

Privacy Policy Supplement Applicable to Residents of California and to which the California Consumer Privacy Act Currently Applies (“CCPA Supplement”)

Effective Date: January 1, 2020

Last Reviewed: December 2020

CCPA Supplement Scope

The California Consumer Privacy Act (CCPA) was recently enacted into law and provides California residents with certain rights. This CCPA Supplement details those rights and provides California residents to which the CCPA presently applies with information related to the CCPA and supplements our privacy policy available here. In the event of any inconsistencies between the provision detailed in this CCPA Supplement and our Privacy Policy, the provisions of this CCPA Supplement shall prevail and supersede any inconsistencies with our Privacy Policy as applied to you provided that you are: (i) a resident of California; and (ii) the CCPA is presently applicable to you.

For parties to whom this CCPA Supplement applies and have disabilities that require receipt of this notice in an alternative accessible format, please contact us at either at (855) 868-5067 or CCPA@turtlebeach.com for information as to how to obtain this CCPA Supplement in an alternative format.

The Site is Not Intended for Children under the Age of 16 Years Old

This Site is not targeted at children under the age of 16 years old. By using the Site, you represent and warrant that you are at least 16 years old. If we become aware that a customer is under the age of 16 and has provided us with personal information, we will remove his or her personal information. A parent or legal guardian who needs to access, change or delete “personal information,” as defined below, regarding their child should contact CCPA@turtlebeach.com.

Definition of “Personal Information”

As used in this CCPA Supplement, the term “personal information” means information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device (“personal information”).

“Personal information” does not include:

- De-identified or aggregated consumer information,
- Publicly available information from government records,
- Information excluded from CCPA’s scope including, but not limited to, personal information covered by sector-specific privacy laws like the Fair Credit Reporting Act, the Graham-Leach-Bliley Act, the California Financial Information Privacy Act, and the Driver’s Privacy Protection Act of 1994, and
- Health or medical information covered by the Health Insurance Portability Accountability Act, the California Confidentiality of Medical Information Act or clinical trial data.

Our Sites May Collect the Following Categories of Personal Information from Consumers in the Past Twelve Months

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	NO
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer’s interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES

H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	NO
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO
K. Inferences drawn from other personal information.	Profile reflecting a person’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

How We Use Personal Information that We Collect

We do not sell your personal information to any third parties. We may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason you provided the information. For example, when you place an order with us on our website we will request certain information from you. This information is likely to include your name, e-mail address, payment card details, billing address, shipping address and telephone number. This information will be used to process your order, arrange delivery of your order and correspond with you in relation to your order. Additionally, we may also save your information to facilitate new product orders or to process returns.
- To provide, support, personalize and develop our Sites, products and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To contact you to inquire whether you want to provide a review of the products you purchased or to provide other feedback regarding your purchase.
- To engage in email marketing communications as well as email informational communications with you provided that you opt-in to receive such communications from us.

- To automatically record which Turtle Beach Site you used to join our mailing list so that we ensure our communications are in the same language as the Site you used when you joined our mailing list.
- To enforce contractual commitments that you may enter into with us including, but not limited to, collection actions.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To help maintain the safety, security, and integrity of our Sites, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Sites, products, and services.
- To help evaluate the effectiveness of our marketing and informational communications with you.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As we have described when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our Sites or customers is among the assets transferred.
- For prizes or contests that you affirmatively enter into and provide us with personal information like your name, email address and other personal information you provide to us.
- To provide you with information related to purchases you have made or other products that you may be of interest to you based on your order history or other information you have provided to us.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

How We Share Personal Information

We may disclose your personal information to a third party for a business purpose. For example, if you place an order with us on our Sites, your personal information and transactional-related data will be shared with certain third parties that help us track and process your orders. Likewise, if you opt-out of receiving email communications from us, that election will be shared with a third

party that assists us in managing our email communications with our customers including you. When we disclose personal information for a business purpose, we enter into a contract with such third parties that requires that such parties keep the shared personal information confidential and prohibits such third parties from using it for any purpose other than performing their contractual obligations.

We share your personal information with the following categories of third parties:

- Service providers;
- Data aggregators; and
- Online advertising partners.

Disclosure of Personal Information for a Business Purpose

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose:

Category A: Identifiers.

Category B: California Customer Records personal information categories.

Category D: Commercial information.

Category F: Internet or other similar network activity.

Category G: Geolocation data.

Category K: Inferences drawn from other personal information.

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers;
- Data Aggregators; and
- Online advertising partners.

Your Rights Under the CCPA

If you are a California resident and the CCPA is presently applicable to you, the CCPA provides you with certain specific rights regarding your personal information. This section describes your rights under the CCPA and explains how you can exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that Turtle Beach disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.

- Our business or commercial purpose for collecting that information (note Turtle Beach does not sell your personal information).
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we disclosed your personal information for a business purpose, identifying the personal information categories that each category of recipient obtained.

We do not provide these access and data portability rights for business-to-business personal information.

Deletion Request Rights

You have the right to request that Turtle Beach delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

Calling us at (855) 868-5067, or

Submitting a request to us at the following website address: www.turtlebeach.com/pages/CCPA-form or

Sending us an email to the following email address: CCPA@turtlebeach.com.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative, which may include sending us an email from the address you used when establishing an account, when placing an order, when signing up for our newsletters, when entering a contest, or by logging into your account and making the request through your account portal.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with us.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we

will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Sites that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. We do not currently share personal information with third parties for their direct marketing purposes.

Changes to Our Privacy Notice

We reserve the right to amend this privacy Notice at our discretion and at any time. When we make changes to this privacy Notice, we will post the updated Notice on the Sites and update the Notice's effective date. Your continued use of our Sites following the posting of changes constitutes your acceptance of such changes.

Contact Information

If you have any questions or comments about this Notice, the ways in which Turtle Beach collects and uses your information described above, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: (855) 868-5067

Website: www.turtlebeach.com/pages/CCPA-form

Email: CCPA@turtlebeach.com.

Please click [here](#) to view a pdf version of this CCPA Supplement for printing or emailing purposes.