

Fuddruckers Privacy Statement – Effective As Of September 30, 2009

Fuddruckers provides this Privacy Statement to tell our customers and interested persons what information about you we collect, how it is used, and how it is protected. This Privacy Statement applies to all websites and domains owned and operated by Fuddruckers' holding company, Magic Brands, LLC including Fuddruckers and Koo Koo Roo restaurants.

Information Collection: Customers

We collect information from visitors to our website or customers at our restaurants in several ways. We collect information from you when you complete a signup form (a) in a participating restaurant, or (b) by registering online through our website.

The type of information we collect can vary depending on where you are on our site. Typically, we collect "contact information," such as your name and physical or email address, telephone numbers, or other way of contacting you. For example, if you register for our Fudds Club, we will ask you to provide us with your contact information. We use this information to contact you.

Some places on our website may also ask you to provide additional information about you, such as the month and day of your birth. Some places on our website will also give you the option to provide "demographic" information (such as your gender and zip code) to us. We encourage you to submit this information so we can provide you a more personalized service, but if you choose not to provide such demographic information, you may still use other features of our website.

You may also see an opportunity to provide your cell phone number during the sign-up process, through a separate email, or by other means such as signing up via text. By providing us with your cell phone number, you are giving us permission to send you text (SMS) messages on your cell phone. Usual charges will apply to such messages.

Uses of Customer Information

Fuddruckers will use the information that you have provided to contact you. For example, we may use it when responding to email support requests and other direct requests for information from us. We may also use this information to contact you with offers, newsletters, contests, updates, special promotions, and similar information which you have expressed interest in receiving.

Information Sharing and Disclosure

Fuddruckers will not rent, sell or otherwise provide the information that you provide to us to third parties for their own marketing purposes.

We contract with other companies to provide data entry and related website and marketing services to help us manage our website and provide the features that you may request. For

example, when you sign up for the Fudds Club, we share your enrollment information with our data entry company. Such companies have access to your information only to provide these services to us and we prohibit them from using your information for any other purpose. Additionally, we may share your information with our franchisees.

Sometimes, when we offer a promotion, we may use a third party vendor to fulfill promotions. Such a vendor may use your information to fulfill the promotion, but we prohibit it from using your information for any other purpose.

In the event of a sale of our business, Fuddruckers may transfer all or substantially all of its assets or operations to another organization. In so doing, we may disclose information we have collected from you to the buyer so that it can continue to provide services to you. We will try to require the other organization to be bound by this policy.

Surveys or Contests

From time to time we may provide you the opportunity to participate in contests or surveys. Participation in these surveys or contests is voluntary. If you participate, you will be asked to provide certain information from you such as contact information, demographic information (such as zip code) and personal preference information (such as your opinions). We use this information to better understand our customers or to administer the contest itself. You always have a choice whether or not to disclose this information, although in some cases not disclosing the information may mean that you choose not to participate in the contest or survey.

Fuddruckers may use a third-party service provider to conduct these surveys or contests. Where we do, that company is prohibited from using the information that you provide or any other information about you for any other purpose.

Opt-out/Unsubscribe

If you no longer wish to receive our communications, you may opt-out of receiving them by following the instructions included in each communication or by emailing us at privacy_ques@Fuddruckers.com, please include your email address and/or cell phone number in the message along with the client you wish to unsubscribe from as well as write the word, "unsubscribe" in the subject line. Alternatively, you may contact us at: Fuddruckers Inc, Attention: Privacy Dept., 5700 Mopac Expressway South Suite C300, Austin, Texas 78749.

Gift Cards

You may purchase gift cards on our website. When you purchase a gift card, you must provide us with billing information, including a valid credit card account number, contact information, and information as to where to ship the gift card. We use this information to process your purchase and have it delivered.

Children and our Kids Club

The Children's Online Privacy Protection Act restricts the ability of commercial websites to collect and use information from children under the age of 13. Fudds Club membership is permitted only for those ages 13 and older. Parents may register to receive birthday emails on behalf of their children, but we will never contact the child directly.

Information Collection and Use: Persons Interested In Becoming Franchisees

We collect information from persons interested in becoming a franchisee. We use the information that you provide in the Franchise Information portion of our site, including our Get Franchise Information web form, to contact you in connection with your interest in becoming a franchisee.

Cookies

When you use certain parts of our website, Fuddruckers may place a "cookie" on your computer to store and sometimes track information about you. Cookies are small files that your web browser places on the hard drive of your computer when you visit a website. They cannot damage user files, pass on computer viruses, or read personal information from your computer's hard drive. The only information that a cookie collects about you is information that you supply as a visitor to our website. By accepting the cookies used on our website, we give us access to your browsing behavior while on our website.

At Fuddruckers, we use cookies to make using our site easier and to measure traffic patterns on our website and similar analytical purposes. For example, when you sign in to our website using your user name and password, we store your information, and the time you signed in, in a cookie on your hard disk. This cookie allows you to move from page to page at the site without having to sign in again on each page. We also may use cookies to track user traffic patterns, which helps us understand whether our website meets our visitors' needs and the usefulness of the website to our visitors.

You have the ability to accept or decline cookies. Most Web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, your ability to use some parts of our website and services that depend on cookies may be impaired.

Clear Gifs in emails

We use clear gifs in our HTML-based emails to let us know which emails have been opened by recipients. This allows us to gauge the effectiveness of our marketing campaigns. If you would like to opt-out of these emails, please see "Opt-out/Unsubscribe."

Legal Disclaimer

We reserve the right to disclose the information that you provide to us as required by law and when we believe that disclosure is necessary to (a) protect our rights and/or to comply with a judicial proceeding, court order, or legal process served on our Company; (b) protect and defend Fuddruckers rights or property or the users our services, and (c) act under exigent circumstances to protect the personal safety of users of our services or the public.

Links to Other Sites

We may send mails to you on behalf of a franchisee or other advertiser that is not owned or controlled by Fuddruckers. Please be aware that Fuddruckers is not responsible for the privacy practices of such other sites and do not exercise authority over such web sites. If you choose to access a third party web site, you do so at your own risk.

Access to Personally Identifiable Information

If the information that you provide to us changes or otherwise, is incorrect, or if you no longer desire our service, you may correct, update, delete or deactivate it by making the change on our member information page or by emailing our Customer Support at privacy_ques@Fuddruckers.com or by contacting us by telephone or postal mail at the contact information listed above.

To protect your privacy and security, we will take reasonable steps to verify your identity before granting access or making corrections.

Data Security

Fuddruckers has put in place technological and procedural security functions in order to protect the personal information it collects, uses or transfers from loss, misuse, alteration or destruction. Fuddruckers uses firewalls to help prevent outside parties from accessing our database server through the Internet, and physical access to the database server is restricted to authorized individuals.

When transferring personally identifiable information to and from third parties Fuddruckers uses SSL and/or SFTP (Secure FTP).

Changes in this Privacy Statement

We reserve the right to modify this privacy statement at any time, so please review it frequently. If we make material changes to this policy, we will publicize such changes by means of a notice on our home page by providing thirty (30) days notice to you by displaying a prominent notice, in all caps, above the text of the Privacy Statement.

Contact Us

If you have any questions or suggestions regarding our privacy policy, please contact us:

Phone: _____

Fax: _____

Email: privacy_ques@Fuddruckers.com

Mail: Fuddruckers

Attn: Privacy Dept.

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Suite C300

Austin, TX 78749