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1. Introduction

Welcome to ShopKeep. We take privacy and data security very seriously, especially when it comes to data you provide to us.

This Privacy Policy explains how we collect and use the information you provide to us, along with that which we collect automatically when you use the ShopKeep Services. By choosing to use the ShopKeep Services, or by providing Personal Information to us, you consent to all of the terms of this Privacy Policy. “Personal Information” means any information that identifies or relates to a particular individual and also includes information referred to as “personally identifiable information” or “personal data” under applicable data privacy laws, rules, or regulations. If you do not agree with any terms of this Privacy Policy, please do not use the ShopKeep Services or submit any Personal Information to ShopKeep. Any terms we use in this Policy without defining them have the definitions given to them in the Merchant User License Agreement.

You may print a copy of this Privacy Policy by clicking [here](#). If you have a disability, you may access this Privacy Policy in an alternative format by contacting privacy@shopkeep.com.

We welcome feedback about this policy or any of our practices. You can reach us via email at privacy@shopkeep.com, or at the appropriate physical addresses which we have listed below.

2. Who We Are, And How To Contact Us

We are ShopKeep Inc. If you have any questions or comments about this Privacy Policy, the ways in which we collect and use your Personal Information, or your choices and rights regarding such collection and use, please do not hesitate to contact us at:

- 800-820-2029
- www.shopkeep.com
- privacy@shopkeep.com
- ShopKeep Inc.

Attn: Security Operations Manager
460 Park Avenue South, 7th Floor
New York, NY 10016
USA

Or, if you are based within the European Union/European Economic Area, you can contact us at:

- privacy@shopkeep.com
- Shopkeep.com Ltd.

5th floor, 40 Linen Hall Street
Belfast BT2 8BA
Northern Ireland

3. The Information ShopKeep Collects About You

ShopKeep provides a number of services (collectively the “ShopKeep Services”). When you use the ShopKeep Services, ShopKeep receives data from you in a variety of ways. The following subsections detail the categories of Personal Information that we collect and have collected over the past twelve (12) months and the sources of that Personal Information. For each category of Personal Information, the following sections also set out our commercial or business purposes for collecting that Personal Information and the categories of third parties with whom we share that Personal Information.

Categories of Personal Information We Collect

Category of Personal Information	Personal Information Collected	Source	Third Parties With Whom We Share Data for Business Purposes
Contact Data	<ul style="list-style-type: none">• First and last name• Postal Address• Phone numbers• Email address	<ul style="list-style-type: none">• You• Other users	<ul style="list-style-type: none">• Service Providers• Parties you Authorize, Access or Authenticate
Location Data	<ul style="list-style-type: none">• Time zone• IP address	<ul style="list-style-type: none">• You	
Payment Information	<ul style="list-style-type: none">• Billing contact• Billing email• Bank account number• Credit card number		

Transactional Data	<ul style="list-style-type: none"> • Purchase and subscription history • Payments made or attempted 	<ul style="list-style-type: none"> • You 	<ul style="list-style-type: none"> • Service Providers
Device/IP Information	<ul style="list-style-type: none"> • IP Address • Operating system type and version • Browser type, configuration, plug-ins and performance • Device screen size 	<ul style="list-style-type: none"> • You 	<ul style="list-style-type: none"> • Service Providers
Web Analytics	<ul style="list-style-type: none"> • Referring webpage/source through which you access the ShopKeep Services • Page view history • Page clicks • Usage information 		
Geolocation Data	<ul style="list-style-type: none"> • Location 		

Categories of Sources of Personal Information

Categories of Sources of Personal Information	
You	
When You Provide Information Directly To Us	<ul style="list-style-type: none"> • When you create an account or place an eCommerce order with us (for paying customers we also collect billing details). • If you apply for a ShopKeep Payments account or the ShopKeep Capital program, you may also supply us with your bank account details. • When you send us an email or otherwise contact us.
When Personal Information is Automatically Collected When You Use the ShopKeep Services	<ul style="list-style-type: none"> • Through HTML 5 Local Storage and Cookies (defined below). • If you download and install certain applications and software we make available, we may receive and collect information transmitted from your computing device for the purpose of providing you the relevant ShopKeep Services, such as information regarding when you are logged on and available to receive updates or alert notices. • If you download our application or use a location-enabled browser, we may receive information about your location and device, as applicable.

Third Parties	
Service Providers	<ul style="list-style-type: none"> • We may use analytics service providers to analyze how you interact and engage with the ShopKeep Services, or third parties may help us provide you with customer support. For example, we use third-party analytics tools such as Google Analytics and New Relic on our website. These may employ cookies to collect certain information concerning your use of the ShopKeep Services. You can learn about Google's practices by going to google.com/policies/privacy/partners, and opt out of them by visiting the Google advertising opt-out page at www.google.com/privacy_ads.html or downloading the Google Analytics opt-out browser add-on, available at tools.google.com/dlpage/gaoptout.
Other Users	<ul style="list-style-type: none"> • Other users may refer colleagues or friends to the ShopKeep Services by providing their email addresses. You must have the permission of your colleagues or friends to provide us with their Personal Information.

More Information Regarding Automatic Collection of Personal Information and Cookies

The ShopKeep Services use cookies and similar technologies such as pixel tags, web beacons, clear GIFs, and JavaScript (collectively, “Cookies”) to enable our servers to recognize your web browser and tell us how and when you visit and use the ShopKeep Services, to analyze trends, learn about our user base and operate and improve the ShopKeep Services. Cookies are small pieces of data – usually text files – placed on your computer, tablet, phone, or similar device when you use that device to visit the ShopKeep Services. We may also supplement the information we collect from you with information received from third parties, including third parties that have placed their own Cookies on your device(s). Please note that because of our use of Cookies, the ShopKeep Services do not support “Do Not Track” requests sent from a browser at this time.

We use the following types of Cookies:

- Essential Cookies. Essential Cookies are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of the ShopKeep Services. Disabling these Cookies may make certain features and services unavailable.
- Functional Cookies. Functional Cookies are used to record your choices and settings regarding the ShopKeep Services, maintain your preferences over time and recognize you when you return to the ShopKeep Services. These Cookies help us to personalize our content for you, greet you by name, and remember your preferences (for example, your choice of language or region).
- Performance/Analytical Cookies. Performance/Analytical Cookies allow us to understand how visitors use the ShopKeep Services such as by collecting information about the number of visitors to the ShopKeep Services, what pages visitors view on the ShopKeep Services and how long visitors are viewing pages on the ShopKeep Services. Performance/Analytical Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the ShopKeep Services’ content for those who engage with our advertising.
- Retargeting/Advertising Cookies. Retargeting/Advertising Cookies collect data about your online activity and identify your interests so that we can better understand customer behavior.

You can decide whether or not to accept Cookies through your internet browser’s settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your computer. If you do this, however, you may have to manually adjust some preferences every time you visit a site and some of the ShopKeep Services and functionalities may not work.

To explore what Cookie setting are available to you, look in the “preferences” or “options” section of your browser’s menu. To find out more information about Cookies, including information about how to manage and delete Cookies, please visit <https://ico.org.uk/for-the-public/online/cookies/> or <http://www.allaboutcookies.org/>.

4. How We Use Your Information

As indicated in the “Categories of Personal Information We Collect” subsection above, we use the information that we collect from you to fulfill our contract with you and provide you with the ShopKeep Services. For example, if you place an eCommerce order with us, we use your information to process and deliver that order.

We may use your information as detailed below:

Commercial or Business Purposes for Collecting Data	
Providing, Customizing, and Improving the ShopKeep Services	<ul style="list-style-type: none">• Creating and managing your account• Providing you with the products, services and information you request• Meeting or fulfilling the reason you provided the information to us• Processing orders or other transactions• Providing support and assistance for the ShopKeep Services• Improving the ShopKeep Services and website, including testing, research, surveys, analysis and product development• Personalizing website content and communications based on your preferences• Fraud protection, security and debugging and maintaining the safety, security and integrity of the ShopKeep Services• To carry out other purposes that are disclosed to you and to which you consent
Marketing the ShopKeep Services	<ul style="list-style-type: none">• Marketing and selling the ShopKeep Services• Conducting promotional activities• Showing you targeted offers and ads served through the ShopKeep Services
Corresponding With You	<ul style="list-style-type: none">• Communicating with you about the ShopKeep Services, including service announcements, updates or offers that you have agreed to receive• Responding to correspondence that we receive from you, contacting you when necessary or requested
Legal Requirements	<ul style="list-style-type: none">• Fulfilling our legal obligations under applicable law, regulation, court order or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities• Enforcing any agreements with you• Resolving disputes

How We Use Information that is not Personal Information

We may use information that is not Personal Information (including Personal Information that has been de-identified and/or aggregated) to better understand who uses ShopKeep Services and how we can deliver a better experience (for example, we may disclose aggregated user statistics in order to describe the ShopKeep Services to current and prospective business partners), or otherwise at our discretion.

5. Data Sharing, And Other Recipients Of Your Information

Disclosures of Personal Information for a Business Purpose

ShopKeep may pass Personal Information to other parties when fulfilling our contractual obligation to provide you with our Services. For example, you can optionally enable features that will require ShopKeep to send data to a third party to fulfill these Services. Examples of these features are MailChimp and Quickbooks. When you choose to enable a feature, and where required to by the third party, we share whatever information is

necessary for the feature to function. You may opt out of this sharing by turning off these optional features.

We may use certain information about you without identifying you as an individual to third parties. We do this for purposes such as analyzing how the ShopKeep Services are used, marketed and improved, diagnosing service or technical problems, maintaining security, and personalizing content.

We may transfer Personal Data to third parties for the following business purposes:

Categories of Third Parties With Whom We Share Personal Information	Business Purpose for Sharing Data
Service Providers	
Payment Processors	<ul style="list-style-type: none"> • Our payment processing partner (currently Zuora) collects your voluntarily provided payment card information necessary to process your payment • Please see Zuora’s terms of service and privacy policy for information on its use and storage of personal data
Security and Fraud Prevention Consultants	<ul style="list-style-type: none"> • Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity
Hosting, Technology and Communications Providers; Fulfillment Providers; Data Storage Providers; Analytics Providers; Insurance Verification Providers; Staff Augmentation Personnel;	<ul style="list-style-type: none"> • To perform operational services (such as hosting, billing, fulfillment, data storage, security, insurance verification, web service analytics) and/or make certain services, features or functionality available to our users • Debugging to identify and repair errors that impair existing intended functionality. • Short-term, transient use of Personal Information that is not used by another party to build a consumer profile or otherwise alter your consumer experience outside the current interaction • Performing services on our behalf, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing advertising or marketing services, providing analytic services, or providing similar services on behalf of the business or service provider • Undertaking internal research for technological development and demonstration • Undertaking activities to verify or maintain the quality or safety of our services • Auditing related to a current interaction and concurrent transactions, including, but not limited to, auditing compliance with this specification and other standards
Parties You Authorize, Access or Authenticate	
Third-Party Business Partners You Access Through the ShopKeep Services	<ul style="list-style-type: none"> • To meet or fulfill the reason you provided the information to us
Third-Party Business Partners You have Authorized to Monitor Your Business Services	<ul style="list-style-type: none"> • In the event that you have entered into an agreement with a third party that permits such third party to monitor your use of our Services, and for ShopKeep to provide transaction reports and other information to such third party, in non-anonymized non-aggregated form, ShopKeep shall be permitted to allow such information to be so monitored, and to provide such information to such third party, in non-anonymized non-aggregated form

Additional Disclosures of Personal Information

We reserve the right to transfer any personal information we have in the event that we merge with or are acquired by a third party or should any such transaction be proposed.

We may also use, or disclose your personal information to third parties, if we have reason to believe that using or disclosing such information is necessary to: (i) conduct investigations of possible breaches of law; (ii) identify, contact, or bring legal action against someone who may be violating an agreement they have with us; (iii) investigate security breaches or cooperate with government authorities pursuant to a legal matter; or (iv) to protect our rights, safety or property. It is important to keep in mind that we are obliged to comply with applicable laws and legal process, including those to meet national security or law enforcement requirements.

6. How Long We Hold On To Your Data For

ShopKeep needs your Personal Information in order to provide you with the ShopKeep Services, to maintain our business relationship with you, and in certain cases to be in compliance with applicable laws and legal process. When it is no longer needed for these purposes, we may delete your information after five (5) years, or as soon as possible after you ask us to do so unless we are required to retain this information by applicable laws or other legal requirements, including protecting our interests in the event of potential litigation.

Please note that Personal Information may persist in copies made for backup and disaster continuity purposes for an additional amount of time. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

7. Privacy Shield

ShopKeep complies with the EU-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use, and retention of Personal Information from European Union member countries transferred to the United States pursuant to Privacy Shield. ShopKeep has certified that it adheres to the Privacy Shield Principles with respect to such data. If there is any conflict between the policies in this Privacy Policy and data subject rights under the Privacy Shield Principles, the Privacy Shield Principles shall govern.

The Federal Trade Commission (FTC) has jurisdiction over ShopKeep's compliance with the Privacy Shield.

To learn more about the Privacy Shield program, and to view our certification page, please visit <https://www.privacyshield.gov/>.

8. Onward Transfer of your Personal Information

ShopKeep complies with the Privacy Shield's Principle regarding accountability for onward transfers. ShopKeep remains liable under the Principles if its onward transfer recipients process Personal Information in a manner inconsistent with the Principles unless ShopKeep proves that it was not responsible for the event giving rise to the damage.

In compliance with the Privacy Shield Principles, ShopKeep commits to resolve complaints about your privacy and our collection or use of your Personal Information transferred to the United States pursuant to Privacy Shield. European Union individuals with Privacy Shield inquiries or complaints should first contact ShopKeep at: privacy@shopkeep.com.

9. How we Protect your Personal Information

We protect Personal Information by maintaining physical, organizational and technological safeguards intended to help protect against unauthorized use, disclosure or access. For example, the ShopKeep Services use industry standard Secure Sockets Layer (SSL) technology to allow for the encryption of Personal Information you provide to us. Personal Information may be accessed by persons within our organization, or our third party service providers, who require such access to carry out the purposes indicated in this Privacy Policy, or such other purposes as may be permitted or required by the applicable law.

Although we have taken measures to help protect our website, computer systems and any Personal Information that we have collected from unauthorized use, access, disclosure, misuse, alteration or destruction, no security measures can provide absolute protection. We cannot ensure or warrant the security of any information you provide to us. You should also help protect your data by appropriately selecting and protecting your password and/or other sign-on mechanism; limiting access to your computer or device and browser; and signing off after you have finished accessing your account.

10. International Transfers of Information

Some or all of the Personal Information we collect may be stored or processed on servers located outside your jurisdiction of residence, including in the United States, whose data protection laws may differ from the jurisdiction in which you live. As a result, this information may be subject to access requests from governments, courts, or law enforcement in those jurisdictions according to laws in those jurisdictions.

11. Children

We do not knowingly collect Personal Information from children under 16. If we learn we have collected Personal Information from a child under 16, we will delete that information as quickly as possible. If a child under 16 has provided us with Personal Information, his or her parent or guardian may contact us at privacy@shopkeep.com for the purpose of deleting this information.

12. Your Rights, Accessing and Correcting your Information

You can access, review, export, and correct most of your Personal Information by signing in to your BackOffice account. Please update your Personal Information there if it changes or is inaccurate. If you encounter any issues managing your Personal Information, our Care Team will assist you. If you would like to access or request correction of any personal

information we hold about you that cannot be accessed through your BackOffice account, or you do not have such an account, you may access your Personal Information by contacting us at the address above. We will use reasonable efforts to comply with your request; however, in some cases we may not be able to allow you to access certain Personal Information in certain circumstances, for example if it contains Personal Information of other persons, or for legal reasons. We may require you to verify your identity before allowing you to access your Personal Information. If you are a California resident, you have additional rights to your Personal Information as set forth in the “California Resident Rights” section of this Privacy Policy.

For residents of the European Economic Area (EEA), you have certain rights to restrict our use of other Information that constitutes your Personal Information and/or lodge a complaint with your local data protection authority or the United Kingdom’s Information Commissioner’s Office, which is our lead supervisory authority in the EEA. If you are a resident of the EEA and believe we maintain your personally identifiable information within the scope of the General Data Protection Regulation (GDPR), you may direct questions or complaints to our lead supervisory authority.

Their contact details are:

Information Commissioner’s Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: +44-303-123-1113

13. California Resident Rights

If you are a California resident, you have the rights set forth in this section. Please see the “Exercising Your Rights” subsection below for instructions regarding how to exercise these rights. Please note that we may process Personal Information of our customers’ end users or employees in connection with our provision of certain services to our customers. If we are processing your Personal Information as a service provider, you should contact the entity that collected your Personal Information in the first instance to address your rights with respect to such data.

If there are any conflicts between this section and any other provision of this Privacy Policy and you are a California resident, the portion that is more protective of Personal Information shall control to the extent of such conflict. If you have any questions about this section or whether any of the following rights apply to you, please contact us at privacy@shopkeep.com.

Access

You have the right to request certain information about our collection and use of your Personal Information over the past 12 months. In response, we will provide you with the following information:

- The categories of Personal Information that we have collected about you

- The categories of sources from which that Personal Information was collected
- The business or commercial purpose for collecting or selling your Personal Information
- The categories of third parties with whom we have shared your Personal Information
- The specific pieces of Personal Information that we have collected about you

If we have disclosed your Personal Information to any third parties for a business purpose over the past twelve (12) months, we will identify the categories of Personal Information shared with each category of third party recipient.

Deletion

You have the right to request that we delete the Personal Information that we have collected about you. Under the CCPA, this right is subject to certain exceptions: for example, we may need to retain your Personal Information to provide you with the ShopKeep Services or complete a transaction or other action you have requested. If your deletion request is subject to one of these exceptions, we may deny your deletion request.

Sales of Personal Information

We do not sell your Personal Information, and have not done so over the last twelve (12) months.

Exercising Your Rights

To exercise the rights described above, you must send us a request that (1) provides sufficient information to allow us to verify that you are the person about whom we have collected Personal Information, and (2) describes your request in sufficient detail to allow us to understand, evaluate, and respond to it. Each request that meets both of these criteria will be considered a “Valid Request.” We may not respond to requests that do not meet these criteria. We will only use Personal Information provided in a Valid Request to verify your identity and complete your request. You do not need an account to submit a Valid Request.

We will work to respond to your Valid Request within 45 days of receipt. We will not charge you a fee for making a Valid Request unless your Valid Request(s) is excessive, repetitive, or manifestly unfounded. If we determine that your Valid Request warrants a fee, we will notify you of the fee and explain that decision before completing your request.

You may submit a Valid Request using the following methods:

- Call us at: 800-820-2029
- Email us at: privacy@shopkeep.com

We Will Not Discriminate Against You for Exercising Your Rights Under the CCPA

We will not discriminate against you for exercising your rights under the CCPA. We will not deny you our goods or services, charge you different prices or rates, or provide you a lower quality of goods and services if you exercise your rights under the CCPA. However, we may offer different tiers of the ShopKeep Services as allowed by applicable data privacy laws (including the CCPA) with varying prices, rates, or levels of quality of the goods or services you receive related to the value of Personal Information that we receive from you.

14. Other Local Law Privacy Rights and Requirements

California Resident Rights

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Information to third parties for such third parties' direct marketing purposes; in order to submit such a request, please contact us at privacy@shopkeep.com.

Nevada Resident Rights

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Information to third parties who intend to license or sell that Personal Information. You can exercise this right by contacting us at privacy@shopkeep.com with the subject line "Nevada Do Not Sell Request" and providing us with your name and the email address associated with your account. Please note that we do not currently sell your Personal Information as sales are defined in Nevada Revised Statutes Chapter 603A.

Canadian Residents

For Canadian residents, you may only provide the email addresses of friends or colleagues with whom you have had direct voluntary two way communications, and with whom it is reasonable to conclude you have a personal relationship considering shared interests, experiences, opinions and other relevant factors, or of family members to whom you are related by marriage, a common-law partnership, or parent-child relationship, and with whom you have had direct voluntary two way communications.

15. Third Party Websites

Our website may contain links to other third party websites. These other websites may have their own privacy policies and terms and conditions that are not governed by this Privacy Policy. We are not responsible for the privacy practices or the content of any website(s) owned and operated by any such third parties. Other websites may collect and treat information collected differently, so we encourage you to carefully read and review the privacy policy for each website you visit. Any links from this website to other websites, or references to third party products, services or publications, do not imply the endorsement or approval of such websites, products, services or publications by us.

16. Changes And Updates To This Privacy Policy

If our information practices change in any significant way, we will post the policy changes here. Changes to the Privacy Policy will become effective when they are posted on this page and you are responsible for reading and understanding them. If you use the ShopKeep Services after any changes to the Privacy Policy have been posted, that means you agree to all of the changes. Use of information we collect is subject to the Privacy Policy in effect at the time such information is collected.