

Privacy Policy

Protecting your private information is our priority. This Statement of Privacy applies to Formsfree.io ("Formsfree") and governs data collection and usage. The Formsfree website and other services provided by Formsfree (the "Services") are a service that accepts form submissions and sends emails. We need to process your personal information to run our business and provide you with the Services. By accepting our Terms of Use, you are confirming that you have read and understand this policy including how and why we use your information. If you don't want us to collect or process your personal information in the ways described in this policy, you shouldn't use the Services. By using the Services, you consent to the data practices described in this statement.

By using the Services, you acknowledge that Formsfree will use your information in the United States and any other country where Formsfree operates. Please be aware that the privacy laws and standards in certain countries, including the rights of authorities to access your personal information, may differ from those that apply in the country in which you reside. We will transfer personal information only to these countries to which we are permitted by law to transfer personal information, and we will take steps to ensure that your personal information continues to enjoy appropriate protections. Please read on to learn more about how we protect personal information that's transferred outside of Europe.

Collection of your Personal Information

Formsfree may collect and store personal information, such as your name and email address. If you purchase Formsfree's products and services, billing and credit card information may be necessary in order for us to provide a particular service. We may gather additional personal or non-personal information that you may provide to us in the future.

Information about your computer hardware and software may be automatically collected by Formsfree. This information can include: your IP address, browser type, domain names, access times and referring website addresses. We may combine this information from your browser or your mobile device with other information that we or our partners collect about you, including across devices. This information is used to prevent fraud and to keep the Services secure, operate the services, to maintain quality of the service, and to provide general statistics regarding use of the Formsfree website.

Formspree encourages you to review the privacy statements of third party websites that may be linked to Formspree or which use the Formspree Service so that you can understand how those websites collect, use and share your information. You agree not to use the Formspree Service to collect sensitive personal data. Formspree is not responsible for the privacy statements or other content of third party websites and disclaims any liability for the third party collection of sensitive personal data using the Formspree Service.

Use of your Personal Information

Formspree collects, stores and uses your personal information to operate the Service and deliver the services you have requested.

Formspree may also use your personally identifiable information to inform you of other products or services available from Formspree and its affiliates. Formspree may also contact you via surveys to conduct research about your opinion of current services or of potential new services that may be offered.

Formspree does not sell, rent or lease its customer lists to third parties.

Formspree may share data with trusted partners to help perform research and statistical analysis, to facilitate email communications or to provide customer support. All such third parties are prohibited from using your personal information except to provide these services to Formspree, and they are required to maintain the confidentiality of your information.

Formspree may keep track of the websites and pages our users visit within Formspree, in order to determine what Formspree services are the most popular. This data may also be used to deliver customized content and advertising within Formspree to customers whose behavior indicates that they are interested in a particular subject area.

Formspree will disclose your personal information, without notice, only if required to do so by law or in the good faith belief that such action is necessary to: (a) conform to the edicts of the law or comply with legal process served on Formspree or the site; (b) protect and defend the rights or property of Formspree; and, (c) act under exigent circumstances to protect the personal safety of users of Formspree, or the public.

Choice and Control

Depending on your location, you may also have certain additional rights with respect to your information, such as: (i) data access and portability (including the right to obtain a copy of your personal data you provided to Formspree, via your settings); (ii) data correction (including the ability

to update your personal data); (iii) data deletion (including the right to have Formspree delete your personal information, except information we are required to retain, by contacting us); and (iv) withdrawal of consent or objection to processing (including, in limited circumstances, the right to ask Formspree to stop processing your personal data, with some exceptions, by contacting us).

Use of Cookies

The Formspree website may use "cookies" to help you personalize your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you.

One of the primary purposes of cookies is to provide a convenience feature to save you time. The purpose of a cookie is to tell the Web server that you have returned to a specific page. For example, if you personalize Formspree pages, or register with Formspree site or services, a cookie helps Formspree to recall your specific information on subsequent visits. When you return to the same Formspree website, the information you previously provided can be retrieved, so you can easily use the Formspree features that you customized.

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, you may not be able to fully experience the interactive features of the Formspree services or websites you visit.

Information Uses, Sharing, and Disclosure

When you access or use the Services, we collect, use, share, and otherwise process your personal information as described in this policy. We rely on a number of legal bases to use your information in these ways. These legal bases include where:

- necessary to perform the contractual obligations in our Terms of Use and in order to provide the Services to you;
- you have consented to the processing, which you can revoke at any time;
- necessary to comply with a legal obligation, a court order, or to exercise or defend legal claims;
- necessary for the purposes of our or a third party's legitimate interests, such as those of visitors, members, or partners;
- you have expressly made the information public;
- necessary in the public interest; and
- occasionally necessary to protect your vital interests, or those of others.

Note that we principally rely on consent (i) to send marketing messages, (ii) for third-party data sharing related to advertising, and, to the extent applicable, (iii) for the use of location data for advertising purposes.

Where we process your information on the basis of legitimate interests, we do so as follows:

Providing and improving our Services: We may use your information to improve and customize our Services, including sharing of your information for such purposes, and we do so as it is necessary to pursue our legitimate interests of improving our Services for our users. This is also necessary to enable us to pursue our legitimate interests in understanding how our Services are being used, and to explore and unlock ways to develop and grow our business. It is also necessary to allow us to pursue our legitimate interests in improving our Services, efficiency, interest in Services for users and obtaining insights into usage patterns of our Services.

Keeping our Services safe and secure: We may also use your information for safety and security purposes, including sharing of your information for such purposes, and we do so because it is necessary to pursue our legitimate interests in ensuring the security of our Services, including enhancing protection of our community against spam, harassment, intellectual property infringement, crime, and security risks of all kind.

We respect your privacy. We use your information to provide and improve the Services and our products, for billing and payments, for identification and authentication, for targeted online and offline marketing including through tools like Facebook Custom Audience and Google Customer Match, to contact members or interested parties, and for general research and aggregate reporting. For example, in accordance with our existing case resolution process, we may use information you provide to resolve disputes with Formsfree or other members. We may learn the sorts of products that you're interested in from your browsing and purchasing behavior on (and off) the Site or Apps and suggest potential purchases as a result. As a core part of our Services, we have a legitimate interest in customizing your on-site experience to help you discover relevant information. As part of this, we may work with advertising partners such as Facebook or Google.

Legal and Safety: Formsfree may also retain, preserve, or release your personal information to a third party in the following limited circumstances: in response to lawful requests by public authorities, including to meet legitimate national security or law enforcement requirements; to protect, establish, or exercise our legal rights or defend against legal claims, including to collect a debt; to comply with a subpoena, court order, legal process, or other legal requirement; or when we believe in good faith that such disclosure is reasonably necessary to comply with the law, prevent imminent physical harm or financial loss, or investigate, prevent, or take action regarding illegal

activities, suspected fraud, threats to our property, or violations of Formspree's Terms of Use. In these cases, our use of your information may be necessary for the purposes of our or a third party's legitimate interest in keeping our Services secure, preventing harm or crime, enforcing or defending legal rights, or preventing damage. Such use may also be necessary to comply with a legal obligation, a court order, or to exercise or defend legal claims. It may also be necessary in the public interest (such as to prevent crime) or to protect vital interests (in rare cases where we may need to share information to prevent loss of life or personal injury).

If Formspree receives a lawful, verified request for a member's records or information in one of the limited circumstances described in the previous paragraph, Formspree may disclose personal information, which may include, but may not be limited to, a user's name, address, phone number, email address, and company name.

Affiliated Businesses: Formspree is affiliated with a variety of businesses and works closely with them for a variety of purposes, including assisting us to perform and improve the Services. These businesses may sell items or services to you through the Services or, with your consent, offer promotions (including email promotions) to you. Formspree may also provide services or sell products jointly with affiliated businesses, including providing information to such partners to allow them to more effectively market to you. When an affiliated business assists in facilitating your transaction, we may need to share information related to the transaction with that affiliated business in order to facilitate your transaction, and this forms part of the Services we provide in accordance with our Terms of Use. We rely on consent (which can be withdrawn at any time) to send marketing messages and for third-party sharing relating to advertising.

Aggregated Information: Formspree may share demographic information with business partners, but it will be aggregated and de-personalized, so that personal information is not revealed.

Service Providers: Formspree also needs to engage third-party companies and individuals (such as payment processors, research companies, and analytics and security providers) to help us operate, provide, and market the Services. These third parties have only limited access to your information, may use your information only to perform these tasks on our behalf, and are obligated to Formspree not to disclose or use your information for other purposes. Our engagement of service providers is often necessary for us to provide the Services to you, particularly where such companies play important roles like processing payments and shipments and helping us keep our Service operating and secure. In some other cases, these service providers aren't strictly necessary for us to provide the Services, but help us make it better, like by helping us conduct research into how we could better serve our users. In these latter cases, we have a legitimate interest in working with service providers to make our Services better.

Business Reorganization: In some cases, Formsfree may choose to buy or sell assets. Such transactions may be necessary and in our legitimate interests, particularly our interest in making decisions that enable our business to develop over the long term. In these types of transactions (such as a sale, merger, liquidation, receivership, or transfer of all or substantially all of Formsfree's assets), member information is typically one of the business assets that is transferred.

Third Parties: Third-party plug-ins also may collect information about your use of the Site. For example, when you load a page on Formsfree that has a social plug-in from a third-party site or service, such as a "Like" or "Send" button, you are also loading content from that third-party site. That site may request cookies directly from your browser. These interactions are subject to the privacy policy of the third-party site. In addition, certain cookies and other similar technologies on the Site are used by third parties for targeted online marketing and other purposes. These technologies allow a partner to recognize your computer or mobile device each time you use the Services. Please be aware that when you use third-party sites or services, their own terms and privacy policies will govern your use of those sites or services. Formsfree chooses and manages these third-party technologies placed on its Sites and Apps. However, these are third-party technologies, and they are subject to that third party's privacy policy. We rely on your consent to drop and read non-technically necessary cookies.

We can speak only for ourselves; this policy does not apply to the practices of third parties that Formsfree does not own or control or individuals that Formsfree does not employ or manage. If you provide your information to others, different practices may apply to the use or disclosure of the information that you provide to them. Formsfree does not control the privacy policies of third parties. Formsfree is not responsible for the privacy or security practices of API users, or other websites on the Internet, even those linked to or from the Services. We encourage you to read the privacy policies and ask questions of third parties before you disclose your personal information to them. For the purposes of European law, these sellers and API users are independent controllers of data, which means that they are responsible for providing and complying with their own policies relating to any personal information they obtain in connection with the Services.

Necessary for the performance of the contract between Formsfree and its members

Formsfree provides a voluntary service; you can choose whether or not you want to use the Services. However, if you want to use the Services, you need to agree to our Terms of Use, which set out the contract between Formsfree and its members. As we operate in countries worldwide (including in the US) and use technical infrastructure in the US to deliver the Services to you, in accordance with the contract between us, we need to transfer your personal information to the US

and to other jurisdictions as necessary to provide the Services. Simply put, we can't provide you with the Services and perform our contract with you without moving your personal information around the world.

Security of your Personal Information

Formspree secures your personal information from unauthorized access, use or disclosure. When sensitive personal information (such as a credit card number) is transmitted to other websites, it is protected through the use of encryption, such as the Transport Layer Security (TLS) protocol.

Retention

Formspree will retain your information only for as long as is necessary for the purposes set out in this policy, for as long as your account is active, as described in this policy, or as needed to provide the Services to you. If you no longer want Formspree to use your information to provide the Services to you, you may close your account. Formspree will retain and use your information to the extent necessary to comply with our legal obligations (for example, if we are required to retain your information to comply with applicable tax/revenue laws), resolve disputes, enforce our agreements, and as otherwise described in this policy. Please note that closing your account may not free up your email address for reuse on a new account. We also retain log files for internal analysis purposes. These log files are generally used for site safety and security, to improve site functionality, or we are legally obligated to retain them for longer time periods.

Children Under Thirteen

Formspree does not knowingly collect personally identifiable information from children under the age of thirteen. If you are under the age of thirteen, you must ask your parent or guardian for permission to use this website.

NOTICE TO CALIFORNIA RESIDENTS

Subject to certain limitations under California Civil Code § 1798.83, California residents may ask us to provide them with (i) a list of certain categories of personal information that we have disclosed to third parties for their direct marketing purposes during the immediately preceding calendar year, and (ii) the identity of those third parties. To make this request, California residents may contact us as specified in the "Contact Information" section below.

Your Responsibilities

If you use Formsprees API, you may receive and determine what to do with certain personal information, such as when communicating with users. This means you process personal information (for example, email address, and name) and, to the extent you do so, under EU law, you are an independent controller of data relating to other users that you may have obtained through the Services.

You are responsible for protecting user personal information you receive or process and complying with all relevant legal requirements when you use the Services. This includes applicable data protection and privacy laws that govern the ways in which you can use a user's information. Such laws may require that you post, and comply with, your own privacy policy, which must be accessible to Formsprees users you interact with and compatible with this policy and Formsprees Terms of Use. For more information on the General Data Protection Regulation, see more resources at <https://gdpr-info.eu> and <http://gdprandyou.ie>.

As a data controller, to the extent that you process user personal information outside of the Services, you may be required under applicable data protection and privacy laws to honor requests for data access, portability, correction, deletion, and objections to processing. Also, if you disclose personal information without the user's proper consent, you are responsible for that unauthorized disclosure. This includes, for example, disclosures you make or unintentional data breaches. For example, you may receive a user's email address or other information as a result of entering into a relationship with that user. This information may only be used for Formsprees-related communications or for Formsprees-facilitated transactions. You may not use this information for unsolicited commercial messages or unauthorized transactions. Without the user's consent, and subject to other applicable Formsprees policies and laws, you may not add any Formsprees member to your email or physical mailing list or use that user's identity for marketing. Please bear in mind that you're responsible for knowing the standard of consent required in any given instance.

If Formsprees and you are found to be joint data controllers of personal information, and if Formsprees is sued, fined, or otherwise incurs expenses because of something that you did as a joint data controller of buyer personal information, you agree to indemnify Formsprees for the expenses it occurs in connection with your processing of user personal information.

Information Related to Privacy Shield

For details about the Privacy Shield program: <https://www.privacyshield.gov/>

Formspree is subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC), and individuals have a right to contact the FTC regarding services provided by Formspree.

Formspree complies with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States, respectively. Formspree has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. The key goals of Privacy Shield are to inform both EU and Swiss individuals about:

- the right of individuals to access their personal data
- the choices and means your organization offers individuals for limiting the use and disclosure of their personal data
- the requirement for your organization to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements

Formspree's Privacy Shield self-certification does not cover human resources data.

In compliance with the Privacy Shield Principles, Formspree commits to resolve complaints about our collection or use of your personal information. EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact Formspree at team@formspree.io

Formspree has further committed to refer unresolved Privacy Shield complaints to JAMS, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, you can visit <https://www.jamsadr.com/file-an-eu-us-privacy-shield-or-safe-harbor-claim> for more information or to file a complaint, at no cost to you.

Formspree is committed to the Privacy Shield Principles of (1) notice, (2) consent, (3) accountability for onward transfer, (4) security, (5) data integrity and purpose limitation, (6) access and (7) recourse, enforcement and liability with respect to all Personal Data received from within the EU in reliance on the Privacy Shield.

Formspree provides appropriate technical and organizational measures to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorized disclosure or

access, and understands whether onward transfer is allowed. Formspree complies with the Privacy Shield Principles for all onward transfers of Personal Information from the EU, EEA and Switzerland, including the onward transfer liability provisions.

Because adequate protection is provided by Privacy Shield participants, contracts with Privacy Shield participants for mere processing do not require prior authorization (or such authorization will be granted automatically by the EU Member States), as would be required for contracts with recipients not participating in the Privacy Shield or otherwise not providing adequate protection.

Formspree self-certifies with Privacy Shield. A self-assessment is signed by a company officer or other authorized representative of the organization at least once a year and made available upon request by individuals or in the context of an investigation or a complaint about non-compliance. Formspree is required to respond promptly to EU or Swiss individual inquiries, and other requests for information from the Department of Commerce relating to its adherence to the Privacy Shield Principles.

Under Privacy Shield, an individual has the right, under certain conditions, to invoke binding arbitration for complaints regarding Privacy Shield compliance not resolved by any of the other Privacy Shield mechanisms. Under Privacy Shield, Formspree must respond to individual complaints within 45 days. For additional information, visit: <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

Withdrawing Consent

Where you have provided your consent, you have the right to withdraw your consent to our processing of your information and your use of the Services. For example, you can withdraw your consent to email marketing by using the unsubscribe link in such communications or by changing your account settings. You can choose to withdraw your consent to our processing of your information and your use of the Services at any time by closing your account through your account settings and then emailing legal@formspree.io to request that your personal information be deleted, except for information that we are required to retain. This deletion is permanent and your account cannot be reinstated.

Opt-Out & Unsubscribe

Formspree may send you messages about the Services or your activity. Some of these messages are required, service-related messages for members (such as transactional messages or legal notices). Other messages are not required, such as newsletters. We respect your privacy and give you an opportunity to opt-out of receiving marketing communications. Users may opt-out of receiving

marketing communications from Formspree by clicking the “unsubscribe” link embedded within the communication you receive.

Changes to this Statement

Formspree will occasionally update this Statement of Privacy to reflect company and customer feedback. Formspree encourages you to periodically review this Statement to be informed of how Formspree is protecting your information.

Contact Information

Formspree welcomes your questions or comments regarding this Statement of Privacy. For inquiries or concerns regarding Formspree’s privacy practices, please contact Formspree at team@formspree.io.

Effective Date: 10/31/18