

Privacy Policy:

The Smashburger Servicing Company LLC and its affiliates, including but not limited to Smashburger Master LLC and its subsidiaries and Smashburger Franchising LLC ("Smashburger") recognizes its obligation to adhere to certain standards of integrity for visitors to its website located at www.Smashburger.com (the "Smashburger Website"). We have developed certain privacy practices in order to maintain these standards and to comply with applicable laws, rules and regulations, including the Children's Online Privacy Practices Act ("COPPA"). If you have any questions or comments about this site, or the Privacy Policy, you should contact the info@smashburger.com or call 303-633- 1500.

Smashburger does not require visitors to submit personal information to visit the Smashburger Website; however, we do require visitors to submit personal information to register for specific online promotions or to participate in certain online programs, surveys, auctions or other transactions or activities. On a particular Smashburger registration page, we may request the visitor's date of birth, gender, email address, telephone number, and/or other contact and demographic information related to the particular promotion, program, auction, survey or transaction. If, during the registration process, Smashburger does collect information on a visitors date of birth, it will calculate the visitor's age. Smashburger will not knowingly collect personal information from children 13 years of age or younger on the Smashburger Website. When you disclose personal information on Smashburger Website, you are representing to Smashburger that you are 14 years of age or older. If a person 13 years of age or younger has provided personal information to Smashburger, a parent or guardian should contact us at info@smashburger.com so that Smashburger can remove such personal information from the Smashburger active database. Smashburger reserves the right to limit participation in particular programs or promotions to visitors 18 years of age or older.

The personal information that you provide will be available to Smashburger, our affiliates, agents, representatives, franchisees and trusted service providers and contractors, as appropriate, to be used for the purposes indicated or inferred at the time you voluntarily provide such personal information. Smashburger might also use your personal information, alone or in combination with the information submitted by other users, to improve the Smashburger Website's navigation or infrastructure and in internal marketing analyses or reviews. Companies that have access to your personal information are required to protect such personal information and to use such personal information only to carry out the activities or services they are performing for you or for Smashburger. Additionally, unless you notify us to the contrary, Smashburger might use your personal information in the future to provide you with special offers from Smashburger or its affiliates. Smashburger does not sell, rent, individually post or otherwise disclose any personal information about visitors to unrelated third parties for marketing

purposes. If you do not wish to allow Smashburger to use your personal information in the future to provide you with special offers from Smashburger or its affiliates, please contact Smashburger in the manner identified below. By submitting personal information, you grant to Smashburger a license to use such personal information for the purposes described in this section. If you choose to opt-out from allowing Smashburger to use your personal information in the future to provide you with special offers from Smashburger or its affiliates, simply click the "Opt-out" box at the time you provide personal information or contact Smashburger directly at webmaster@Smashburger.com. Upon receipt and processing of an "opt-out" request, Smashburger will, within a commercially reasonable amount of time, remove your information from any listings used to provide you with special offers from Smashburger or its affiliates in the future. To opt-out from participating and receiving SMS messages from any Smashburger program send OUT or STOP to our short code, 94523 in response to any message from that program. You may stop participating and receiving SMS messages from all Smashburger programs and services by sending the text message OUT ALL or STOP ALL to 94523. This action cancels your previous opt-in messaging. You will receive a message confirming the opt-out

Smashburger may also collect non-personal information from our online visitors, such as the visitor's type of browser, page hits, number of visits, web pages viewed, operating system and domain names, and may use cookies to obtain other non-personal information. Cookies are pieces of data sent from a web server to a web browser that enables a web server to identify users that visit a site hosted by that server. Smashburger Website may use cookies in order to identify you to our site so that Smashburger Website can provide more customized information and services to you. In general, if you choose, you can disable the use of cookies by reviewing your browser's performance and options. The non-personal information we collect enables us to track the total number of visitors to each of our sites in an aggregate form, and is used by Smashburger to improve and update our sites, products and services. Aggregate (non-personal) information may be shared with third parties. By using the Smashburger Website, you grant Smashburger a perpetual, irrevocable, worldwide, royalty-free, sublicensable (through multiple users) license to use, reproduce, store, modify, publicly perform, publicly display, distribute and transmit such non-personal information for any purpose, and waive any moral rights and publicity rights in such non-personal information. Smashburger does not tie this non-personal information to your personal information.

If visitors send us any comments, suggestions, information, ideas, concepts, knowledge or techniques, Smashburger is free to use the information worldwide, in perpetuity, without acknowledgement or compensation, for any purpose, including developing, manufacturing or marketing products and/or modifying or improving our web site(s).

This Privacy Policy may be modified by Smashburger at any time by updating this posting. You are responsible for reviewing this Privacy Policy each time you use or

access the Smashburger Website.