

## **OTTO'S PRIVACY POLICY**

**LAST UPDATED: June 15, 2018**

Your Privacy is Important to us. This Privacy Policy describes the privacy practices of Otto's Barbecue & Hamburgers, a Texas Limited Liability Corporation ("Otto's"), and how we collect information from you when you visit and use Otto's websites, mobile or tablet applications, or other on-line services or platforms ("Services"). This Privacy Policy only applies to those Services operated by or for Otto's, including Ottosbbq.com and Ottos2U.com

Otto's does not generally require your personal information to visit and use the Services. However, you may be required to or may voluntarily provide your personal information to participate in certain activities associated with the Services, such as providing general comments, making purchases online, sending email communications to Otto's, calling Otto's, ordering food or services from Otto's website or via telephone, etc. Although it is completely up to you whether you chose to provide your personal information, not providing personal information may make you ineligible to participate in certain activities or services offered by Otto's. Your submission of personal information through the Services, is an explicit agreement to Otto's collection and use of all such information as described in this Privacy Policy.

### **Collection of Information**

When visiting or using Otto's Services, Otto's Web server automatically recognizes and stores the visitor's computer-readable information, including but not limited to, the visitor's IP address and domain name combination. This information enables Otto's to follow visitor traffic patterns through the Services to improve user experience. If visitor's employ blocking or "DO NOT TRACK" technology that limits recognition or the collection of such computer-readable information, Otto's will not alter or bypass such technology. Otto's does not provide access to third parties to track your personally identifiable information through your use of the Services, but Otto's may allow third parties to access certain information you provide as described in this Privacy Policy.

We may use cookies and similar technologies, including mobile application identifiers, to help us recognize you across different Services, security, measure use and effectiveness of our Services, and serve advertising. You can control cookies through your browser settings and other tools. By visiting the Services, you consent to the placement of cookies in your browser and HTML-based emails in accordance with this Privacy Policy and Otto's Cookie Policy below.

### **Use of Information**

Otto's reserves the right to use the personal information you provide, or that we collect from other sources, for our general business purposes, such as responding to your requests or questions, processing orders, communicating about customer service, informing you about others' products or services you might find interesting, or personalizing our service to meet your needs or preferences. This may involve sharing your personal information with our affiliates.

We may disclose personal information to third parties in the following instances: (1) you request or authorize it; (2) to complete a transaction for you; (3) to comply with laws, regulations, governmental and quasi-governmental requests, court orders or subpoenas, and legal investigations; (4) to enforce our Terms of Use or other agreements; (5) to protect the rights, property, safety, and security of Otto's, you, and others; (6) to allow our agents, outside vendors, or service providers to perform functions on our behalf (e.g., data analysis, marketing assistance, order processing, etc.); (7) to assist third parties with their marketing research efforts; or (8) for other purposes consistent with this Privacy Policy. We may also gather aggregated data about you and disclose such aggregated data, without any personally identifiable information, to third parties for promotional or other purposes.

### **Third Parties and Websites**

#### *Disclosure as a result of a change in control or sale of Otto's*

We may disclose your personal information to a third party as part of a sale of the assets of Otto's, a subsidiary, or division, or as the result of a change in control of the company or one of its affiliates, or in preparation for any of these events. Any third party to which Otto's transfers or sells its assets will have the right to continue to use the personal and other Information that you provide to us in the manner set out in this Privacy Policy.

#### *Service providers*

We may employ third party companies and individuals to facilitate our Services (e.g. maintenance, analysis, audit, marketing and development). These third parties have limited access to your information and only for the purposes to perform these tasks on our behalf.

#### *Links and Pointers to other third-party websites*

Otto's Services and communications through the Services may contain links and pointers to other third-party websites, including, without limitation, websites for employment applications, advertising, and social media platforms. This Privacy Policy does not apply to these third-party websites, and Otto's is not responsible for the privacy practices, policies, or content of any such third-party websites, even if you link to them through the Services or communications related to the Services. We have no control over how

such third-party websites collect or use personal information, and we have no responsibility for any personal information you provide or content you post on such third-party websites. We urge you to read and understand the privacy policies of any third-party websites that you visit.

### **Security**

There is no guarantee that information, including, but not limited to your, name, phone number, email address, home address, and credit card number, may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. Thus, it is your responsibility to monitor your credit card activity and use of your personal information on a regular basis.

### **Notice Regarding Minors**

Otto's Services are not intended to be used by or targeted to children under age 13. We do not intend to collect personal information through our Services from children under age 13. If we receive actual knowledge that we have collected any individually identifiable information about a child under age 13, we will delete that information and not use or disclose the child's information except as may be required by law. If you are a parent or legal guardian and believe your child under age 13 has provided us with personally identifiable information, you can write us at the address or email provided below.

Otto's does not intend to collect personally identifiable information from children under age 18 (or under the age of majority in their jurisdiction of residence) without permission from a parent or guardian. Otto's strongly encourages all parents to supervise their children's on-line activities and regularly monitor their children's use of the Internet, including use of Otto's Services. Parents should consider using parental control tools and other services to assist them in supervising their children's on-line use or on-line disclosure of their name, address or other personal information without parental consent.

### **Request to Remove Posts by Minors**

If you are under age 18 and you posted content on one of Otto's Services that you no longer want anyone to see, you can send a request to Otto's to remove that content. To send a request, write us at the address provided at the end of this Privacy Policy. We will review your request and determine whether your request is appropriate for proper removal of content. You should be aware that even if Otto's attempts to remove content per your request, this does not ensure complete or comprehensive removal of the content posted on Otto's Services. This provision only applies to Otto's Services and does not apply to any websites operated by third parties that may have content related

to Otto's and its Services. Also, this provision only applies to content that you post yourself and does not apply to content posted by third parties, even if it refers to you.

### **Use and Disclosure of Anonymous Aggregated Information**

Otto's may collect, aggregate, and maintain anonymous information about our Services' users, such as interests, purchasing habits, and the like. Otto's may use this information for tailoring content and advertising to deliver a better experience for our users. Otto's may also share such aggregate information about the Services' users with business partners and other third parties for the purposes described above.

### **Consent**

Your continued use of the Services constitutes your agreement to this Privacy Policy and any updates. By accepting the terms of this Privacy Policy, you are consenting to the collection and processing of all personal information provided by you through your use of the Services and sharing of such information in accordance with the terms of this Privacy Policy.

### **Changes to Privacy Policy**

Otto's reserves the right to update or change this Privacy Policy at any time. If we make a material change to our Privacy Policy, we will indicate on the Online Services that our privacy practices have changed and will provide a link to the new policy. In the event we make a material change to how we use your personal information, we will provide you with an opportunity to opt out of such new or different use. You are responsible for periodically reviewing the Online Services and this Privacy Policy to check for any updates or changes.

### **Contact Us**

Otto's Barbecue & Hamburgers

**PO BOX 440713, Houston, TX 77244**