

## PRIVACY POLICY

**Date of Last Revision: November 4, 2021**

### Our Policy

This Privacy Policy describes how Tomahawk Strategic Solutions LLC, (“**Tomahawk**,” “**we**,” “**us**,” or “**our**”) collects personal information about you, uses your personal information, discloses your personal information, or the limited circumstances by which we may share your personal information with others. This Privacy Policy applies to information that we may collect from or about you when you access or use the Tomahawk website, mobile application, or other online or mobile service that links to or otherwise presents this Privacy Policy to you (the “Services”), or by any other means described herein.

**PLEASE READ THIS PRIVACY POLICY CAREFULLY TO UNDERSTAND HOW WE HANDLE YOUR INFORMATION. IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, PLEASE DO NOT USE THE SERVICES.**

**The California Consumer Privacy Act of 2018 (the “CCPA”). Tomahawk operates as a Service Provider as defined under the CCPA, processing personal information on behalf of our customers. Tomahawk will never “sell” your personal information as defined under the CCPA; and we only use your personal information to provide our services as agreed upon with our customers, and not for any other business or commercial purpose. California residents have specific rights under the CCPA regarding their personal information, and you may contact us to learn more about your rights under the CCPA.**

This Privacy Policy contains the following sections:

- The Information We Collect
- How We Use Your Information
- Cookies and Similar Technologies
- How We Share and Disclose Your Information
- Retention of Your Information
- Data Subject Rights and Your Choices
- Children’s Privacy
- How We Protect Your Information
- Changes to Our Privacy Policy
- Tomahawk Contact Information

## **Information We Collect**

We obtain information about you through the means discussed below when we provide the Services. Please note that we need certain types of information so that we can provide the Services to you. If you do not provide us with such information, or ask us to delete it, you may no longer be able to access or use our Services.

### **1. Information You Provide to Us**

We collect a variety of information that you provide directly to us. For example, we collect information from you through:

- the Services you use or processing your orders;
- requests or questions you submit to us via online forms, email, or otherwise;
- Uploads or posts you may choose to make to, or in connection with the Services
- account registration and administration of your account; and
- requests for customer support and technical assistance.

**Information about you.** While parts of the Services may not require you to provide any information that can directly identify you by name (such as if you choose to browse the website without logging in), the specific types of information we collect will depend upon the Services you use, how you use them, and the information you choose to provide. The types of data we collect directly from you includes:

- email address;
- name;
- log-in credentials, if you create a Tomahawk account;
- billing and account information, including billing address, credit or debit card numbers, verification numbers, and expiration date;
- information about purchases or other transactions with us;
- information about your customer service interactions with us;
- demographic and other information about you that you choose to provide in connection with the Services;
- any other information you choose to directly provide to us in connection with your use of the Services.

### **2. Information We Collect Through Automated Means**

When you use our Services, we collect certain information as described in this Section. As discussed further below, we and our service providers (which are third party companies that work on

our behalf) may use a variety of technologies, including cookies and similar tools, to assist in collecting this information.

**Websites.** When you use our website, we collect and analyze information such as your IP address, browser types, browser language, operating system, software and hardware attributes (including device IDs) referring and exit pages and URLs, the number of clicks, pages viewed and the order of those pages, the date and time you used the Services, error logs, and other similar information.

**Location Information.** When you use the Services, we and our service providers may automatically collect general location information (*e.g.*, IP address, city/state and or postal code associated with an IP address) from your computer or mobile device.

## **HOW WE USE YOUR INFORMATION**

We, or our service providers, use your information for various purposes depending on the types of information we have collected from and about you, in order to:

- complete a purchase or provide the Services you have requested, including invoicing and accounting;
- respond to your request for information and provide you with more effective and efficient customer service;
- provide you with updates and information about classes in which you have enrolled;
- contact you by email, postal mail, or phone regarding the Services;
- help us better understand your interests and needs, and improve the Services, including through research and reports, and test and create new products, features, and services;
- secure our websites and applications;
- comply with any procedures, laws, and regulations which apply to us where it is necessary for our legitimate interests or the legitimate interests of others; and
- establish, exercise, or defend our legal rights where it is necessary for our legitimate interests or the legitimate interests of others.

## **COOKIES AND SIMILAR TECHNOLOGIES**

The Services are provided through Thought Industries' online platform. Although we do not collect cookies, in order to collect the information in the "Information We Collect Through Automated Means" section above, our service providers (including Thought Industries) use Internet server logs, cookies, tracking pixels, and other similar tracking technologies. Our service providers use these technologies in order to offer you a more tailored experience in the future, by understanding and remembering your particular browsing preferences. Cookies are small text files that are placed on your computer or mobile device when you visit a site that enable us to: (i) recognize your computer; (ii) store your preferences and settings; (iii) understand the web pages of the Services you have visited; (iv) enhance your user experience by delivering and measuring the effectiveness of content and advertising tailored to

your interests; (v) perform searches and analytics; and (vi) assist with security and administrative functions. Some cookies are placed in your browser cache while those associated with Flash technologies are stored with your Adobe Flash Player files.

As we adopt additional technologies, we may also gather information through other methods. Please note that you can change your settings to notify you when a cookie is being set or updated or to block cookies altogether. Please consult the “Help” section of your browser for more information (e.g., Internet Explorer; Google Chrome; Mozilla Firefox; or Apple Safari). You can also manage the use of Flash technologies, including flash cookies and local storage objects, with the Flash management tools available at Adobe’s website. Please note that by blocking, disabling, or managing any or all cookies, you may not have access to certain features or offerings of the Services. For more information about the use of cookies by Thought Industries, please see Thought Industries’ [policy on their use of cookies](#).

## HOW WE SHARE AND DISCLOSE YOUR INFORMATION

Tomahawk will share your information in the following ways:

**Affiliates and Subsidiaries.** We may share information we collect within the Tomahawk family of companies to deliver products and services to you, ensure a consistent level of service, and enhance our products, Services, and your customer experience.

**Protection of Tomahawk and Others.** By using the Services, you acknowledge and agree that we may access, retain and disclose the information we collect and maintain about you if required to do so by law or in a good faith belief that such access, retention or disclosure is reasonably necessary to: (a) comply with legal process (e.g., a subpoena or court order); (b) enforce our Terms of Service, this Privacy Policy, or other contracts with you, including investigation of potential violations thereof; (c) respond to claims that any content violates the rights of third parties; (d) respond to your requests for customer service; and/or (e) protect the rights, property or personal safety of Tomahawk, its agents and affiliates, its users and/or the public. This includes exchanging information with other companies and organizations for fraud protection, and spam/malware prevention, and similar purposes.

## RETENTION OF YOUR INFORMATION

We keep your information for no longer than necessary for the purposes for which it is processed. The length of time for which we retain information depends on the purposes for which we collected and use it and/or as required to comply with applicable laws.

## DATA SUBJECT RIGHTS AND YOUR CHOICES

You have certain rights with respect to your information as further described in this section.

### 1. Your Legal Rights

If you would like further information in relation to your legal rights under applicable law or would like to exercise any of them, please contact us using the information in the “Contact Information” section below at any time. Your local laws (e.g., in the EU) may permit you to request that we:

- provide access to and/or a copy of certain information we hold about you;

- prevent the processing of your information for direct-marketing purposes (including any direct marketing processing based on profiling);
- update information which is out of date or incorrect;
- delete certain information which we are holding about you;
- restrict the way that we process and disclose certain of your information;
- transfer your information to a third party provider of services; and
- revoke your consent for the processing of your information;

We will consider all requests and provide our response within the time period stated by applicable law. Please note, however, that certain information may be exempt from such requests in some circumstances, which may include if we need to keep processing your information for our legitimate interests or to comply with a legal obligation. We may request you provide us with information necessary to confirm your identity before responding to your request.

## **2. Marketing Communications and Sharing**

You may instruct us not to use your contact information to contact you by email, postal mail, or phone regarding products, services, promotions and special events that might appeal to your interests by contacting us using the information below. In commercial email messages, you can also opt out by following the instructions located at the bottom of such emails. Please note that, regardless of your request, we may still use and share certain information as permitted by this Privacy Policy or as required by applicable law. For example, you may not opt out of certain operational emails, such as those reflecting our relationship or transactions with you, or important notifications regarding classes in which you are enrolled.

## **CHILDREN’S PRIVACY**

The Services are intended for general audiences and not for children under the age of 13. If we become aware that we have inadvertently collected “personal information” (as defined by the United States Children’s Online Privacy Protection Act) from children under the age of 13 without valid parental consent, we will take reasonable steps to delete it as soon as possible. We do not knowingly process data of EU residents under the age of 16 without parental consent. If we become aware that we have collected data from an EU resident under the age of 16 without parental consent, we will take reasonable steps to delete it as soon as possible. We also comply with other age restrictions and requirements in accordance with applicable local laws.

## **HOW WE PROTECT YOUR INFORMATION**

Tomahawk uses physical, technical and organizational security measures to protect the information provided via the Services from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. However, no Internet or email transmission is ever fully secure or error free. Please keep this in mind when disclosing any information to Tomahawk via the Internet.

## **CHANGES TO OUR PRIVACY POLICY**

We reserve the right to amend this Privacy Policy at any time to reflect changes in the law, our data collection and use practices, the features of our Services, or advances in technology. We will make the revised Privacy Policy accessible through the Services, so you should review the Privacy Policy periodically. You can know if the Privacy Policy has changed since the last time you reviewed it by checking the “Date of Last Revision” included at the beginning of the document. If we make a material change to the Policy, you will be provided with appropriate notice in accordance with legal requirements. By continuing to use the Services, you are confirming that you have read and understood the latest version of this Privacy Policy.

## **CONTACT INFORMATION**

Please feel free to contact us if you have any questions about Tomahawk’s Privacy Policy or the information practices of the Services, or to make any request relating to your personal information or this Policy.

You may contact us as follows:  
Tomahawk Strategic Solutions LLC  
4751 Trousdale Ave STE 110  
Nashville, Tennessee 37220  
[support@Tomahawkss.com](mailto:support@Tomahawkss.com)