

# Nchant Media LLC Privacy & Data Use Policy

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THE TERMS OF THIS PRIVACY & DATA USE POLICY ("POLICY") ARE LEGALLY BINDING. IF YOU USE OUR SERVICE (AS DEFINED BELOW), YOU AGREE TO BE BOUND TO ALL OF THE TERMS AND CONDITIONS OF THIS POLICY.

Nchant Media LLC ("Nchant Media LLC," "we", "us", or "our") respects the privacy of its users and has developed this Policy to be transparent about how we may collect, use, and share information and demonstrate our commitment to protecting your privacy.

This Policy applies to you, as an individual, when you use any of Nchant Media LLC's services, our website ([www.sharechant.com](http://www.sharechant.com)), our mobile applications, our premium services, or any other of our web-based or mobile services or offerings (collectively, our "Services").

We encourage you to read this Policy carefully when using our Services or transacting business with us. If you have any questions about our privacy practices, please refer to the end of this Policy for information on how to contact us.

## Overview

The kind of data we collect about you can be different based on how you use the Nchant Media LLC mobile applications. When you create and host an event, were invited to an event, RSVP for an event, or become a registered user to unlock more features within the Services. Even if you haven't registered for an Nchant Media LLC account, we may still collect some data about you, like your IP address and other device information when you use our mobile application, or your email address and phone number if provided to us by another user hosting an event.

The Services are available only to registered users. However, certain features and functionality, like creating an event and sending invitations (for ease of reference, we will call these "Host(s)"), are only available to registered users. Individuals invited to an event by a Host – unsurprisingly, we will call these "Guests" – can be registered users or unregistered users, but the Services may be limited for unregistered Guests.

Ultimately, the information we collect and process from you and about you is used in various ways to operate our Services. From sending invitations to your Guests, or to serving more relevant advertising in order to allow us to continue offering our core Services free of charge, each use serves a different and important purpose allowing us to operate the Services and our business.

## Information we receive about you

*In General.* We receive several different types of information from you when you use our Services or about you via someone else using our Services (like when a friend adds your email to an event), some of which is personally identifying, some is not. The information received through our Services may be sent to servers located in the United States and other countries around the world.

- **Information you provide.** We collect and store personal information and other identifiers you enter on our Services or that is provided to us in some other manner. This includes identifying information, such as your full name, mailing address (e.g., your event location), email address, images, telephone number, and, if you transact business with us, financial information such as your payment method (credit card number, type, expiration date or other financial information). During and after the registration process, we may also request non-personal information about your interests and activities, your gender, your age, your location (such as ZIP code and/or country), other demographic or profile information, or we may ask you to complete a survey or send us a review. Additionally, we may collect and store any information, personal or otherwise, you provide while using any comment or chat features.
- **Information from Social Network Services (including Facebook).** Our Services allow you to create and/or associate your account on our Services using your Facebook, Twitter or Google account credentials. If you link our Services with any third-party social networking service, we receive and collect certain information related to or associated with your account with that social networking service. You may have the ability to control what information is shared from these third-party social network services by adjusting the privacy settings on those services.
- **Information from other sources.** We also obtain both personal and non-personal information about you from other users, business partners, contractors, and other third parties, and may add it to our account information or other information we have collected about you. For instance, the most frequent piece of information Nchant Media LLC receives under this section is Guest email addresses or cell phone numbers that are provided by Hosts. Other examples of information we may receive include but are not limited to: updated delivery and address information, purchase history, and additional demographic and behavioral information.
- **Information collected automatically.** We automatically receive information from the browser, computer, and device used to access our Services. This information most often includes (without limitation) your IP address, your geographic location, your browser type and language, access times, the content of any undeleted cookies that your browser previously accepted from us (see "Cookies" below), and the referring website address.
- **Cookies and Similar Technologies.** When you visit our Services or receive an email as part of the Services, we may assign the browser, device, or application from which you access our Services one or more cookies or similar technologies to facilitate access to our Services, personalize your online experience, or otherwise operate our Services. Using a cookie or similar technology, we also may automatically collect information about your online activity on our Services, such as the web pages you visit, the emails you open, the links you click, and the searches you conduct on our Services. Most browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies or decide which types of cookies to automatically accept or reject. If you choose

to decline cookies or other similar technologies, please note that you may have difficulty signing in and may not be able to use some of the interactive features offered through our Services. We and third-party vendors, including Google, use first-party cookies (such as the Google Analytics cookie) and third-party cookies (such as a DoubleClick cookie) together to report how your ad impressions, other uses of ad services, and interactions with these ad impressions and ad services are related to visits to our Services. To learn more about how to opt out of Google's use of the Google Analytics cookie, visit the Google Analytics Opt-out Browser Add-on at [//tools.google.com/dlpage/gaoptout](https://tools.google.com/dlpage/gaoptout). To learn more about how to opt out of DoubleClick's use of cookies, visit the DoubleClick opt-out page at [//support.google.com/ads/answer/2662922?hl=e](https://support.google.com/ads/answer/2662922?hl=e). To opt out of LiveRamp's targeted advertising, please go here: [//liveramp.com/opt\\_out/](https://liveramp.com/opt_out/).

- **Mobile Devices.** We may receive information from your mobile devices when you visit our Services, such as identifiers for advertising ("IDFA") and geographic or geolocation information. If you choose to turn off identifiers such as IDFA or locational tracking on your mobile device, please note that you may not be able to use some of the interactive features offered through our Services.
- **Other Technologies.** We may use other technologies, such as web beacons, to track your use of our Services. We also may include web beacons in promotional or other email messages or newsletters to determine whether messages have been opened and acted upon. The information we obtain in this manner enables us to customize our Services, to deliver targeted advertisements, and to measure the overall effectiveness of our online advertising, content, programming, or other activities.
- **Information collected by third parties.** We may allow our authorized service providers, advertising companies, and ad networks, to display advertisements on our Services and/or use tracking technologies to collect information about users who view or interact with their advertisements or use the Service. Our Services may provide or grant access to personal information (as defined under California Civil Code section 1798.80) to these third-party advertisers. The tracking technologies allow the third parties to deliver targeted advertisements and gauge their effectiveness. Some of these third-party advertising companies may be interest-based advertising companies that use cookies to collect information during your visit to the Service in order to help show advertisements on other websites likely to be more interesting to you. To learn more about interest-based advertising or to opt-out of this use of your information, you can visit the Network Advertising Initiative's opt-out link at [//www.networkadvertising.org/choices](https://www.networkadvertising.org/choices).
- **Cross-Channel Advertising.** We also may partner with third parties that collect information across various channels, including offline and online, for purposes of delivering more relevant advertising to you. Our partners may place or recognize a cookie on your computer, device, or directly in our emails/communications, and we may share personal information with them if you have submitted such information to us, such as your hashed email address or device ID. Our partners may link the hashed or obfuscated personal information we share with them to the cookie stored on your browser or device, and they may collect information such as your IP address, browser or operating system type and version, and demographic or inferred-interest information. Our partners use this information to recognize you across different channels and platforms, including but not limited to, computers, mobile devices, and Smart TVs, over time for advertising, analytics, attribution, and reporting purposes. For example, our partners may deliver an

ad to you in your web browser based on a purchase you made in a physical retail store, or they may send a personalized marketing email to you based on the fact that you visited a particular website. Your data may be transferred outside of the country from which it was originally collected. To learn more about interest-based advertising in general and to opt out, please visit [//www.aboutads.info/choices](http://www.aboutads.info/choices). To opt-out of the use of your mobile device ID for targeted advertising, please see [//www.aboutads.info/appchoices](http://www.aboutads.info/appchoices).

- **Cross-Device Advertising.** We may use third-party advertising companies to target advertisements to you on our Services, across the web, on your mobile device, or on any of your other devices, based on the information we have collected from and about you, as well as information relating to your and other users' visits to this and other websites and online services. To do so, these companies may place or recognize a unique cookie on your browser (including using pixel tags) or recognize an identifier associated with your mobile device. These companies may also use these technologies, along with personal information they or we collect on the different devices you use, to recognize you across the devices you use, such as a mobile device and a laptop or other computer. If you would like more information about these practices, go to [www.aboutads.info](http://www.aboutads.info). To learn about your choices in connection with these practices on the particular device on which you are accessing this policy, please visit [//www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp) and [//www.aboutads.info/choices](http://www.aboutads.info/choices) to opt out in desktop and mobile web browsers. You may download the AppChoices app at [//www.aboutads.info/appchoices](http://www.aboutads.info/appchoices) to opt out in mobile apps. You may also click on the informational icon contained within each interest based ad.
- **Information about others.** We may also collect and store personal information about other people that you provide to us when you use our Services, including (without limitation) email address, phone number, and physical address. So, for example, if you use our Service to send other people a gift, information that may interest them, invitations or correspondence, or other communications through our Services, we may store and use the information you provide to us. We use the information you provide about others in several ways, including (a) to allow people to respond to and comment on your Nchant Media LLC invitation; (b) to send reminders and other event information; (c) to display your guests' email address or other information to other guests of the same event; (d) to send post-event communications and promotional emails; (e) to provide certain services through our Services; and (f) to provide to third parties under some circumstances.

## **How we use the information we collect.**

We may use information that we collect about you to:

- deliver invitations and/or other products and services that you have requested
- share information you have voluntarily provided about yourself with other guests who have been invited to the same events;
- manage your account and provide you with customer support;
- perform research and analysis about your use of, or interest in, our products, services, or content, or products, services or content offered by others;

- communicate with you by email, telephone and/or mobile devices about products or services that may be of interest to you either from us, our business partners, or other third parties;
- develop and display content and advertising tailored to your interests on our Services and other sites;
- enforce our Terms of Service;
- monetize our business;
- manage our business; and
- perform functions as otherwise described to you at the time of collection.

*Personal Information from Social Network Services (including Facebook and Twitter).* We will use the personal information that you allow us to access from your social network services account to either create an account for you on the Nchant Media LLC Services or, if you already have an account on the Nchant Media LLC Services, then simply to associate your current Nchant account with your social network services account. For example, if you already have an account with Nchant and you choose to connect your Facebook and Twitter account with Nchant, then Nchant will associate your Facebook ID with your Nchant account to allow you to log in to your Nchant account through with your Facebook ID.

*Financial information.* If you provide us with financial information or payment information for the purpose of transacting on our Services, then we will use financial information or payment method to process payment for any purchases made on our Services, to protect against or identify possible fraudulent transactions, and otherwise as needed to manage our business.

## **With whom we share information**

We want you to understand when and with whom we may share personal or other information you have provided to us or that we have collected about you or your activities on our Service.

We may share information with:

- **Other Users.** Users and/or Guests invited to the same events as you may be able to view the personal information that you provide on your My Account page, unless you choose to hide such information. You also may choose to have the personal information you supply on your My Account page viewable to Nchant users in general. Users and/or Guests invited to the same events as you or included in the same communications as you will also be able to see the content of any messages you post or send related to the event.
- **Authorized service providers.** We may share your personal and non-personal information with our authorized service providers that perform certain services on our behalf. These services may include, but are not limited to, fulfilling orders, printing and mailing physical invitations and communications, processing the redemption and accounting for Nchant Media LLC Services, providing customer service and marketing assistance, performing business and sales analysis, supporting the functionality and data and technology infrastructure of our Services, and supporting contests, sweepstakes, surveys and other features offered through our Services. These service providers may

have access to personal information needed to perform their functions but are not permitted to share or use such information for any other purposes.

- **Business partners and advertisers.** We may share personal information and non-personal information with advertisers and with the businesses with which we partner, some of which may be considered a "sale" under certain laws. This can include information such as your IP address, your hashed/de-identified email address, and other unique identifiers. Additionally, when you elect to engage in a particular merchant's offer or program, you authorize us to provide your email address and other information to that merchant. We may also share information (including personal information and hashed email addresses) about you to third parties for targeted advertising, research, licensing and/or marketing purposes.
- **Aggregated and non-personal and hashed information.** We may share information that has been "hashed." "Hashed" information is information that has been converted to an anonymized string of characters in an effort to prevent third parties from unscrambling the anonymized string of characters to recover the underlying information. We may combine non-personal and/or hashed information we collect with additional information collected from other sources. We may combine non-personal and/or hashed information with other information collected about a user and share such with third parties for their or their partners' advertising and/or marketing purposes. We also may share aggregated and/or non-personal and/or hashed information with third parties, including (without limitation) advisors, advertisers and investors.
- **Other Situations.** We also may disclose your information:
  - In response to a subpoena or similar investigative demand, a court order, or a request for cooperation from a law enforcement or other government agency; to establish or exercise our legal rights; to defend against legal claims; or as otherwise required by law. In such cases, we may raise or waive any legal objection or right available to us.
  - When we believe disclosure is appropriate in connection with efforts to investigate, prevent, or take other action regarding illegal activity, suspected fraud or other wrongdoing; to protect and defend the rights, property or safety of our company, our users, our employees, or others; to comply with applicable law or cooperate with law enforcement; or to enforce our Services terms and conditions or other agreements or policies.
  - In connection with a corporate transaction, such as the sale of our business, a divestiture, merger, consolidation, or asset sale, or in the unlikely event of bankruptcy.

We do not share your personal information with others except as indicated herein or when we inform you and give you an opportunity to opt out of having your personal information shared.

Any third parties to whom we may disclose personal information may have their own privacy policies which describe how they use and disclose personal information. Those policies will govern use, handling and disclosure of your personal information once we have shared it with those third parties as described in this Policy. Please note that these entities or their servers may be located either inside or outside the United States.

## Third-party websites

Through our Services, you will be given an opportunity to access other third-party websites that do not operate under this Policy. For example, if you click on an advertisement in our Services, you may be taken to a website that we do not control. These third-party websites may independently solicit and collect information, including personal information, from you and, in some instances, provide us with information about your activities on those websites. Nchant Media LLC is not responsible for the practices of these third parties, and we recommend that you consult the privacy statements of all third-party websites you visit to review how they use information collected from you.

## Your choices regarding your information

- **Limiting collection of your information.** You can choose not to provide us with certain information, but that may result in you being unable to use certain features of our Services because such information may be required in order for you to register as a member; purchase products or services; participate in a contest, promotion, survey, or sweepstakes; ask a question; or initiate other transactions through our Services.
- **Access, manage, or delete your information.** If you have an online account with us, you can review and update some of your personal information online by logging into your account. This may be done through the following method: (i) visit the Nchant Media LLC Services and log in, (ii) click on the "My Account" link, and (iii) change the relevant information. Please note that changing information in your account will only affect future activities or communications from us. If we have already provided your information to a third party before you have changed your preferences or updated your information, you may have to change your preferences directly with that third party. You can also submit a Do Not Sell My Info request or request the deletion or a copy of your personal information by filling out the form at our [Privacy Portal](#). Currently, we are only able to verify your identity and process deletion or copy requests based on your submitted email address. If the submitted email address has not been used to register for an account or was not otherwise provided to us by a Host, we will be unable to process your request. You also may choose to submit a request through our customer support department by emailing us at [privacy@sharenchant.com](mailto:privacy@sharenchant.com). **We will only be able to process these types of requests through the contact methods described above. If a request is sent to any other address or through any other medium, we may not be able to process your request.** If you request deletion of your personal information or you close your account, you will no longer be able to sign into our Services or access any of your personal information through the Services. However, you can open a new account at any time. Please note that if you close your account, we may still retain, use and disclose non-personal information associated with your account.
- **Opt-out of certain emails.** When you register or RSVP on our Services, you will be given a choice as to whether you want to receive email messages about special offers. At any time you can choose to no longer receive commercial or promotional emails or newsletters from us. The best way to unsubscribe from commercial or promotional emails is to click the "Unsubscribe" or "Opt-Out" link in the email you received. You can also email us your request at [privacy@sharenchant.com](mailto:privacy@sharenchant.com). If you are a registered user, you can

also log in and visit the My Account page of the Nchant Media LLC Services and uncheck the box related to sending information to you via email. It may take up to 10 days for us to process an opt-out request. If you are not a registered user, but are a recipient of an Nchant Media LLC invitation, you may delete your name from the guest list by requesting to be removed from the guest list on the invitation page. We may send you other types of transactional and relationship email communications, such as service announcements, administrative notices, and surveys, without offering you the opportunity to opt-out of receiving them.

- **California and Delaware Do Not Track Disclosures.** Various third parties are developing or have developed signals or other mechanisms for the expression of consumer choice regarding the collection of information about an individual consumer's online activities over time and across third-party web sites or online services (e.g., browser do not track signals). Currently, we do not monitor or take any action with respect to these signals or other mechanisms.

## **How we protect your personal information**

We take reasonable security measures (including physical, electronic and procedural measures) intended to help safeguard your personal information from unauthorized access and disclosure. For example, only authorized employees, contractors, and service providers are permitted to access personal information, and they may do so only for permitted business functions. In addition, we use firewalls to help prevent unauthorized persons from gaining access to your personal information.

We want you to feel confident using our Services to transact business. However, no system can be completely secure. Therefore, although we take steps to secure your information, we do not promise, and you should not expect, that your personal information, or searches, or other information will always remain secure. Please be advised that whenever you voluntarily disclose personal information on publicly-viewable web pages, that information will be publicly available and can be collected and used by others. For example, if you post your email address, you may receive unsolicited messages. We cannot control who reads your posting or what other users may do with the information you voluntarily post, so we encourage you to exercise discretion and caution with respect to your personal information. Once you have posted information, you may not be able to edit or delete such information.

## **Children's Privacy**

Our Services are for a general audience and are not directed to or intended for children under the age of 18. Accordingly, we do not knowingly collect personal information from children under the age of 18 and if we become aware that we have, we will promptly delete such information from our servers.

## **Visiting our websites from outside the United States.**

If you are accessing our Services from outside the United States, please be aware that your information may be transferred to, stored, and processed in the United States where our servers



are located and our central database is operated. This Policy and the storage, use and disclosure of your information under this Policy, is governed by the laws on the United States. The Services are controlled and operated by Nchant Media LLC from the United States and you expressly waive the application of any laws of any territory other than the United States. The data protection and other laws of the United States and other countries might not be as comprehensive as those in your country. By using our Services, you understand and agree that your information may be transferred to our facilities and those third parties with whom we share it as described in this Policy, and the laws of the United States apply to the use, storage and disclosure of your information.

## **Additional Disclosures: California**

Under the California Consumer Privacy Act, or CCPA, California residents have certain rights regarding their data, including:

- To know the categories of personal information collected and disclosed and the sources from which such information was collected (see below and also the section *Information we receive about you*);
- The business purpose for using or sharing personal information (see the section *How we use the information we collect*)
- The categories of third parties with whom personal information has been disclosed or sold (see below and also the section *With whom we share information*)
- The ability to opt-out of the sale of personal information (see the section *Your choices regarding your information*)
- The ability to access or delete certain pieces of personal information (see the section *Your choices regarding your information*)

Summary of types of information we may receive and collect:

- **Identifiers** such as your IP, email, address, and name;
- **Protected Classifications** such as your age;
- **Electronic Network Activity Information** such as how you browsed or interacted with the Services;
- **Geolocation Data** such as zip code, latitude, and longitude.
- **Audio, Electronic, Visual, or Other Similar Information** such as photos, videos, you upload to the Service;
- **Inferences** such as information based on how you use and interact with the Services.

## **No Rights of Third Parties**

This Policy does not create rights enforceable by third parties or require disclosure of any personal information relating to users of the Services.

## **Changes to this Policy**

Nchant Media LLC reserves the right to amend this Policy at its sole discretion and any modifications shall be effective immediately upon posting. When we revise this Policy, we will notify you by posting the new Policy on the Services with the "Last Updated" legend at the top of this page. By continuing to use the Services following such changes, you will be deemed to have agreed to such changes. If you do not agree with the terms of this Policy or any changes thereto, you may not continue using the Services.