Only Fasig-Tipton Company, Inc. (or agents working on behalf of Fasig-Tipton Company, Inc. and under confidentiality agreements) will send you these direct mailings and only if you indicated that you do not object to these offers. If you do not want to receive such mailings, simply tell us when you give us your personal information. Alternatively, you can easily edit your account information to rescind a prior request to receive such offers and mailings at any time.

As more fully outlined and explained below in Section 7 entitled "Cookies," we do not use cookies or any similar technologies to track your computer's browser or hard drive in any way.

## **6. Security of Information**

With our Service, you can be assured that your Personally Identifiable Information is secure, consistent with current industry standards. The importance of security for all Personally Identifiable Information associated

with our users is of utmost concern to us. Your Personally Identifiable Information is protected in several ways. You can access your Personally Identifiable Information through a password and unique customer ID that you select. This password will be encrypted. We recommend that you do not divulge your password to anyone. In addition, your Personally Identifiable Information resides on a secure server that only selected Fasig-Tipton Company, Inc. personnel and contractors will be able to access via a separate password(s). We encrypt your Personally Identifiable Information and thereby prevent unauthorized parties from viewing such information when it is transmitted to us.

Personal information that you provide that is not Personally Identifiable Information also will reside on a secure server and will be accessible only via password. Since this information will not be accessible from outside Fasig-Tipton Company, Inc., you will never be asked to select a password to view or modify such information.

To serve you most efficiently, credit card transactions and order fulfillment are handled by established third party banking, processing agents, and distribution institutions. They will receive the information needed to verify and authorize your credit card or other payment information and to process and ship your order or otherwise to assist in facilitating any transaction that you seek to consummate and complete through the Service.

Unfortunately, no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect your Personally Identifiable Information, you acknowledge that: (a) there are security and privacy limitations of the Internet that are beyond our control; (b) the security, integrity, and privacy of any and all information and data exchanged between you and us through the Service cannot be guaranteed; and (c) any such information and data may be viewed or tampered with in transit by a third party.

We are continuously implementing and updating our administrative, technical, and physical security measures to help protect your personal information against unauthorized access, loss, destruction, or alteration. We incorporate

reasonable safeguards to protect the security, integrity, completeness, accuracy, and privacy of the personal information that we may collect, including firewalls, data encryption, and information access controls. If you have reason to believe that your account credentials have been lost, stolen, misappropriated, or otherwise compromised or in case of any actual or suspected unauthorized use of your account, please contact us in accordance with the instructions set forth in Section 10 below entitled “Miscellaneous Privacy Issues and Contacting Us.”

## **7. Cookies**

A “cookie” is a small data text file, which a Web site stores on your computer's hard drive (if your Web browser permits it) that can later be retrieved to identify you to us. Fasig-Tipton does not use “cookies” or any other similar technologies, such as “web beacons,” “pixel tags,” or mobile identifiers. If we do utilize those types of technologies in the future, we will revise and update this Section 7 as appropriate.

We may use an outside ad serving company to display banner advertisements on our Websites. As part of their separate services, they might place a separate cookie on your computer. However, our third party ad server may collect and use Nonpersonally Identifiable Information about you, such as your IP address, browser type, the server your computer is logged onto, the area code and zip code associated with your server, and whether you responded to a particular ad. Other advertisers also separately may place banner ads on our site in the same manner as above. If we permit any such third parties to employ cookies in these ways, we still will not disclose any Personally Identifiable Information to them in any event.

## **8. Privacy Policies of Third Party Sites**

Except as otherwise discussed in this Privacy Policy, this document only addresses the use and disclosure of information that we collect from you. Other sites accessible through our Service have their own privacy policies and related documentation and materials and control and handle their own data collection, data use, and data disclosure practices. Please consult each

site's separate privacy policy and related documentation and materials in those regards. We are not responsible for the policies or practices of third parties. Additionally, other companies that place advertising on our Website and Service may collect information about you when you view or click on their advertising through the use of cookies, as more fully explained above in Section 7 entitled "Cookies." We cannot control this collection of information and data. You should contact these advertisers directly if you have any questions about their use of the information and data that they collect and/or process.

## **9. California Privacy Rights**

California law requires us to disclose information regarding the categories of personal information that we have collected about California residents, the categories of sources from which the information was collected, the business or commercial purposes (as those terms are defined by applicable law) for which the personal information was collected, and the categories of parties with whom we share personal information. The disclosures made in this Section 9 are in addition to those set forth elsewhere in this Privacy Policy, all of which also shall apply to California residents and their personal information.

**9.1** Please refer to Sections 2 and 3 of this Privacy Policy for information regarding how we collect, use, and release your personal information.

**9.2** If you are a California resident, in addition to all of the rights outlined in the above Section 4 entitled "Your Rights" of this Privacy Policy, you also may exercise any of the following rights:

- You may request information about our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [privacy@fasigtipton.com](mailto:privacy@fasigtipton.com). You will be required to verify your identity before we can verify your request. Please

allow up to thirty (30) days for us to process any such request that you submit.

- You may designate an authorized agent to make any request on your behalf. To do so, you might provide us with written authorization or a power of attorney that you have signed. In each case, you still will need to verify your identity directly with us.
- You have the right not to be discriminated against for exercising your rights. Please note, however, that we need certain types of information to provide the Service to you. If you ask us to delete it, you may no longer be able to access the Service.

## **10. Miscellaneous Privacy Issues and Contacting Us**

You must be at least eighteen (18) years old to have our permission to use the Service. We do not knowingly collect, use, or disclose Personally Identifiable Information about visitors to the Service who are under eighteen (18) years of age.

You also should be aware that when Personally Identifiable Information is voluntarily disclosed (*i.e.*, your name, email address, *etc.*) in the discussion forums or other public areas on the Website or the Service, that information, along with any information disclosed in your communication(s), can be collected and used by third parties and may result in unsolicited messages from third parties. Such activities are beyond our control and this Policy does not apply to any such information or data. By utilizing them, you accept that any submissions to chat rooms or other public areas on the Website or the Service with the understanding that they are accessible to all potential third parties. If you do not want your comments to be viewed by third parties, you are advised not to make any submissions. Ultimately, you are solely responsible for maintaining the secrecy of your password and/or account information. Please be careful and responsible whenever you are online.

If you have any questions about this Privacy Policy, the practices of this site, or your dealings with this site, please contact us by email at [privacy@fasigtipton.com](mailto:privacy@fasigtipton.com). If you also would like us to contact us by other means, you may do so at the following:

Fasig-Tipton Company, Inc.  
Attn: Data Protection Officer  
2400 Newton Pike  
Lexington, KY 40511  
USA  
Telephone: (859) 255-1555