

SwervePay Privacy Policy

Last Modified: June 20, 2017

SwervePay, LLC and its subsidiaries (collectively, “SwervePay” or “we”) respect your privacy and are committed to protecting your Personal Information. We want you to understand how we may collect, store, use and protect any Personal Information. We will not share your information with anyone except as described in this Privacy Policy. Throughout this Privacy Policy, we will refer to our website, software, and other payment processing services, including our automated voice and SMS text messaging services, collectively as the “Services.” Please note this Privacy Policy does not apply to information we collect by other means than your use of the Service (including offline) or from other sources.

Please read this Privacy Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Services. By accessing or using the Services, you agree to this Privacy Policy. This policy may change from time to time. Your continued use of this Services after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

Information We Collect Directly from You

We generally collect the following information directly from users of our Services:

When you register for or use a SwervePay account: we collect personal information such as your email address and the last 4 digits of your social security number if an individual or your employer ID number if an entity.

When you access your SwervePay account to make a payment: we collect billing and related information such as your telephone number, email address, and credit card information.

When we verify your identity and underwrite your application for an account: we will request additional personal information to confirm your identity. We may ask you for your driver’s license number, social security number, birth date or other Personal Information. At times we will obtain information about you from third party verification services and credit bureaus.

Additional information from or about you may also be collected from you by filling out forms through our Services, including responses to customer surveys, or through your communications with our customer service team.

We Use Technology to Help Us Automatically Collect Information from You

When you use our Services, we may automatically record your account transactions, transaction location, and computer or access device.

We do not track users over time and across third party websites to provide targeted advertising and therefore does not respond to Do Not Track (DNT) signals.

Cookies

It is important for us to track how our website is used, and we (or our service providers) may place “cookies” on your computer or device. Cookies are small data files that identify you when you use our Services. You have the option to decline our cookies by using your browsers settings tools, but this may interfere with your use of our Services.

Log File Information

Log file information is automatically reported by your browser each time you access a web page. When you register with or view our Services, our servers automatically record certain information that your web browser sends whenever you visit any website. These server logs may include information such as your web request, Internet Protocol (“IP”) address, browser type, referring / exit pages and URLs, number of clicks, domain names, landing pages, pages viewed and other information.

The information we collect automatically is statistical data, and does not identify any individual or entity. It helps us to improve our Services and to deliver a better and more personalized service by enabling us to estimate our audience size and usage patterns.

Protecting Personal Information

Any information that can be used to identify a person is “Personal Information.” This does not include information that has been aggregated or made anonymous. We have implemented measures designed to secure your personal information from accidental loss

and from unauthorized access, use, alteration, and disclosure.

The safety and security of your information also depends on you. Where you have chosen a password for access to certain parts of our Services, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to our Services. Any transmission of Personal Information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures

contained on the Website.

Using Personal Information

We use your Personal Information to provide you the features and functionality of the Service to ensure that you have a safe, high-performance experience when using the Service. The Personal Information that you provide allows us to verify your identity, process transactions and send notices about your transactions, resolve disputes, otherwise communicate with you regarding the Services, and to enforce our agreements with you. The Personal Information allows us to secure the best possible experience for all SwervePay users by ensuring compliance with federal, state and local laws and our own policies. We may also use this information to measure how our users use the Services, and improve and enhance our offerings to you.

We may also use your information to contact you about our own goods and services that may be of interest to you. If we do use your information to contact you about our own goods and services, you may unsubscribe from our contact within the email correspondence or by sending us an e-mail stating your request to info@swervepay.com.

We use cookies and log file information to: (a) remember information so that you will not have to re-enter it during your visit or the next time you visit the site; (b) provide custom, personalized content and information; (c) monitor the effectiveness of our Service; (d) monitor aggregate metrics such as total number of visitors and traffic; (e) diagnose or fix technology problems reported by our users or engineers that are associated with certain IP addresses; and (f) help you efficiently access your information after you sign in.

Sharing Personal Information

SwervePay will not rent or sell your Personal Information to others except as set forth in this Privacy Policy. SwervePay may share your Personal Information with third parties for the purpose of providing the Services to you (such as those described below). If we do this, such third parties' use of your Personal Information will be bound by terms at least as restrictive as this Privacy Policy. We may store Personal Information in locations outside the direct control of SwervePay (for instance, on servers or databases co-located with hosting providers).

We may share your Personal Information with third parties, including but not limited to:

Service providers who provide us a range of essential operational services including fraud prevention, transaction processing, collections, direct marketing, and managed technology services. Our contracts dictate that these service providers only use your information in connection with the services they perform for us and not for their own benefit.

Verification services and credit bureaus to underwrite your application for SwervePay accounts or accounts serviced through our Services, and to comply with our legal credit reporting rights and obligations.

Financial institutions that allow us to offer your payment processing services, and partner with us to develop new offerings for you.

Clients of SwervePay for whom we accept payments from you on their behalf through the Services are referred to as "Clients". In doing so, we may share information about you to our Clients, such as your birthday or mobile phone number, that our Clients may use to contact you with regard to the business relationship between you and our Client.

Law enforcement authorities or government representatives who may require us to share information in order to comply with court order and other legal mandates, or when we believe that disclosure is necessary to report suspicious activities, prevent physical harm, financial loss or violations of our agreements and policies.

Other third parties, subject to your prior consent or direction.

As we develop our business, we may buy or sell assets or business offerings. User, transaction, email, and visitor information is generally one of the transferred business assets in these types of transactions. We may transfer your Personal Information to a buyer or other successor of all or any portion of our business in the event of a merger, divestiture, restructuring, reorganization, dissolution, or

other sale or transfer of some or all of SwervePay's assets (whether of SwervePay, LLC or any of its subsidiaries), whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by SwervePay about uses of our Services is among the assets transferred.

Except as otherwise described in this Privacy Policy, SwervePay will not disclose Personal Information to any third party unless required to do so by law or subpoena or if we believe that such action is necessary to: (a) conform to the law, comply with legal process served on us or our affiliates, or investigate, prevent, or take action regarding suspected or actual illegal activities; (b) to enforce our Terms of Service (as specified on our website or in any contract with you or any of our Clients involving you) and related agreements, take precautions against liability, to investigate and defend ourselves against any third-party claims or allegations, to assist government enforcement agencies, or to protect the security or integrity of our site; and (c) to exercise or protect the rights, property, or personal safety of SwervePay, our users or others.

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

Your Choices about Your Information

You may, of course, decline to submit personally identifiable information through the Services, in which case SwervePay may not be able to provide certain Services to you. You can review and correct the information about you that SwervePay keeps on file by contacting us as described below.

Children's Privacy

Protecting the privacy of young children is especially important. For that reason, SwervePay does not knowingly collect or solicit Personal Information from anyone under the age of 13 or knowingly allow such persons to register with our Services. Our Services are not intended for children under 13 years of age. If you are under 13, do not register for any of our Services or send any information about yourself to us, including your name, address, telephone number, or email address. No one under age 13 is allowed to provide any Personal Information to or on SwervePay. In the event that we learn that we have collected Personal Information from a child under age 13 without verification of parental consent, we will delete that information as quickly as possible upon learning that it involves persons under age 13. If you believe that we might have any information from or about a child under the age of 13, please contact us as described below.

Links to Other Websites

SwervePay is not responsible for the practices employed by websites linked to or from our Services, nor the information or content contained therein. Please remember that when you use a link to go from our Services to another website, our Privacy Policy is no longer in effect. Your browsing and interaction on any other website, including those that have a link on our Services, is subject to that website's own rules and policies. Please read over those rules and policies before proceeding.

Changes to Our Privacy Policy

If we change our privacy policies and procedures, we will post those changes on our website to keep you aware of what information we collect, how we use it and under what circumstances we may disclose it. Changes to this Privacy Policy are effective when they are posted on this page.

Contact Us with Any Questions

Please contact at 1-888-875-4782 or info@swervepay.com with any questions or concerns regarding our policy.

SwervePay

19692372.1