

**WHBU (“STATION”) AND <http://1240whbu.com> (“WEBSITE”)
PRIVACY POLICY**

Last updated: February 24th, 2009

What this Privacy Policy Covers

Your privacy is important to us. Because we may gather certain types of personally identifiable information, including, but not limited to, name, contact information, date of birth, gender, and marital status (“Personal Information”), from users of the Website and for various Station activities, and for various operational and business purposes, we feel you should know how we may collect, use, disclose, manage, and store the Personal Information that you may voluntarily provide us. Accordingly, this policy (the “Privacy Policy”) covers how WHBU treats Personal Information that we collect when you are on this Website.

This Privacy Policy applies only to WHBU’s online collection of Personal Information via this Website. This Policy does not govern WHBU’s offline collection of Personal Information (including in connection with the over-the-air broadcast operations of WHBU) or any collection of personal information, online or offline, by WHBU’s corporate parent(s), affiliates, or any other company, unless specifically stated. This Privacy Policy does not cover any Website functions other than those described below. This Privacy Policy does not apply to the practices of companies that are not owned or controlled by WHBU or WHBU’s corporate parent(s) and/or affiliates. Similarly, this Privacy Policy does not apply to people that are not employed or managed by WHBU or WHBU’s corporate parent(s) and/or affiliates.

This Privacy Policy is incorporated by reference into the Website’s current [Terms of Use](#)

Protection and Privacy of Children

We recognize that children may not be able to make informed choices about Personal Information requested and disclosed online. Neither this Website nor any WHBU Internet Service (as defined in the [Terms of Use](#)) is designed for, nor directed toward, children younger than 13 years old. We do not knowingly collect, use, store, or disclose the Personal Information of any person under the age of 13. Nor do we knowingly disclose the Personal Information of any person under the age of 13 to third parties without prior verifiable parental consent. When a user discloses Personal Information on the Website or with respect to any WHBU Internet service, he or she is representing his or her age as at least 13 years of age. If you are the parent or legal guardian of a child under 13 who has provided his or her Personal Information you may contact us using the information at the bottom of this Privacy Policy.

Collection, Retention, Use, and Disclosure of Personal Information

Generally, you may browse this Website without providing any Personal Information to us. Certain Website features may require you to provide Personal Information, however.

Online Contests

WHBU may collect Personal Information from you in connection with various WHBU contests (“Contests”). Personal Information submitted via these features does not become part of, and is not merged with, Any Other Database. Our treatment and use of Personal Information submitted in connection with Contests will be governed by a separate privacy policy (the “Contest Privacy Policy”). The Contest Privacy Policy will be clearly referenced in the portion of the Website used to collect Personal Information in connection with the Contest. The terms of any Contest Privacy Policy may differ from the terms of this Privacy Policy. Accordingly, you should review the terms of the relevant Contest Privacy Policy before submitting your Personal Information to us in connection with a Contest.

Other Website Features

Certain other features of the Website (including, but not limited to, “Who Sings That Song?”, “E-Quest A Song”, “Submit A Birthday”, “Submit An Anniversary”, and “Submit An Announcement”), require you to submit Personal Information, which may include, but is not limited to, name, email address, date of birth, and phone number. WHBU may use this information to carry out, or to communicate with you about, your request. Personal Information submitted via these features does not become part of, and is not merged with Any Other Database. Our practice is to delete Personal Information submitted in connection with these features once we have carried out the relevant request, but please note that we cannot guaranty that all of your Personal Information will be removed from our records.

Other Disclosures of Personal Information

WHBU may disclose or transfer your Personal Information in the following circumstances:

- To enforce the Terms of Use or this Privacy Policy;
- To defend the property and/or rights of the Station, the Website, our corporate parent(s) and/or our affiliate(s);
- When we believe it is justifiable in order to investigate, prevent, or take action regarding illegal or harmful activities, suspected fraud, or threats to the safety, security, and/or welfare of users, employees, third-parties, and property.
- With our agents, advisors, and partners for the foregoing reasons and/or for other legitimate business purposes;

- As compelled or authorized by applicable law or in connection with legal proceedings; and
- To a new and/or successor entity, in the event that the licensee of WHBU is acquired by, transferred to, or merged with another company, in whole or in part.

It may be necessary to share your Personal Information with third-party specialists that provide technical support for this Website, in connection with Website maintenance, modification, and/or repairs.

We do not sell or rent your Personal Information to third-parties.

From time to time, we may share aggregated, anonymous data about its users with third parties, or we may use such information internally. Such information does not contain specific Personal Information about any one visitor.

Use of Cookies, Image Tags, and Similar Technologies

Like many websites, this Website uses cookies, image tags, and similar technologies. A cookie is a small text file containing a unique identification number that is transferred from a website server to either your browser or temporary storage of a user's computer so that the website administrator or a third-party operational service provider may identify the computer and passively track the user's activities on the website. Image tags (also called web beacons, web bugs, clear GIFs or single-pixel GIFs), which work in conjunction with cookies, are small image files that may be located on select pages of our Website or within web-based emails that we may send. Such data files allow our Website to remember your web browser when you visit our Website and are necessary tools for quick and efficient access to comment Internet features, such as membership clubs, awards programs and contests. Cookies and image tags allow the Website to remember important information that will make the Website easier for you to use and help us in administer various activities, understand what parts of our website are used the most, and enhance current offerings. A cookie or image tag will not allow the Website to learn any Personal Information that you have not otherwise disclosed, and we do not use cookies or image tags to collect Personal Information other than as discussed above.

We may share the information we receive from cookies and image tags with third-parties and our advertisers in aggregate form. Such information does not contain specific Personal Information about any visitor.

In particular, WHBU has entered into an agreement with certain third-party service providers, including but not limited to TACODA, Inc. ("TACODA") and Advertising.com, to track and analyze anonymous usage and browsing patterns of the Website's users. These services will use cookies, image tags and other similar technology but such technology does not collect or use Personal Information. All usage data collected by TACODA or Advertising.com on the Website is owned by Station and licensed to TACODA to provide third-party Advertisers with targeted advertising opportunities and

to provide you with advertising that may be of interest – improving your overall experience on the Website. For more information about TACODA's privacy policy, go to www.tacoda.com/privacy_policy.html, and for more information about Advertising.com's privacy policy, go to www.advertising.com/abt_privacy.php. If you would like to Opt-out of data collection and targeting cookies, image tags or similar technology from TACODA and Advertising.com, you should go to www.networkadvertising.org/consumer/opt_out.asp. Such an Opt-out request will not eliminate banner ads or other advertising from the website; it will only eliminate ads that are targeted to your particular interests based on your website usage. Please note that if you change computers or browsers, or use multiple computers or browsers, you will need to repeat this process for each computer and each browser.

You may also choose to have your computer warn you each time a cookie or image tag is being sent, or you can choose to turn off all such devices. This is done through your browser on your computer by turning off the setting that allows it to accept third-party cookies. If you turn cookies off in this manner, you may not have access to many features at our Website that make your Internet experience more efficient and personal, and some of our features or Advertiser features or services may not function properly.

Third-party Advertisements and Links

WHBU does not provide Personal Information to third-parties, except as set forth above.

This Website contains advertisements provided by third-parties. Often, these third-party advertisers employ cookies, image tags and similar technologies to measure advertising effectiveness. You should be aware that different rules might apply to the collection, storage, use and disclosure of your information by third parties in connection with their advertisements, promotions and other websites you encounter on the Internet. The activities of such third-parties are controlled by those third-parties, not by us, even if we have relationships with those third parties and even if their advertisements appear on our Website. Accordingly, the collection, use, and disclosure of Personal Information by third-parties is governed by the privacy policies of those third-parties, not this one. If you have questions or concerns about how third-parties collect, store, use and disclose Personal Information, we encourage you to investigate and ask questions directly of them.

Similarly, this Website includes links and/or references to websites operated by, or services provided by, third-parties. When you click on one of these links and are redirected to a third-party website and/or retrieve content from a third-party, your use of that third-party website, including the provision of Personal Information via the third-party website or to the third-party, is governed by the privacy policy of that third-party website, not this one. We encourage users to be mindful of when they are visiting third-party websites and to review the privacy policies of those third-party websites before submitting any Personal Information.

Security and Confidentiality

We cannot guaranty the security of your Personal Information. Hacking, software and/or hardware failure, as well as other unauthorized access to our premises and systems, could potentially compromise the security of your Personal Information. Please also note that we do NOT apply the security described in this paragraph to Personal Information that you provide to us via Website features other than the Loyal Listener Club (including, but not limited to, "Who Sings That Song?", "E-Quest A Song", "Submit A Birthday", "Submit An Anniversary", and "Submit An Announcement")

Further, this Website, like many Internet websites, collects Personal Information via unsecured transmission. Please note that when users transmit Personal Information over an unsecured Internet connection, the Website is not responsible for the security of that information during the transmission stage, and that the information you transmit may be copied or intercepted by unknown third parties. Therefore, you understand, acknowledge, and agree that you transmit Personal Information over this Website at your own risk.

Contact

If you have questions concerning this Privacy Policy and/or the Website, you may send them by e-mail to steve.lindell@bybradio.com. You must send any official correspondence via postal mail to:

Privacy Administrator
Steve Lindell
800 East 29th Street
Muncie, IN 47302