

SPLASH SPORTS PRIVACY POLICY

Last Updated: March 30, 2023

Certamen Games, LLC d/b/a Splash Sports and its parents, affiliates, and subsidiaries (collectively “**Splash Sports**”, “**we**”, “**our**”, and “**us**”) are committed to protecting and maintaining your privacy. This Privacy Policy (“**Policy**”) is designed to help you understand how we collect, use, and share your Personal Data that is collected by and on SplashSports.com. Since its fantasy games platform and mobile application is available internationally, Splash Sports processes Personal Data in accordance with applicable national, provincial/state, and local laws and regulations.

Splash Sports’ Privacy Principles. Across all of our business activities we seek to base our privacy practices on accepted principles of privacy and data protection. These principles include:

- *Transparency:* To be open about privacy practices, policies, developments, and the details of any processing that takes place and to specify the purposes for which Personal Data is collected and processed before such collection takes place.
- *Fairness in Processing:* To obtain Personal Data in good faith by legitimate, lawful, and fair means and to process Personal Data only in accordance with the purposes for which it was collected.
- *Privacy by Design:* To ensure we create solutions and process data with privacy at the forefront and in accordance with these principles.

- *Accountability:* To be accountable for complying with measures that give effect to these principles, including by ensuring accountability of third parties with whom we interact through appropriate contracts.
- *Responsiveness to Privacy Requests:* To be responsive to individual’s privacy rights afforded by law.
- *Protection:* To protect Personal Data using reasonable security safeguards, to ensure data accuracy, and to limit use to that which is necessary for the processing purpose.

Scope of This Policy. This Policy applies to the processing of your Personal Data when you visit, register for, make purchases on, or use [SplashSports.com](https://www.splashsports.com), the Splash Sports mobile app, and other of our online services (the “**Online Services**”). This Policy also applies when we process your Personal Data to receive and respond to communications you make with us either online (such as by email) or offline to our physical address. We may also process your Personal Data under this Policy if you are a candidate for employment or apprenticeship with us. Finally, this Policy applies to the processing of Personal Data where you are a principal, employee, agent, or contractor of our business partners.

- Splash Sports may have other unique privacy policies that apply to certain specific situations. To the extent you were provided with a different privacy policy and those policies or notices apply, those policies or notices will govern our interactions with you, not this one.
- If you provide us with Personal Data of anyone other than yourself (such as a friend or family member), please note that you are responsible for complying with all applicable privacy and data protection laws prior to providing that information to Splash Sports (including obtaining consent, if required).
- Please review this Policy carefully. To the extent permitted by applicable law, by providing us your Personal Data or otherwise interacting with us, you are agreeing to this Policy.

Information Collected.

- **“Personal Data”** is any information—as electronically or otherwise recorded—that can be used to identify a person or that we can link directly to an individual, such as name, address, email address, telephone number, or credit card number, as applicable. Personal Data in some jurisdictions can include information that indirectly identifies a person, such as a unique display name, even absent other identifying information.
- Personal Data may include information considered sensitive in some jurisdictions, such as financial account information, geolocation, and other information.
- In some circumstances, if you do not provide us with your Personal Data, the Online Services may be unavailable to you.
- Below is a summary of how we collect, process, and use Personal Data and the potential recipients of your Personal Data, and how we have done so in the preceding 12 months. Some jurisdictions require us to state the legal bases for processing your Personal Data, which are included below, but please note that not all jurisdictions may recognize all legal bases.

Visitors, Registrants, Purchasers, and Users of Our Online Services

We may process your Personal Data when you visit, register for, make purchases on, or otherwise use the Online Services.

<u>Examples of the types of data we process:</u>	<u>Where do we get the data?</u>	<u>Why do we process the data?</u>	<u>The legal bases for processing:</u>	<u>Who receives the data?</u>
<i>Identity and contact information, such as:</i> <ul style="list-style-type: none"> ● first and last name ● email address ● postal address 	<ul style="list-style-type: none"> ● you directly ● your devices 	<ul style="list-style-type: none"> ● to provide you with the Online Services ● to communicate with you 	<ul style="list-style-type: none"> ● for the purposes of our legitimate interests 	<ul style="list-style-type: none"> ● Splash Sports, our parents, affiliates, subsidiaries, and

<ul style="list-style-type: none"> ● phone number ● display name ● username and password <p><i>Other personal information, such as:</i></p> <ul style="list-style-type: none"> ● age ● gender ● marital status ● disability ● date of birth <p><i>Commercial and financial information, such as:</i></p> <ul style="list-style-type: none"> ● products and services purchased, obtained, or considered ● request documentation ● customer service records ● financial transaction history ● credit card number, expiration date, and CVV ● financial account number <p><i>Visual and audio information, such as:</i></p> <ul style="list-style-type: none"> ● still images ● video (including via CCTV) ● recordings of your calls with our customer service representatives 	<ul style="list-style-type: none"> ● third parties 	<ul style="list-style-type: none"> ● to administer our relationship with you ● to send you updates ● to identify and authenticate you ● to customize content for you ● to detect security incidents ● to protect against malicious or illegal activity ● to ensure the appropriate use of the Online Services ● to improve the Online Services ● for short-term, transient use ● for administrative purposes 	<ul style="list-style-type: none"> ● in preparation for or to perform a contract with you ● in circumstances where we have requested and received consent and for other purposes that may be required or allowed by law* 	<p>related companies</p> <ul style="list-style-type: none"> ● individuals and entities that administer fantasy sports pools you join in connection with the Online Services[†] ● sponsors of sweepstakes, fantasy sports pools, or other promotions you participate in[‡] ● partners that assist us in providing the Online Services or help us improve our marketing or administration* <p>*</p>
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<p><i>Technical Information, such as:</i></p> <ul style="list-style-type: none"> ● Internet Protocol (IP) addresses (which may identify your general geographic location or company) ● browser type and browser language ● device type ● advertising IDs associated with your device (such as Apple’s Identifier for Advertising (IDFA) or Android’s Advertising ID (AAID)) ● date and time you visit and use the Online Services ● Uniform Resource Locators, or URLs (i.e., website addresses) visited prior to arriving and after leaving our Online Services ● activity on the Online Services and referring websites or applications ● data collected from cookies or other similar technologies*** ● geolocation information <p><i>Anonymized / De-identified Data</i> Anonymized data is data for which your individual personal characteristics have</p>		<ul style="list-style-type: none"> ● for marketing, internal research, and development ● for quality assurance and to assist in training and development of our representatives 		
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been removed such that you are not identified and the information is no longer considered Personal Data under data protection laws.				
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Persons Who Communicate with Us

We may process your Personal Data when you communicate with us either online (such as by email) or offline (such as by phone or to our physical address).

<u>Examples of the types of data we process:</u>	<u>Where do we get the data?</u>	<u>Why do we process the data?</u>	<u>The legal bases for processing:</u>	<u>Who receives the data?</u>
<p><i>Identity and contact information, such as:</i></p> <ul style="list-style-type: none"> ● first and last name ● email address ● postal address ● phone number <p><i>Visual and audio information, such as:</i></p> <ul style="list-style-type: none"> ● recordings of your calls with our customer service representatives <p><i>Technical Information, such as:</i></p>	<ul style="list-style-type: none"> ●you directly ●your devices 	<ul style="list-style-type: none"> ●to communicate with you ●to administer our relationship with you ●to send you updates ●to identify and authenticate you ●to detect security incidents ●to protect against 	<ul style="list-style-type: none"> ●for the purposes of our legitimate interests ●in preparation for or to perform a contract with you ●in circumstances where we have requested and received 	<ul style="list-style-type: none"> ●Splash Sports, our parents, affiliates, subsidiaries, and related companies ●partners that assist us in providing the Online Services or help us improve our marketing or

<ul style="list-style-type: none"> ● Internet Protocol (IP) addresses (which may identify your general geographic location or company) ● browser type and browser language ● device type ● advertising IDs associated with your device (such as Apple’s Identifier for Advertising (IDFA) or Android’s Advertising ID (AAID)) ● date and time you visit and use the Online Services ● Uniform Resource Locators, or URLs (i.e., website addresses) visited prior to arriving and after leaving our Online Services ● activity on the Online Services and referring websites or applications ● data collected from cookies or other similar technologies*** ● geolocation information <p><i>Anonymized / De-identified Data</i> Anonymized data is data for which your individual personal characteristics have been removed such that you are not</p>		malicious or illegal activity <ul style="list-style-type: none"> ● for short-term, transient use ● for administrative purposes ● for marketing, internal research, and development ● for quality assurance and to assist in training and development of our representatives 	consent and for other purposes that may be required or allowed by law*	administration*
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<p>identified and the information is no longer considered Personal Data under data protection laws.</p>				
<p><u>Employment and Apprenticeship Candidates</u></p> <p>We may process your Personal Data when you apply or are a candidate for employment or apprenticeship at Splash Sports.</p>				
<p><u>Examples of the types of data we process:</u></p>	<p><u>Where do we get the data?</u></p>	<p><u>Why do we process the data?</u></p>	<p><u>The legal bases for processing:</u></p>	<p><u>Who receives the data?</u></p>
<p><i>Identity and contact information, such as:</i></p> <ul style="list-style-type: none"> ● first and last name ● company/employer ● email address ● postal address ● phone number <p><i>Other personal information, such as:</i></p> <ul style="list-style-type: none"> ● age ● gender ● marital status ● disability ● date of birth <p><i>Technical Information, such as:</i></p>	<ul style="list-style-type: none"> ● you directly ● your employer or principal ● your devices ● our business partners and other third parties 	<ul style="list-style-type: none"> ● to communicate with you ● to identify and authenticate you ● to detect security incidents ● to protect against malicious or illegal activity ● for short-term, transient use ● for administrative purposes 	<ul style="list-style-type: none"> ● for the purposes of our legitimate interests ● in preparation for or to perform a contract ● to comply with a legal obligation ● in circumstances where we have requested and received 	<ul style="list-style-type: none"> ● Splash Sports, our parents, affiliates, subsidiaries, and related companies

<ul style="list-style-type: none"> ● Internet Protocol (IP) addresses (which may identify your general geographic location or company) ● browser type and browser language ● device type ● advertising IDs associated with your device (such as Apple’s Identifier for Advertising (IDFA) or Android’s Advertising ID (AAID)) ● date and time you visit and use the Online Services ● Uniform Resource Locators, or URLs (i.e., website addresses) visited prior to arriving and after leaving our Online Services ● activity on the Online Services and referring websites or applications ● data collected from cookies or other similar technologies*** ● geolocation information <p><i>Professional and educational information, such as:</i></p> <ul style="list-style-type: none"> ● job title or position ● employer 		<ul style="list-style-type: none"> ● for marketing, internal research, and development 	<p>consent and for other purposes that may be required or allowed by law*</p>	
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<ul style="list-style-type: none"> ● work skills ● employment history ● graduate degrees ● certifications ● specialized training ● responses to surveys and questionnaires <p><i>Anonymized / De-identified Data</i> Anonymized data is data for which your individual personal characteristics have been removed such that you are not identified and the information is no longer considered Personal Data under data protection laws.</p>				
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Business Partners and Their Employees, Agents, and Contractors

We may process your Personal Data when you act as a business partner such as a vendor, supplier, distributor, retailer, or service provider.

<u>Examples of the types of data we process:</u>	<u>Where do we get the data?</u>	<u>Why do we process the data?</u>	<u>The legal bases for processing:</u>	<u>Who receives the data?</u>
<p><i>Identity and contact information, such as:</i></p> <ul style="list-style-type: none"> ● first and last name ● company/employer 	<ul style="list-style-type: none"> ● you directly ● our business 	<ul style="list-style-type: none"> ● to communicate with you ● to administer our relationship 	<ul style="list-style-type: none"> ● for the purposes of our legitimate interests 	<ul style="list-style-type: none"> ● Splash Sports, our parents, affiliates, subsidiaries, and

<ul style="list-style-type: none"> ● email address ● postal address ● phone number <p><i>Other personal information, such as:</i></p> <ul style="list-style-type: none"> ● age ● gender ● disability ● date of birth <p><i>Technical Information, such as:</i></p> <ul style="list-style-type: none"> ● Internet Protocol (IP) addresses (which may identify your general geographic location or company) ● browser type and browser language ● device type ● advertising IDs associated with your device (such as Apple’s Identifier for Advertising (IDFA) or Android’s Advertising ID (AAID)) ● date and time you visit and use the Online Services ● Uniform Resource Locators, or URLs (i.e., website addresses) visited prior to arriving and after leaving our Online Services 	<p>partners and other third parties</p> <ul style="list-style-type: none"> ● your employer or principal ● your devices 	<p>with your organization</p> <ul style="list-style-type: none"> ● to send you updates ● to identify and authenticate you ● to detect security incidents ● to protect against malicious or illegal activity ● for short-term, transient use ● for administrative purposes ● for marketing, internal research, and development ● to provide you with our Online Services ● to communicate with you 	<ul style="list-style-type: none"> ● to comply with a legal obligation ● in preparation for or to perform a contract ● in circumstances where we have requested and received consent and for other purposes that may be required or allowed by law* 	<p>related companies</p> <ul style="list-style-type: none"> ● partners that assist us in providing the Online Services or help us improve our marketing or administration* <p>*</p>
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<ul style="list-style-type: none"> ● activity on the Online Services and referring websites or applications ● data collected from cookies or other similar technologies*** ● geolocation information <p><i>Commercial and financial information, such as:</i></p> <ul style="list-style-type: none"> ● products and services purchased, obtained, or considered ● request documentation ● customer service records ● financial transaction history ● credit card number, expiration date, and CVV ● financial account number <p><i>Anonymized / De-identified Data</i> Anonymized data is data for which your individual personal characteristics have been removed such that you are not identified and the information is no longer considered Personal Data under data protection laws.</p>		<ul style="list-style-type: none"> ●to identify and authenticate you 		
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*The legal bases relied upon by Splash Sports include those enumerated in Articles 6 and 9 of the European Union’s General Data Protection Regulation (“**GDPR**”), depending on the type of Personal Data.

**In limited circumstances, recipients may include, (1) in the event of a sale, assignment, or transfer, to the buyer, assignee, or transferee; and, (2) government or regulatory officials, law enforcement, courts, public authorities, or others when permitted by this Policy or required by law.

***Please see our [Cookie Policy](#) for more information on how we use cookies and similar technologies.

We may also share your Personal Data: (i) if we are required to do so by law (e.g., in order to comply with a judicial proceeding, court order or other legal obligation or government inquiry); (ii) if we believe that it is necessary to enforce or apply our Terms of Use or other agreements or otherwise protect and defend the rights, property or safety of Splash Sports or that of our customers; or (iii) to any entity that acquires any part of Splash Sports’ current operations, including by way of affiliation, merger, de-merger, acquisition, reorganization, or sale of assets.

† If you participate in a fantasy sports pool in the Online Services, your Personal Data may be accessible by the person or entity who administers that pool (the “Commissioner”). Splash Sports is not responsible for how a Commissioner subsequently processes or shares your Personal Data. To better understand how your Commissioner handles your Personal Data, please contact the Commissioner directly or refer to their separate privacy policy or notice.

‡ If you enter into a sponsored sweepstakes or sponsored fantasy sports pool in connection with the Online Services, your Personal Data will be shared with the third-party sponsor. In some jurisdictions, this may be considered a “sale” of your Personal Data. ll

The laws in your jurisdiction may provide you the right to opt out of such sales. If you wish to opt out of the sale of your Personal Data, please email privacy@splashsports.com. To better understand your rights, please see Your

Rights Regarding Your Personal Data below. You should also review the third-party sponsor's privacy policy or notice to better understand how they handle your Personal Data.

Combination of Data. We may combine information we collect, whether Personal Data or not, with Personal Data that we may obtain from third parties

Children's Data. Splash Sports does not knowingly collect, maintain, disclose, or otherwise process Personal Data from minors below the age of 16 without the permission of such minor's parents or legal guardians.

Marketing Uses, Cookies, and Other Activities. To the extent permitted by applicable law, including in accordance with your consent where required by applicable law, we may engage in the following activities:

- We may use your contact details to contact you to determine whether you would like to initiate a business relationship with us or to send you marketing emails. If you do not wish to receive such marketing emails, you may opt out by declining to receive such emails when registering or in our subsequent communications by following opt-out instructions included in the email or at other information collection points on the Online Services.
- We may display advertisements to you regarding the Online Services or other of our products and services that we believe are relevant to you based on your activities on the Online Services or on other web or digital properties. Such advertisements may be shown on our Online Services or the online services of others. We achieve this by using, and allowing third parties (e.g., Facebook, LinkedIn) to use certain cookies, eTags, pixels, web beacons, and other tracking technologies to track your activities on our Online Services and other online services. For more information about these activities and how to manage or opt out of them, please see our [Notice on Cookies](#).
- We may make customer offers to you based on your activities across different Online Services, including activities on other web or digital properties or your other interactions with Splash Sports that are not via the Online Services (e.g., regional offers based on the location you provide us).

- We also perform statistical analyses of the users of our Online Services to improve the functionality, content, design, and navigation of the Online Services.

Processing Using Online Services Tracking. On certain of our websites, we use Google Analytics, to help us understand how users engage with this and other of our websites. Google Analytics may track your activity on our sites (i.e., the pages you have seen and the links you have clicked on) and helps us measure how you interact with the content that we provide. This information is used to compile reports and to help us improve the sites. The reports we receive disclose website trends without identifying individual visitors. You can learn about Google’s practices by going to www.google.com/policies/privacy/partners/, and exercise the opt-out provided by Google by downloading the Google Analytics opt-out browser add-on, available at <https://tools.google.com/dlpage/gaoptout> or as described in our [Notice on Cookies](#).

Third-Party Service Providers. Third-party service providers acting on our behalf must execute agreements including confidentiality requirements and will only process Personal Data as necessary to perform their functions in a manner consistent with this Policy, other applicable privacy policies, and as explicitly permitted or required by applicable laws, rules, and regulations. Our third-party service providers may be located in the United States and other jurisdictions.

If you have downloaded the Splash Sports mobile application, these third parties may include the mobile application marketplace (such as the Apple App Store or the Google Play Store) from which you downloaded the application. Please refer to your relevant marketplace’s privacy policy to understand how they collect and use your Personal Data.

Interactive Features of our Online Services. The Online Services may feature various community areas, message board, leaderboards, and other public forums (the “**Public Areas**”) where Service users with similar interests can share information and post questions for others to answer. These Public Areas include without limitation leaderboards where users participating in the same league can see the Pick Data and position of each user (by entry name) in the league’s standings relative to each other user (each, a “**Leader Board**”). You acknowledge and

understand that you have no expectation of privacy or confidentiality in the content on the Public Areas of the Online Services, including the Leader Board. We cannot prevent Personal Data included within a Public Area from being used by third parties in a manner inconsistent with this Policy, the law, or your personal privacy. We are not responsible for the results of information posted in Public Areas or for the accuracy of any information contained in those postings. Except when required to do so by applicable law, we assume no obligation to remove Personal Data you post on our Online Services, and your disclosure of any Personal Data in Public Areas is at your own risk. When using the Online Services, you may make your Personal Data available to another user (“Third-Party User”) of the Online Services. For example, by participating in fantasy sports pools, you may make your email address or other Personal Data available to your fantasy sports pool commissioner. Such Third-Party Users are responsible for their use of your Personal Data and any such Personal Data is subject to that Third-Party User’s privacy practices and privacy policy(ies), not this Policy.

Links to Other Online Services. Our Online Services may contain links to other websites, applications, products, or services that are not owned or operated by Splash Sports. You should carefully review the privacy policies and practices of other websites, products, and services as we cannot control and are not responsible for privacy policies, notices, or practices of third-party websites, applications, products, and services.

Safeguarding Information. Consistent with applicable laws and requirements, Splash Sports has put in place physical, technical, and administrative safeguards to protect Personal Data from loss, misuse, alteration, theft, unauthorized access, and unauthorized disclosure consistent with legal obligations and industry practices. However, as is the case with all websites, applications, products, and services, we unfortunately are not able to guarantee security for data collected through our Online Services. In addition, it is your responsibility to safeguard any passwords, ID numbers, or similar individual information associated with your use of the Online Services.

Your Rights Regarding Your Personal Data. Please note that in many circumstances, we cannot effectively do business with you without processing some Personal Data about you (e.g., your contact information). For example, when you contact customer service representatives, we may require you to provide information to authenticate your

identity to assist you with your request. If you are unable to provide this information, we may be unable to process your request.

You may have a right under your area's data protection law to the following rights with respect to some or all of your Personal Data:

- To request access to your Personal Data (including under GDPR Article 15);
- To request that we rectify or correct your Personal Data (including under GDPR Articles 16 and 17);
- To request that we restrict or block the processing of your Personal Data (including under GDPR Articles 18, 21 and 22 and to object to the sale or sharing of your Personal Data under other relevant laws);
 - This includes the right to opt-out of solicitations;
- To provide your Personal Data directly to another, i.e., a right to data portability (including under GDPR Article 20);
- When we previously obtained your consent, to withdraw consent to processing (including under GDPR Article 21);
- To opt out of behavioral or targeted advertising; and
- To lodge a complaint with the data protection authority in your area.

You can make a request with respect to your Personal Data by contacting us by email at privacy@SplashSports.com or by mail at Attn: Privacy, Splash Sports, 383 Corona Street, Unit #819, Denver, CO 80220. We will make reasonable efforts to respond promptly to your requests in accordance with applicable laws. We may, after receiving your request, require additional information from you to honor the request and verify your identity. Please be aware that we may be unable to afford these rights to you under certain circumstances, such as if we are legally prevented from doing so.

Notice of Right to Opt Out of Sale/Sharing

Splash Sports provides Users with the ability to opt out of having their personal information shared with third parties for advertising, analytics, and certain other non-required purposes. Splash Sports users can email privacy@splashsports.com to opt out of such sharing practices.

You may additionally have a right under your area's data protection law to opt out of the "sale" of your Personal Data or the sharing of your Personal Data for cross-context behavioral advertising. As of the Effective Date, Splash Sports, sells Personal Data only to sponsors of sweepstakes or fantasy sports pools, and only when you enter into such sponsored sweepstakes or sponsored fantasy sports pools. You may opt out of such sales at any time by emailing privacy@splashsports.com and providing information allowing us to verify your opt out request. We may, after receiving your opt-out request, require additional information from you to honor the request and verify your identity. Please note that if you opt out of the sale of your Personal Data, you may not be eligible to participate in sponsored sweepstakes or sponsored fantasy sports pools.

Please note that after you opt out of the sale or sharing of your personal information, your use of the Splash Sports website and mobile application may still be tracked by us and our service providers.

Applications. You may stop all collection of information by our application by uninstalling the application. You may use the standard uninstall processes as may be available as part of your mobile device or via the mobile application marketplace or network. You may also send a request to permanently delete your Account by following the instructions specified in your Account Settings.

As of the Effective Date, Splash Sports does not share your Personal Data for cross-context behavioral advertising.

Transfer of Personal Data Across National Borders. Please be aware that Personal Data we collect and process may be transferred and maintained outside your state, province, country, or other jurisdiction where the privacy laws may not be as protective as those in your location, including the United States. Splash Sports has put in place

lawful transfer mechanisms and adequate safeguards, in accordance with applicable legal requirements, to protect your Personal Data.

How Long Your Personal Data Will Be Retained. We generally retain Personal Data for as long as needed for the specific business purpose or purposes for which it was collected. In some cases, we may be required to retain Personal Data for a longer period of time by law or for other necessary business purposes. Whenever possible, we aim to anonymize the information or remove unnecessary identifiers from records that we may need to keep for periods beyond the specified retention period.

When we delete information, it will be deleted from the active database, but may remain in our archives. We may also retain your information to prevent fraud or other unlawful activity or for similar purposes.

Changes to This Privacy Policy. We reserve the right to change this Policy from time to time. We will alert you when changes have been made by indicating the date this Policy was last updated as the date the Policy became effective or as otherwise may be required by law. It is recommended that you periodically revisit this Policy to learn of any changes.

Contact Us. If you have any questions or comments about this Policy or feel that we are not abiding by the terms of this Policy, please contact us in any of the following ways:

By email:

privacy@SplashSports.com

By postal mail or courier:

Attn: Privacy
Splash Sports
383 Corona Street Unit #819
Denver CO 80220

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