

Disclaimer for App:

Your access to and use of this Application is subject to the following *terms and conditions* and all applicable laws. By accessing and browsing this Application, you are deemed to have read and accepted and agreed to be bound by this disclaimer.

PLEASE READ THESE TERMS OF USE CAREFULLY. BY ACCESSING OR PARTICIPATING IN THE BUY EL PASO REWARDS PROGRAM, YOU AGREE TO BE BOUND BY THESE TERMS AND ALL TERMS INCORPORATED HEREIN BY REFERENCE. IF YOU DO NOT AGREE TO THESE TERMS, DO NOT ACCESS OR PARTICIPATE IN THE BUY EL PASO REWARDS PROGRAM.

These Terms of Use include an arbitration provision that governs any disputes between you and the Buy El Paso Rewards program, Buy El Paso, and El Paso Business Strong. This provision will:

- eliminate your right to a trial by jury; and
- substantially affect your rights, including preventing you from bringing, joining, or participating in class or consolidated proceedings.

You agree that we may provide updates, notices, disclosures, and amendments to these Terms of Use and other information relating to the Buy El Paso Rewards program by electronic means, including posting such information and materials online at www.buyep.org. Please note that the BBB of El Paso and the City of El Paso reserves the right to revoke any consumer's access to Buy El Paso Rewards.

ADDITIONAL TERMS

These Terms of Use apply to your access to, and participation in, the Buy El Paso Rewards program in the United States ("Buy El Paso Rewards"), which is operated by Buy El Paso, El Paso Business Strong, or its respective subsidiaries, licensees and affiliated companies. These Terms of Use do not alter in any way the terms or conditions of any other agreement you may have with Buy El Paso and El Paso Business Strong, for other products or services.

CHANGES TO TERMS

Buy El Paso Rewards reserves the right to change or modify these Terms of Use or any policy, FAQ, or guideline pertaining to Buy El Paso Rewards, in whole or in part, at any time and in its sole discretion. Any changes or modifications will be effective immediately and may be posted to www.buyep.org, so please check back from time to time. You waive any right you may have to receive specific notice of such changes or modifications, and your continued access to or participation in Buy El Paso Rewards following any such changes or modifications confirms your

acceptance. If you do not agree to these Terms of Use, you must stop accessing and participating in Buy El Paso Rewards.

PERSONAL USE

Buy El Paso Rewards is intended for personal use only. Commercial use is prohibited. Buy El Paso Rewards is not targeted towards, nor intended for use by, anyone under the age of 13. If you are between the ages of 13 and 18, you may access and participate in Buy El Paso Rewards only under the supervision of a parent or legal guardian who agrees to be bound by these Terms of Use.

Our **Privacy Statement** is incorporated into these Terms of Use and also governs your participation in Buy El Paso Rewards. Please read the Privacy Statement carefully to understand how Buy El Paso Rewards collects, uses and discloses information about customers, how to update or change your personal information, and how we communicate with you.

ABOUT BUY EL PASO REWARDS

Buy El Paso Rewards is one way in which Buy El Paso endeavors to reward and thank loyal customers for patronizing local businesses participating in Buy El Paso Rewards and purchasing their products. Buy El Paso Rewards members are able to earn and accumulate points that can be redeemed for Buy El Paso Rewards benefits ("**Rewards**") from participating local businesses. Unfortunately, only local businesses participating in Buy El Paso Rewards have the ability to award points. To find the location nearest you that participates in Buy El Paso Rewards, visit the Buy El Paso Directory at <https://www.buyep.org/directory/>.

JOINING BUY EL PASO REWARDS

To join Buy El Paso Rewards, go to a participating local business and scan the QR code or visit <https://cc-rewards.com/>, and follow the prompts to create an account. You will be required to provide a mobile phone number.

Mobile phone numbers will be used to receive push notifications about Buy El Paso Rewards local business promotions and Buy El Paso Rewards Giveaways. By providing your number, you agree to receive push notifications and to be contacted by Buy El Paso Rewards and Buy El Paso.

When you join Buy El Paso Rewards, you automatically are provided with an identification number and your points will start at zero. You can accumulate points when you visit a Buy El Paso Rewards participating business.

EARNING POINTS FROM LOCAL BUSINESSES

The rewards that are available to you through Buy El Paso Rewards participating businesses are based on the number of points that you earn from that business. You can earn points by visiting participating Buy El Paso Rewards stores in the following way:

- **Scanning the QR Code at a local business.** You can earn reward points by scanning the QR code when you visit a business. The more times you visit a business' location, the more you will accumulate reward points for that business. You can accumulate an unlimited number of reward points; however, points are specific to each business location or franchise. It is up to the business' discretion if points will expire at their businesses.

EARNING SCANS/VISITS

The prizes that are available to you through Buy El Paso Rewards are based on the number of scans that you accumulate at all participating local businesses combined. You can accumulate scans by visiting participating Buy El Paso Rewards stores in the following way:

- **Scanning the QR Code at a local business.** Your visits are accounted for when you scan the QR code participating local businesses. The more times you visit participating business', the more you will accumulate visits to win prizes from Buy El Paso Rewards (in addition to the points from the business). You can accumulate an unlimited number of Buy El Paso Reward points.

**Every time you scan, you get: 1. Points from the local business and 2. A visit count for Buy El Paso Rewards.*

EXCLUSIONS TO EARNING POINTS

Points may be earned at participating Buy El Paso Rewards stores only. Points are only accumulated by scanning the Buy El Paso Rewards QR code at a participating local

business. Taxes, tips, donations, and fees, including without limitation, shipping and handling fees, gift wrapping fees, delivery fees, and bag fees, also may be excluded and ineligible for point accrual. **Purchase is not necessary** to accrue points. Points are accumulated only when you scan a code with every visit.

RETURNS

Your points balance should not be impacted by returns because Buy El Paso Rewards points are accumulated with store visits, not purchases.

BUY EL PASO REWARDS POINTS EXPIRATION

Unless otherwise noted, points are automatically added to your account for that business instantly once the Buy El Paso QR code is scanned. If the points do not appear, let the business owner know. However, due to variations in your local cell phone carrier's bandwidth there may be a delay. Points can **expire at the discretion of the Buy El Paso Rewards local business**. You can view and track your points balance for each local business at www.cc-reward.com.

BUY EL PASO REWARDS SCANS/VISIT EXPIRATION

Scans will not expire, unless otherwise noted, scans will be recorded to your account. If the scans do not appear, let the business owner know. However due to variations in your local cell phone carrier's bandwidth there may be a delay. You can view and track your scans/visits for combined local business at <https://cc-rewards.com/>.

REDEEMING BUY EL PASO REWARDS POINTS FROM LOCAL BUSINESSES

Buy El Paso points are accumulated with each visit from a participating Buy El Paso Rewards Business. Point redemption is up to each participating Buy El Paso Rewards business. Each point system from a Buy El Paso Rewards business is unique.

REDEEMING BUY EL PASO REWARDS SCANS/VISITS

Buy El Paso Rewards scans/visits are accumulated with each visit to any participating Buy El Paso Rewards business. Once a customer scans the QR code at a participating business, the Buy El Paso Rewards scans/visits may be accumulated and the

consumer will be entered for Buy El Paso Rewards Giveaways and Buy El Paso Rewards Leaderboards. Each scan/visit accounts for one point. Buy El Paso Points offers different prizes based on how many Buy El Paso Rewards local businesses you have visited.

BUY EL PASO REWARDS GIVEAWAYS

Consumers are automatically entered into Buy El Paso Rewards Giveaways upon their first QR code scan. To participate in the gamification you must scan QR codes when you visit a local business. Depending on the giveaway, the consumer will be entered to win a Buy El Paso prize by either having the most scans or by randomly being selected.

POINT REDEMPTION AVAILABILITY MAY VARY

Only local El Paso stores participating in the Buy El Paso Rewards program have the ability to honor point redemption. Additionally, the amount of points for redemption may vary upon how each Buy El Paso Rewards business manages their point system. Points vary for each local business.

OTHER IMPORTANT POINT REDEMPTION INFORMATION AND EXCLUSIONS

Points may be redeemed at participating Buy El Paso Rewards stores and it is up to the businesses' discretion as to what exclusions apply.

OTHER IMPORTANT INFORMATION YOU SHOULD KNOW

These Terms of Use complement and incorporate by reference of Buy El Paso Rewards.

There are no participation or membership fees associated with Buy El Paso Rewards. Points accrued in connection with Buy El Paso Rewards are promotional, have no cash value and cannot be redeemed for cash. In addition, your redemption of points accrued in connection with Buy El Paso Rewards cannot be combined with any other offers or discounts, unless otherwise expressly indicated by Buy El Paso Rewards or the participating Buy El Paso Rewards local business.

If a business terminates its participation in the Buy El Paso Rewards program, they are not obligated to honor any points. Consumers cannot take any action against either the business or the Buy El Paso Rewards program in such a scenario.

Your points registered with the Buy El Paso Rewards account are personal to you and may not be sold, transferred or assigned to, or shared with, family, friends or others, or used by you for any commercial purpose. You may have only one (1) Buy El Paso Rewards account that is personal to you.

Without notice to you, Buy El Paso Rewards reserves the right to suspend any Buy El Paso Rewards registered to your account and/or terminate your account and/or your participation in Buy El Paso Rewards if Buy El Paso determines, in its sole discretion, that you have violated these Terms of Use or that the use of your Buy El Paso Rewards account is unauthorized, deceptive, fraudulent or otherwise unlawful. Buy El Paso Rewards may, in its sole discretion, suspend or cancel Buy El Paso Rewards accounts that appear to be duplicative. In the event that your participation in Buy El Paso Rewards is terminated, all accrued points in your account are void.

Buy El Paso Rewards reserves the right to change, modify, discontinue or cancel any part of the Buy El Paso Rewards program, at any time and in its sole discretion, without notice to you.

Participation in the Buy El Paso Rewards program is voluntary and at no cost to consumers. As such, consumers have no ability to require a business or the Buy El Paso Rewards program to offer or redeem points or prizes. There is no legal recourse available with respect to participation, point collection, or redemption.

SEVERABILITY

If any provision or part of a provision of these Terms of Use is unlawful, void or unenforceable, that provision or part of the provision is deemed severable from these Terms of Use and does not affect the validity and enforceability of any remaining provisions.