



Privacy Policy

Effective: October 10, 2008

Last Revised: February 7, 2009

This Privacy Policy governs the manner in which Tencap Tennis, LLC, a Kansas limited liability company (“Tencap Tennis”, “we” or “us”) collects, uses, maintains and discloses information collected from users (“you”, “your”, “member” or “User”) of its www.tencaptennis.com web site and any derivative, Organization (as defined in the Web Site Terms of Use) or other affiliated web sites on which this Privacy Policy is posted (collectively, the “Web Site”). While the terms contained throughout this Privacy Policy apply to Users generally, a separate children’s section below discusses Tencap Tennis’s information practices relating to children under the age of 13. Tencap Tennis may collect personal information through the Web Site from children under 13 that have an existing affiliation with an Organization that utilizes the Web Site and that register an account (after parental consent); however, Tencap Tennis does not solicit or allow children under 13 to otherwise register for the Web Site nor does it knowingly collect personal information about these children.

Tencap Tennis reserves the right, at its discretion, to change, modify, add or remove portions of this Privacy Policy at any time by posting such changes to this page. You understand that you have the affirmative obligation to check this Privacy Policy periodically for changes, and you hereby agree to periodically review this Privacy Policy for such changes. The continued use of the Web Site following the posting of changes to this Privacy Policy constitutes acceptance of those changes.

Privacy

Tencap Tennis is committed to safeguarding the information Users entrust to Tencap Tennis and believes that every User should know how it utilizes the information collected from Users. Please note that the Web Site may contain links to other web sites. These linked sites may not be controlled by Tencap Tennis. Tencap Tennis is not responsible for the privacy practices of your particular Organization(s) or any other web sites, and you access such Organizations and web sites entirely at your own risk. Tencap Tennis recommends that you review the privacy practices of your Organization(s) and any other web sites that you choose to visit.

Tencap Tennis is based, and this Web Site is hosted, in the United States of America. If User is from the European Union or other regions of the world with laws governing data collection and use that may differ from U.S. law and User is registering an account on the Web Site, visiting the Web Site, purchasing products or services from Tencap Tennis or the Web Site, or otherwise using the Web Site, please note that any personally identifiable information that User provides to Tencap Tennis will be transferred to the United States. Any such personally identifiable information provided will be processed and stored in the United States by Tencap Tennis or a service provider acting on its behalf. By providing your personally identifiable information, User hereby specifically and expressly consents to such transfer and processing and the uses and disclosures set forth herein.

The Information Tencap Tennis Collects

Users browsing the Web Site without registering an account do so anonymously. However, Tencap Tennis may collect personally identifiable information from Users in a variety of ways. Personally identifiable information may include, without limitation, (i) contact data (such as a User’s name, mailing and e-mail addresses); (ii) demographic data (such as a User’s zip code, age and income); (iii) financial



information collected to process purchases made from Tencap Tennis via the Web Site or otherwise (such as credit card, debit card or other payment information); (iv) information provided by Organizations of which you are a member (such as the information mentioned above and a User's basic membership information); (v) information requested during the account registration process to confirm User's identity and eligibility to access and use the Web Site (such as a User's name, username, password, email address, city and state); and (vi) other information provided by User during account registration or User's use of the Web Site (e.g. gender, skills and interests). If a User communicates with Tencap Tennis by e-mail or otherwise, posts User Content (as defined in the Web Site Terms of Use) to the Web Site, posts messages to any forums, completes online forms, surveys or entries, creates a User profile ("Profile") or otherwise interacts with or uses the features on the Web Site, any information provided in such communications may be collected by Tencap Tennis. Additional information provided by you outside of the account registration process to create or supplement a User profile (such as User's photograph) is entirely optional, but enables you to better identify yourself and find new opportunities via the Web Site. Such additional information can be altered or removed by you in your Profile settings at any time.

Tencap Tennis may also collect information about how Users use the Web Site, for example, by tracking the number of unique views received by the pages of the Web Site, or the domains and Internet protocol (IP) addresses from which Users originate. While not all of the information that Tencap Tennis collects from Users is personally identifiable, it may be associated with personally identifiable information that Users provide Tencap Tennis through the Web Site or otherwise. Other information that does not personally identify you as an individual is collected by Tencap Tennis from the Web Site (such as patterns of utilization of the Web Site, score information and other information that is de-identified) and is exclusively owned by Tencap Tennis. This information may be utilized by Tencap Tennis in order to improve its services and in such other manner as Tencap Tennis, in its sole discretion, deems appropriate.

Cookies

Like most web sites, the Web Site uses cookies and web log files to track site usage. A cookie is a tiny data file which resides on your computer which allows Tencap Tennis to recognize you as a User when you return to the Web Site using the same computer and web browser. Unfortunately, if your browser settings do not allow cookies, you may not be able to use the Web Site. Like the information you enter during account registration or in your Profile, cookie and log file data is used to customize your experience on the Web Site. One type of cookie, known as a "persistent" cookie, is set once you have logged in to your Web Site account. The next time you visit our Web Site, the persistent cookie will allow us to recognize you as an existing User so you will not need to log in before using the Web Site. In order to access or change any of your private information, you must log in with your password even if your computer contains your persistent cookie. Additionally, if you log out of the Web Site you will need to re-enter your password the next time you visit in order to log in to your account. Another type of cookie, called a "session" cookie, is used to identify a particular visit to the Web Site. Session cookies expire after a short time or when you close your web browser. You can choose to disable cookies on your browser or allow your browser to notify you when a cookie is being sent, however this may prevent you from utilizing certain features of the Web Site.

IP Addresses

Due to the communications standards on the Internet, we automatically receive the uniform resource locator (URL) of the web site from which you came and the web site to which you proceed once you leave the Web Site. We also receive the IP address of your computer (or the proxy server you use to access the World Wide Web), your computer operating system and type of web browser you are using, as well as the name of your Internet service provider (ISP). This information is used to analyze overall



trends to help us improve the Web Site. The linkage between your IP address and your personally identifiable information is shared with third parties in accordance with this Privacy Policy.

Web Beacons and Ad Networks

We may allow other companies, called ad networks, to serve advertisements to Users via the Web Site. Ad networks include third party ad servers, ad agencies, ad technology vendors and research firms. Tencap Tennis may “target” some ads to Users that fit a certain general profile. To deliver these ads properly, the Web Site may include a file, called a web beacon, from these ad networks within pages served by the Web Site so the networks may provide anonymous, aggregated auditing, research and reporting for advertisers as well as to target ads to you while you visit other web sites. These general targets may also be used by ad networks to display targeted ads on other web sites as a substitute for random, irrelevant ads. In addition, the Web Site may use the technology of ad networks to serve ads only when you visit this Web Site. Ad networks may use non-personal information, such as your state or zip code, in order to provide advertisements about goods and services that may be of particular interest to you while you visit this Web Site. Because your web browser must request these advertisements and web beacons from the ad network’s servers, these companies can view, edit or set their own cookies, just as if you had requested a web page from their site.

How Tencap Tennis Uses Information

Tencap Tennis may use personally identifiable information collected through the Web Site for the specific purposes for which the information was provided or collected, to provide the services available on the Web Site and the Web Site itself, to offer personalized features via the Web Site, to process purchases of products or services offered via the Web Site, to contact Users regarding products and services offered by Tencap Tennis, Organizations and Tencap Tennis’s trusted affiliates, independent contractors and business partners, and otherwise to enhance Users’ experience with Tencap Tennis and such Organizations, affiliates, independent contractors and business partners. Tencap Tennis may also use information collected through the Web Site for research regarding the effectiveness of the Web Site, the Tencap rating method and the business planning, marketing, advertising and sales efforts of Tencap Tennis, Organizations and Tencap Tennis’s trusted affiliates, independent contractors and business partners.

Tencap Tennis, as well as your Organization(s), will communicate with you through email and notices posted on this Web Site. These may include a series of welcome emails which help inform new Users about various features of the Web Site. Please be aware that you will always receive certain emails from Tencap Tennis related to the proper functioning of your account, such as email notices when another User in your network sends you an opportunity. Tencap Tennis may send you promotional information unless you have opted out of receiving such information. If you wish to opt-out of receiving promotional emails, please send a request to info@tencaptennis.com or select the appropriate option in your Profile.

Additionally, in the event you terminate your affiliation with a particular Organization, or in the event an Organization terminates its affiliation with Tencap Tennis, you acknowledge and agree that Tencap Tennis may retain your personal account information, as well as your match and rating history and any related information, in order to allow you to transfer your account to another Organization, reactivate your account with a previous Organization or to otherwise maintain your account with Tencap Tennis. In the event that you would like Tencap Tennis to terminate your account and remove your personal information, please contact Tencap Tennis at info@tencaptennis.com.

Disclosure of Information



Tencap Tennis may disclose personally identifiable information collected from Users to its parent, subsidiary and other related companies, your particular Organization(s), and Tencap Tennis's trusted affiliates, independent contractors and business partners who will use the information for the purposes outlined in the "How Tencap Tennis Uses Information" section above, as necessary to provide the services offered by the Web Site and the Web Site itself and for the specific purposes for which the information was collected. You acknowledge and agree that certain personnel at your Organization(s) will be able to view and modify your account information based upon changes to your Organization membership information and based upon your tennis play at or with such Organization(s). Tencap Tennis may disclose limited personally identifiable information (e.g., your name and profile picture, if any) to third party search engines in order for Users and potential Users to locate you and send invitations.

If you choose to utilize any applications based upon the Web Site platform developed by third party application developers, your personally identifiable information may be disclosed to such developers in conjunction with your Profile settings. Additionally, these developers may request that you agree to separate privacy policies or other terms of use that are substantially different from those of Tencap Tennis. You should carefully read any such policies before utilizing such applications.

Additionally, Tencap Tennis may disclose personally identifiable information at the request of law enforcement or governmental agencies or in response to subpoenas, court orders or other legal process, to establish, protect or exercise Tencap Tennis's legal or other rights or to defend against a legal claim or as otherwise required by law. Tencap Tennis may disclose personally identifiable information in order to protect the rights, property or safety of a User or any other person. Tencap Tennis may disclose personally identifiable information to investigate or prevent a violation by User of any contractual or other relationship with Tencap Tennis or the perpetration of any illegal or harmful activity.

Tencap Tennis may also disclose aggregate, anonymous data based on information collected from Users to investors and potential partners. Tencap Tennis may disclose or transfer personally identifiable information collected from Users in connection with or in contemplation of a sale of its assets or business or a merger, consolidation or other reorganization of its business. Finally, Tencap Tennis may disclose your personally identifiable information as permitted by you in your Profile settings or otherwise.

Personal Information Provided as Part of User Profiles, Communications and User Content

Depending on the privacy settings that a User selects, certain information provided as part of a Profile will be visible via the Web Site to or shared with other Users. All sharing of information is done at your own risk. You can change your Profile settings to determine what information Users can view about you. However, Tencap Tennis cannot control the actions of your Organization(s) or other Users with whom you choose to disclose your personally identifiable information or who you allow to view your personally identifiable information.

If you include personally identifiable information as part of the User Content that you post to the Web Site, such information may be made available to any Users of the Web Site and/or such User Content. Tencap Tennis does not edit or otherwise remove such information from User Content before it is posted on the Web Site. If you do not wish to have your personally identifiable information made available in this manner, you must remove any such information from the User Content before posting. Certain User contact information (which may include, without limitation, a User's username and email address) may be included with any User Content that a User posts via the Web Site. Whenever you make use of the communications features of the Web Site, those communications generally cannot be removed. Tencap



Tennis is not liable for any damages caused or incurred due to personally identifiable information made available in the foregoing manners.

In order to invite others to connect with you directly via the Web Site, you may enter their names and email addresses. This information will be used by Tencap Tennis to send an invitation to join, including a message that you write. The names and email addresses of people that you invite will be used only to send your invitation and reminders. Once they join, the same User identity standards apply. Additionally, your information will be used by other Users in the same way. If you or another party who you invited to connect does not want to become a User of the Web Site after receiving such an invitation and would like the contact information used removed from our systems, please contact us at info@tencaptennis.com.

Many emails you initiate through the Web Site will list your email address and name in the header of the message. Emails you initiate may also provide aggregate information about your network (for instance how many people are in your network), but will never list the Users to whom you are directly connected. Communications that you initiate through the Web Site, like a request for contact, will list your name as the initiator but will not include your personal contact information. Your contact information will only be shared with another User if both of you have indicated that you would like to establish contact with each other.

Partnering with Other Organizations to Offer Combined Services

Tencap Tennis may partner with other online services to give you the combined results of both services. We may also partner with ad networks to provide discounts to our Users through an affiliate page. Tencap Tennis is not responsible for the services or products offered to you by or the privacy practices of such partners.

Security of Information

Information about Users that is maintained on Tencap Tennis's systems is protected using industry standard security measures. In order to secure your personal information, access to your data on Tencap Tennis is password-protected, and sensitive data is protected by SSL encryption when it is exchanged between your web browser and the Web Site. However, no security methods are perfect or impenetrable, and Tencap Tennis cannot guarantee that the information submitted to, maintained on or transmitted from its systems will be completely secure. Tencap Tennis is not responsible for the circumvention of any privacy or Profile settings or security measures contained on the Web Site by any Users or third parties.

Correcting, Changing or Updating Personal Information

You can review the personal information you have provided us and make any desired changes to the information, or to the settings for your Tencap Tennis account, at any time by logging in to your account on the Web Site and editing the information on your Profile page. If you close your account, we will remove your name and other personally identifiable information from our publicly viewable data. We may retain certain data contributed by you for legitimate business purposes, if it may be necessary to prevent fraud or future abuse, as aggregated, non-personally-identifiable data, for account recovery purposes, if required by law, or as retained in our data backup systems or cached or archived pages. All retained data will continue to be subject to the terms of the Privacy Policy that you have previously agreed to. To request that we close your account and remove your personal information, please send your request to info@tencaptennis.com. Please send your request using an email account that you have registered with Tencap Tennis under your name.



Contacting Tencap Tennis

If User has any questions or comments about this Privacy Policy, User may contact Tencap Tennis via any of the following methods:

Tencap Tennis, LLC
4747 Troost Avenue, Suite 112
Kansas City, MO 64110
Phone: (816) 256-4513
Toll Free: (866) 556-7833
Fax: (816) 235-2947
info@tencaptennis.com

Special Provisions Regarding Children Under the Age of 13

This section explains provisions in addition to those stated above that govern and explain in greater detail the manner in which Tencap Tennis collects, use and discloses personal information collected from children under the age of 13 (each, a “Child” and collectively, “Children”) who utilize the Web Site. The Children’s Online Privacy Protection Act (“COPPA”) requires that Tencap Tennis inform parents and legal guardians of Children (each, a “Parent”) about how Tencap Tennis collects, uses and discloses personal information collected from Children. COPPA additionally requires that Tencap Tennis obtain the consent of Parents before Tencap Tennis collects such personal information from Children. Tencap Tennis encourages Parents to become involved with and monitor their Child’s online activities and to discuss online safety with their Child

Personal Information Collected from Children Via the Web Site

Children can visit and browse the Web Site generally without Tencap Tennis collecting any personal information about such Children. Tencap Tennis does not collect personal information from a Child online unless such Child registers an account on the Web Site. Please note that Tencap Tennis may receive certain personal information about a Child offline from Organizations that have registered to use the Tencap Tennis Web Site and to which a Child belongs; however, the Child must still access the Web Site to register an account before he or she may use the features of the website and disclose personal information to Tencap Tennis or other Users of the Web Site.

During the account registration process (which is only available to Children whose information has been received by Tencap Tennis offline through the Organization(s) with they participate), Tencap Tennis collects certain information that is not personally identifiable, such as scores and other information relating to the Tencap rating. In order to determine whether COPPA applies, Tencap Tennis asks that any User registering account provide certain basic information during the account registration process. Tencap Tennis collects the User’s birthdate to determine if the User is a Child. If Tencap Tennis determines that the User is a Child, Tencap Tennis will collect the following information directly from the Child in order to provide notice to the Child’s Parent: the Child’s first and last name and the Parent’s email address. This information will be used to contact the Parent to obtain consent as described below in the section entitled “How Does Tencap Tennis Notify and Obtain Consent From Parents?” Once consent is received from the Parent, Tencap Tennis will collect the following information directly from the Child during the account registration process: the Child’s first and last name, a username and password, home mailing address, email address, telephone number, gender, tennis preferences, and other tennis-related



information. A Child may provide additional information outside the account registration process in his or her Profile (for example, skills, contact preferences, photographs).

Tencap Tennis may passively collect personal information from Children through such Children's voluntary posting of comments, information to message and bulletin boards or chat rooms, and other content to the Web Site by such Child and through such Children's use of the social networking features of the Web Site explained above under the heading "Personal Information Provided as Part of User Profiles, Communications and User Content." Tencap Tennis does not specifically solicit or request personal information from Children in this manner, and Tencap Tennis does not affirmatively monitor any disclosures that may be made in such a manner by Children.

Additionally, Tencap Tennis uses cookies, web beacons and ad networks to passively track how all Users, including Children, use the Web Site and collect information related to such use. Tencap Tennis also passively collects IP addresses regarding its Users, including Children. Tencap Tennis's practices relating to these passive tracking features are explained above under the heading "The Information Tencap Tennis Collects." This information is not personal information or personally identifiable, however it may become so if a Child registers on the Web Site or otherwise provides personal information in a manner set forth above. Other information that does not personally identify Children individually is collected by Tencap Tennis from the Web Site (such as patterns of utilization of the Web Site, score information and other information that is de-identified).

Please note that Tencap Tennis cannot condition a Child's participation in an activity on such Child disclosing more information than is reasonably necessary to participate in such activity.

How Tencap Tennis Uses Personal Information Collected from Children

Tencap Tennis may use personally identifiable information collected from a Child for the following purposes: (i) to provide the services available on the Web Site and the Web Site itself (including to administer the Child's account and to provide the Tencap rating system, to administer events and activities offered by the Child's Organization, and to provide the social networking and other features offered via the Web Site); (ii) to provide the specific services for which the information was provided or collected and to offer personalized features via the Web Site; (iii) to process purchases of products or services offered via the Web Site; (iv) to deliver messages and other communications from Tencap Tennis, the Organization(s) with which the Child is involved and from other Users via the social networking features of the Web Site; (v) to provide customer service and respond to questions regarding the Web Site; (vi) to contact Users regarding features, products and services offered by Tencap Tennis and Organizations; and (vii) otherwise to enhance Users' experience with Tencap Tennis and such Organizations. Tencap Tennis may also use information collected through the Web Site for research regarding the effectiveness of the Web Site, the Tencap rating method and the business planning, marketing, advertising and sales efforts of Tencap Tennis, Organizations and Tencap Tennis's trusted affiliates, independent contractors and business partners.

Tencap Tennis may send the Child or its Parent promotional information unless they have opted out of receiving such information. If a Parent wishes to opt-out of receiving promotional emails for the Parent or the Child, please send a request to info@tencaptennis.com or select the appropriate option in the Child's Profile.

Additionally, in the event a Child terminates his or her affiliation with a particular Organization, or in the event an Organization in which Child participates terminates its affiliation with Tencap Tennis, Tencap



Tennis may retain the Child's personal account information, as well as the Child's match and Tencap rating history and any related information, in order to allow the Child to transfer his or her account to another Organization, reactivate his or her account with a previous Organization or to otherwise maintain his or her account with Tencap Tennis. In the event that a Parent would like Tencap Tennis to terminate his or her Child's account and remove such Child's personal information, please contact Tencap Tennis at info@tencaptennis.com.

How and to Whom Tencap Tennis Discloses Information About Children

Tencap Tennis may disclose, transfer or share personal information collected from a Child to the following third parties: (i) to Organization(s) in which the Child participates and parties acting on behalf of those Organizations; (ii) to Tencap Tennis's parent, subsidiary and other related companies and to any third party that succeeds Tencap Tennis by reason of merger, consolidation, or other corporate restructuring; (iii) to any third party that purchases or otherwise acquires all or substantially all of the assets of Tencap Tennis or assets relating to the Web Site and the information collected therefrom; (iv) to any third party required or allowed by law or in order to comply with legal, judicial or governmental process, or in order to protect the rights, property or safety of a User or any other person; (v) to any third party in order take precautions against liability, to enforce any policy or agreement of Tencap Tennis, or in order to protect the rights, property or safety of Tencap Tennis or the Web Site; (vi) to law enforcement and other governmental agencies; and (vii) to third parties engaged by Tencap Tennis specifically to handle, deliver and provide certain aspects of the Web Site or its operations (e.g., third parties engaged to host and operate the Web Site, or to provide customer service functions); The third parties to whom Tencap Tennis discloses personal information are under no contractual obligation to maintain the confidentiality, security or integrity of such information. If a Child chooses to utilize any applications offered via the Web Site based upon the Web Site platform developed by third party application developers, a Child's personally identifiable information may be disclosed to such developers in conjunction with the Child's Profile settings.

Additionally, a Child's personal information may be disclosed by the Child through the voluntary posting of comments, information to message and bulletin boards or chat rooms, and other content to the Web Site by such Child and through such Children's use of the social networking features of the Web Site explained above under the heading "Personal Information Provided as Part of User Profiles, Communications and User Content." Personal information will be available to third parties and members of the public who view a Child's Profile on the Web Site. Personal information posted in this manner will be available to third parties with no obligation to maintain the confidentiality, security or integrity of such information. Tencap Tennis does not affirmatively monitor any disclosures that may be made in such a manner by a Child.

Other information that does not personally identify Children individually that is collected by Tencap Tennis from the Web Site may be disclosed by Tencap Tennis to third parties at its discretion.

Parents may consent to Tencap Tennis's collection and internal use of their Child's personal information while refusing to allow Tencap Tennis to disclose the personal information of their Child to third parties. However, this refusal will limit the Child's ability to use the functionality of the Web Site, including in conjunction with the Organization(s) in which the Child participates.

Review of the Information Collected from a Child



A Parent may, at any time refuse to permit collection by Tencap Tennis of personal information from such Parent's Child. Additionally, a Parent may at any time request that Tencap Tennis delete any personal information about such Parent's Child that Tencap Tennis has collected. Tencap Tennis may continue to retain certain aggregated, non-personally-identifiable data. Finally, a Parent may review the specific personal information that Tencap Tennis has collected about such Parent's Child at any time. A Parent may request any of the foregoing by completing the form located at <http://www.tencaptennis.com/docs/parentalconsent.pdf> and mailing or faxing it to Tencap Tennis's address above.

How Does Tencap Tennis Notify and Obtain Consent from Parents?

Before collecting personal information from a Child (with the exception of the limited personal information allowed under COPPA to contact a Parent for consent), Tencap Tennis will send an email (a "Consent Email") to the email address of a Parent provided by the Child. The Consent Email will contain a hyperlink to this Privacy Policy and a hyperlink to a consent form that the Parent may print and complete (which is also located at <http://www.tencaptennis.com/docs/parentalconsent.pdf>). Only when a completed consent form is returned to Tencap Tennis via mail or fax will Tencap Tennis collect personal information about a Child and allow the Child to complete the account registration process and begin using the Web Site. If Tencap Tennis does not receive a completed consent form within a reasonable period of time after sending the Consent Email, Tencap Tennis will delete the limited personal information collected from the Child online in order to send the Consent Email.

How Will Tencap Tennis Notify Parents in the Event of Material Changes to This Privacy Policy?

Tencap Tennis reserves the right to modify or amend this Privacy Policy from time to time in its discretion. In the event that Tencap Tennis materially modifies or amends any of the provisions in this Privacy Policy that govern the manner in which it collects, uses or discloses a Child's personal information, Tencap Tennis will provide notice to the Parent of such Child utilizing the contact information for the Parent that the Tencap Tennis has in its records. Each Parent should ensure that Tencap Tennis has such Parent's current email address. Tencap Tennis will apply material changes to this Privacy Policy in conformance with COPPA and other applicable law, including any provisions thereof requiring consent from a Parent. A current version of the Privacy Policy will always be posted on the Web Site.

If you have any questions about the terms contained herein, please contact Tencap Tennis via any of the methods set forth above under "Contacting Tencap Tennis."