

NEXT FAN UP

Privacy Policy

Effective Date: August 27, 2026

Last Updated: August 27, 2026

Next Fan Up ("NFU," "we," "us," or "our") is committed to protecting your privacy. This Privacy Policy explains how we collect, use, disclose, and safeguard your information when you use the Next Fan Up mobile application and any related services (collectively, the "App").

This Privacy Policy explains how we collect, use, disclose, and safeguard your information and the manner in which we collect, utilize and maintain Personal Information (as defined below) about individuals located in the United States (referred to in this policy as "you" or "user"), including through (i) operation of our website (the "Site") and any other services we offer that link to this Privacy Policy. Please note that this Privacy Policy does not apply to information collected through any website operated by any third party (including any educational institution which student athletes may be affiliated with), even if such website is linked to or accessible from the Site or Services. By using this Site or our Services and accepting our Terms & Conditions ("Terms"), you consent to the policies and practices described in this Privacy Policy. The purpose of this Privacy Policy is to disclose to you what Personal Information (as defined below) we may collect, how we may collect it, with whom we may share it, and certain other matters related to such information.

1. Information We Collect

1.1 Information You Provide Directly

When you create an account or use the App, you may provide us with the following information:

- Name and display username
- Email address
- Password (stored in encrypted form)
- Favorite team selections per league (NFL, NBA, CFB, MLB, NHL, CBB)
- Posts, comments, and reactions submitted to community feeds
- Any other information you choose to provide through the App

1.2 Information We Collect Automatically

When you use the App, we collect, process and maintain several types of information, some of which may constitute Personal Information, from and about users of the Site or our Services. "Personal Information" means any information that identifies, relates to, describes, is reasonably capable of being associated with or could reasonably be linked, directly or indirectly, with a particular person, but does not include any information that is publicly available or that is aggregated or de-identified. The type of Personal Information we collect depends on how you choose to interact with our Site or Services. We automatically collect certain information, including:

- Picks activity — games picked, pick outcomes, spread/total/money line selections
- FanClash game history — questions answered, results, win/loss records
- FanCoin and XP balances and earning history
- Check-in streak data and daily activity logs
- Social engagement activity — posts made, comments submitted, reactions given and received
- Leaderboard rankings and Top Fan status history
- Device information — device type, operating system, unique device identifiers
- Push notification tokens for delivery of app notifications
- Log data — IP address, access times, pages or features viewed, app crashes and performance data
- Usage analytics — how you interact with features of the App

1.3 Location Information

The App collects geographic location data from your device. At launch, location data is collected but is not actively used to deliver features. Location data will be used in future versions of the App to power geo-based fan experiences, stadium activations, and location-aware community features. You may disable location access at any time through your device settings. Disabling location access will not affect your ability to use the core features of the App at this time.

1.4 Information From Third Parties

We may receive information from third-party service providers that help us operate the App, including:

- Sports data providers (live scores, game results, statistics)
- Platform infrastructure and moderation service providers
- Analytics providers

We do not purchase or receive personal data from data brokers or advertising networks.

2. How We Use Your Information

We use the information we collect for the following purposes:

2.1 To Operate and Deliver the App

- Create and maintain your account
- Process and settle your picks
- Track FanCoin and XP balances
- Match you with opponents in FanClash
- Deliver live scores and game updates
- Display community feeds, posts, and reactions
- Calculate and display leaderboard standings and Top Fan status
- Send push notifications about game results, picks outcomes, and community activity

2.2 To Improve the App

- Analyze usage patterns to improve features and performance
- Identify and fix bugs and technical issues
- Develop new features and game modes
- Conduct internal research and analytics

2.3 To Communicate With You

- Send transactional messages related to your account
- Respond to support requests or inquiries
- Send product updates, new feature announcements, and seasonal promotions (you may opt out at any time)

2.4 To Protect the App and Our Users

- Detect, investigate, and prevent fraudulent activity, abuse, or violations of our Terms of Use
- Enforce our community guidelines and moderation policies
- Comply with applicable legal obligations

2.5 Future Use — Location Data

As noted in Section 1.3, we collect location data now and intend to use it in future versions of the App to power geo-based fan experiences, local fan community features, and stadium or arena activations. We will update this Privacy Policy before activating any location-based features.

3. How We Share Your Information

We do not sell your personal information. We do not share your personal information with advertisers. We may share your information in the following limited circumstances:

In order to deliver our Services and this Site, we may partner with additional third parties and share your Personal Information, as applicable, with them. Specifically, we may disclose your Personal Information to the following categories of third parties for the enumerated processing activities:

- Third parties in connection with the operation of our business, for example to administrators of our Platforms;
- Third-party service providers, including fraud screening providers, analytics providers, IT service providers or data centers and other third-party service providers, for purposes including website development, hosting, maintenance, analytics, security, business continuity, accounting, legal, advisory and other services for us;
- To third parties as permitted or required to do so by applicable law or regulation or in the good-faith belief that such action is necessary to take precautions against liability (e.g., to comply with various reporting obligations; to protect ourselves and our other users from fraudulent, abusive, or unlawful uses or activity; to protect the security or integrity of the

Site or Services; to investigate and defend ourselves against any third-party claims or allegations; to assist government enforcement agencies; to comply with state and federal laws; or in response to a court order, judicial or other government subpoena or warrant);

- To an investor, buyer or other successor in the event of an investment, divestiture, merger, consolidation or asset sale, whether as a going concern or in the unlikely event of a bankruptcy or similar proceeding; and o To any other third party in any way we may describe to you when you provide such information, to fulfill any other purposes for which you provide such information or for any other purpose with your consent or at your direction.

3.1 Service Providers

We share information with third-party vendors and service providers that perform services on our behalf, including:

- Cloud hosting and infrastructure providers
- Sports data and odds data providers
- Platform security, moderation, and compliance providers
- Analytics providers
- Push notification delivery services

These providers are contractually obligated to use your information only as necessary to provide services to us and in accordance with this Privacy Policy.

3.2 Publicly Visible Information

Certain information you provide is visible to other users of the App by design, including:

- Your display username
- Your leaderboard rank and Top Fan status
- Posts, comments, and reactions you submit to community feeds
- Your FanClash win record (as displayed on leaderboards)

Do not post information in community feeds that you wish to keep private.

3.3 Legal Requirements

We may disclose your information if we believe in good faith that such disclosure is necessary to: (a) comply with a legal obligation or valid legal process; (b) protect the rights, property, or safety of Next Fan Up, our users, or the public; or (c) detect, prevent, or address fraud or security issues.

4. Data Retention

We retain your personal information for as long as your account is active or as needed to provide you with the App. We also retain information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

In addition, we retain information as long as it is reasonably necessary to provide the Site or our Services, and for other purposes including to comply with the law, prevent fraud, resolve disputes,

troubleshoot problems, assist with any investigation, defend against legal claims, exercise our legal rights or enforce our Terms or other agreements.

If you delete your account, we will delete or anonymize your personal information within 30 days, except where we are required to retain it for legal or compliance purposes.

5. Data Security

Although we will do our best to protect your Personal Information, we cannot guarantee the security of your data transmitted via our Site or our Services as any digital transmission of information involves some risk. We implement industry-standard technical and organizational measures to protect your personal information against unauthorized access, disclosure, alteration, or destruction. These measures include encryption of data in transit and at rest, access controls, and regular security assessments.

We work to reduce the risk of unauthorized access to the Site, the Platforms and your Personal Information through a magic link system for authentication, which is sent to the email inbox you indicate. You and/or your email provider are responsible for maintaining the security of your email inbox.

If you have reason to believe that your account has been compromised, please contact us immediately at the address provided in Section 10.

6. Children's Privacy

The App is rated 13+ and is not directed to children under the age of 13. We do not knowingly collect personal information from children under 13. If we learn that we have collected personal information from a child under 13, we will delete that information promptly.

If you are a parent or guardian and believe your child under 13 has provided us with personal information, please contact us at the address provided in Section 10.

7. Your Rights and Choices

7.1 Account Information

You may review and update your account information at any time through the App settings. You may delete your account by contacting us at the address in Section 10.

7.2 Push Notifications

You may opt out of push notifications at any time through your device settings or through the notification preferences in the App.

7.3 Location Data

You may disable location access at any time through your device settings. As noted in Section 1.3, location data is not currently used to deliver features, and disabling it will not affect your use of the App at this time.

7.4 Marketing Communications

You may opt out of marketing and promotional communications from us by following the unsubscribe instructions in any email we send, or by contacting us directly. You will continue to receive transactional messages related to your account.

7.5 California Residents

Notice to California Residents. Shine the Light: Pursuant to Section 1798.83 of the California Civil Code, residents of California have the right to obtain certain information about the types of personal information that companies with whom they have an established business relationship (and that are not otherwise exempt) have shared with third parties for direct marketing purposes during the preceding calendar year, including the names and addresses of those third parties, and examples of the types of services or products marketed by those third parties. We do not share your personal information with any third parties for their direct marketing purposes.

Do Not Track: We do not permit any third parties (such as advertising networks, analytics providers and widget providers) to collect your information, including your Personal Information, about your online activities over time and across different websites when you access or use our Site or Services. While various browsers offer a “Do Not Track” option, given that we do not allow such tracking and in any event that there is no standard for how “Do Not Track” should work on commercial websites, the Site and our Services do not respond to “Do Not Track” consumer browser settings

7.6 Notice to Nevada Residents.

If you are a resident of Nevada, you have the right to opt-out of the sale of certain personal information to third parties. Please note that we do not currently sell your personal information as sales are defined in Nevada Revised Statutes Chapter 603A and therefore do not offer a right to opt-out.

7.7 Other U.S. State Privacy Rights

Residents of certain U.S. states may have additional privacy rights under applicable state law. To submit a request related to your personal information, contact us at the address in Section 10.

8. Third-Party Links and Services

The App may contain links to third-party websites or services. This Privacy Policy does not apply to those third-party sites or services. We encourage you to review the privacy policies of any third-party services you access through the App. We are not responsible for the privacy practices of third parties.

9. Changes to This Privacy Policy

We may update this Privacy Policy from time to time. When we make material changes, we will notify you by updating the "Last Updated" date at the top of this policy and, where appropriate, by sending you a notification through the App or by email.

Your continued use of the App after any changes to this Privacy Policy constitutes your acceptance of the updated policy. If you do not agree to the updated policy, you must stop using the App or you may choose not to use or access our Site or otherwise use our Services.

10. Contact Us

If you have questions, concerns, or requests related to this Privacy Policy or our data practices, please contact us at:

Next Fan Up

Attn: Mitch Gilfillan

QUINN JOHNSTON LAW

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Peoria, IL 61602

Email: aj@nextfanup.app

Website: <https://nextfanup.app>