**[Note to Merchant: We are providing this example Privacy Policy template as general information for you to review as you complete your own privacy compliance process, but you should make sure that anything you include in your own privacy policy is both complete and accurate with respect to your own business practices and collection and use of personal data. You should review every section of this example template, remove anything that is not relevant (and won’t be relevant in the near future), and add anything that is missing. You should also work with independent legal counsel before using or implementing any privacy policy (including this example template) in any way.]**

**Privacy Policy**

Effective date: \_\_\_\_\_\_\_\_\_\_\_[Note to Merchant: The CCPA requires covered businesses to make disclosures in their public-facing privacy policies and to update those disclosures annually. You should work with your legal counsel on putting together a privacy policy that adequately covers your business as well as updating that policy on an annual basis.]

At [Merchant] (“**Merchant**”), we take your privacy seriously. Please read the following to learn how we treat your personal information. **By using or accessing Merchant’s products or services (collectively, the “Services”) in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy, and you hereby consent that we will collect, use, and share your information in the following ways.**

**What this Privacy Policy Covers**

This Privacy Policy covers how we treat Personal Data that we gather when you access or use our Services. “**Personal Data**” means any information that identifies or relates to a particular individual and also includes information referred to as “personally identifiable information” or “personal information” under applicable data privacy laws, rules, or regulations. This Privacy Policy does not cover the practices of companies we don’t own or control or people we don’t manage.

**Sources of Personal Data**

We collect Personal Data about you from:

* You:
	+ when you provide such information directly to us, and
	+ when Personal Data about you is automatically collected in connection with your use of our Services.
* Third parties, when they provide us with Personal Data about you (“**Third Parties**”). Third Parties that share your Personal Data with us include:
	+ Service providers. For example, we may use analytics service providers to analyze how you interact and engage with the Services, or third parties may help us provide you with customer support.

**Categories of Personal Data We Collect**[Note to Merchant: The CCPA requires that you include in the privacy policy the categories of personal data (listed in this example chart) that you (1) disclose for a business purpose and (2) sell, as the term is defined under the CCPA. This example policy contains these lists in the “**How We Share Your Personal Data”** section below. For categories of Personal Data that you do not collect, you can either leave the “We do not collect this category of Personal Data” language for that category or delete the entire applicable row.]

The following chart details the categories of Personal Data that we collect and have collected over the past twelve (12) months. Throughout this Privacy Policy, we will refer back to the categories of Personal Data listed in this chart (for example, “Category A. Personal identifiers”).

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Category of Personal Data** | **Personal Data Collected** | **What is the source of this Personal Data?** |
| **A.** | **Personal identifiers***Examples: Real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number or other similar identifiers.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **B.** | **Customer records identified by state law** (including the California Customer Records statute (Cal. Civ. Code § 1798.80(e)))*Name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number or any other financial information, medical information or health insurance information.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **C.** | **Protected classification characteristics under state or federal law***Examples: Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status or genetic information (including familial genetic information).* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **D.** | **Commercial information***Examples: Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **E.** | **Biometric information***Examples: Genetic, physiological, behavioral, and biological characteristics or identifying activity patterns, such as fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health or exercise data.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **F.** | **Internet or other similar network activity information***Examples: Browsing history, search history, or information on a consumer's interaction with a website, application or advertisement.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **G.** | **Geolocation data***Examples: Physical location or movements.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **H.** | **Sensory data***Examples: Audio, electronic, visual, thermal, olfactory or similar information.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **I.** | **Professional or employment-related information***Examples: Current or past job history or performance evaluations.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **J.** | **Non-public education information** (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))*Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information or student disciplinary records.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **K.** | **Inferences drawn from other personal information***Examples: Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities and aptitudes.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **L.** | **Age or date of birth** | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **M.** | **Special categories of data under the EU General Data Protection Regulation***Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership; genetic data or biometric data processed for the purpose of uniquely identifying a natural person; data concerning health; or data concerning a natural person’s sex life or sexual orientation.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |
| **N.** | **Personal Data about children under the age of 16***This includes any type of Personal Data that relates to someone under the age of 16.* | List specific data collected – OR –“We do not collect this category of Personal Data.” | You /Third Parties |

**How We Use Your Personal Data**

We process Personal Data to operate, improve, understand and personalize our Services. We use Personal Data for the following purposes:

* To meet or fulfill the reason you provided the information to us.
* To communicate with you about the Services, including Service announcements, updates or offers.
* To provide support and assistance for the Services.
* To create and manage your account with us, if applicable, or other user profiles.
* To personalize website content and communications based on your preferences.
* To process orders or other transactions.
* To respond to user inquiries and fulfill user requests.
* To improve and develop the Services, including testing, research, analysis and product development.
* To protect against or deter fraudulent, illegal or harmful actions and maintain the safety, security and integrity of our Services.
* To comply with our legal or contractual obligations and resolve disputes.
* To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
* For any other business purpose stated when collecting your Personal Data or as otherwise set forth in applicable data privacy laws, such as the California Consumer Privacy Act (the “**CCPA**”).

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated, or incompatible purposes without providing you notice.

As noted in the list above, we may communicate with you if you’ve provided us the means to do so. For example, if you’ve given us your email address, we may send you promotional email offers or email you about your use of the Services. Also, we may receive a confirmation when you open an email from us, which helps us improve our Services. If you do not want to receive communications from us, please indicate your preference by emailing us at [Merchant Support Email].

**How We Share Your Personal Data**

*Disclosures of Personal Data for a Business Purpose*

We disclose your Personal Data to service providers and other parties for the following business purposes:

* Auditing related to a current interaction and concurrent transactions, including, but not limited to, auditing compliance with this specification and other standards.
* Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity.
* Debugging to identify and repair errors that impair existing intended functionality.
* Short-term, transient use of Personal Data 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].[Note to Merchant: You should make sure this list is both complete and accurate. You should remove anything here that is not relevant (and won’t be relevant in the near future), and add anything that is missing.]
* Undertaking internal research for technological development and demonstration.
* Undertaking activities to verify or maintain the quality or safety of a service or device that we own, manufacture, was manufactured for us, or control.

We disclose your Personal Data to the following categories of service providers and other parties:[Note to Merchant: the following is an example list of categories of third parties with whom you may share Personal Data for a business purpose. You should confirm that this list is complete and accurate. For example, you may want to change how you categorize the service providers with whom you share data.]

* Service providers, including:
	+ Payment processors.
	+ Security and fraud prevention consultants.
	+ Hosting and other technology and communications providers.
	+ Analytics providers.
	+ Staff augmentation and contract personnel.
* Parties who acquire your Personal Data through an acquisition or other change of control.
	+ Personal Data may be transferred to a third party if we undergo a merger, acquisition, bankruptcy or other transaction in which that third party assumes control of our business (in whole or in part).
* Other parties at your direction.
	+ Third-party business partners who you access through the Services.
	+ Other parties authorized by you.

Over the past twelve months, we have disclosed the following categories of your Personal Data to service providers or other parties for the business purposes listed above:[Note to Merchant: The following is an example list of categories of Personal Data you may share with third parties. You should confirm this list is complete and accurate (and remove any that are not applicable). This should match the Personal Data you identify as data you collect under “**Categories of Personal Data We Collect**” above.]

* A. Personal identifiers.
* B. Customer records identified by state law.
* C. Protected classification characteristics under state or federal law.
* D. Commercial information.
* E. Biometric information.
* F. Internet or other similar network activity information.
* G. Geolocation data.
* H. Sensory data.
* I. Professional or employment-related information.
* J. Non-public education information.
* K. Inferences drawn from other personal information.
* L. Age or date of birth.
* M. Special categories of data under the EU General Data Protection Regulation.
* N. Personal Data about children under the age of 16.

*Sales of Personal Data*

In this section, we use the term ‘sell’ as it is defined in the CCPA. We sell your Personal Data, subject to your right to opt-out of these sales (see the “**Your Rights**” section below for information about how to opt-out).

We sell your Personal Data to the following categories of third parties:[Note to Merchant: the following is a list of categories of third parties to whom you could sell data. You will need to confirm this list is complete and accurate.]

* Advertisers

Over the past twelve months, we have sold the following categories of your Personal Data to third parties:[Note to Merchant: the following is a list of categories of Personal Data that you could potentially sell to third parties, as a sale is defined under the CCPA. You will need to confirm this list is complete and accurate and remove any that are inapplicable.]

* A. Personal identifiers.
* B. Customer records identified by state law.
* C. Protected classification characteristics under state or federal law.
* D. Commercial information.
* E. Biometric information.
* F. Internet or other similar network activity information.
* G. Geolocation data.
* H. Sensory data.
* I. Professional or employment-related information.
* J. Non-public education information.
* K. Inferences drawn from other personal information.
* L. Age or date of birth.
* M. Special categories of data under the EU General Data Protection Regulation.
* N. Personal Data about children under the age of 16.

**Data Security and Retention**

We seek to protect your Personal Data from unauthorized access, use and disclosure using appropriate physical, technical, organizational and administrative security measures based on the type of Personal Data and how we are processing that data. 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. Although we work to protect the security of your account and other data that we hold in our records, please be aware that no method of transmitting data over the Internet or storing data is completely secure. We cannot guarantee the complete security of any data you share with us, and except as expressly required by law, we are not responsible for the theft, destruction, loss or inadvertent disclosure of your information or content.

We retain Personal Data about you for as long as you have an open account with us or as otherwise necessary to provide you with our Services. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

**Personal Data of Children**[Note to Merchant: this example Privacy Policy only contemplates collection of Personal Data from individuals above the age of 16. If you are planning on collecting any Personal Data from anyone under the age of 16, then this example Privacy Policy may not work for you. You should work with independent legal counsel to determine whether this is applicable to your business.]

We do not knowingly collect or solicit Personal Data from children under 16; if you are a child under 16, please do not attempt to register for or otherwise use the Services or send us any Personal Data. If we learn we have collected Personal Data from a child under 16, we will delete that information as quickly as possible. If you believe that a child under 16 may have provided us Personal Data, please contact us at [Merchant Support Email].

**California Resident Rights**

If you are a California resident, you have the rights outlined in this section. Please see the “**Exercising Your Rights**” section below for instructions regarding how to exercise these rights. 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 Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at [Merchant Support Email].

*Access*

You have the right to request certain information about our collection and use of your Personal Data over the past 12 months. We will provide you with the following information:

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

If we have disclosed your Personal Data for a business purpose over the past 12 months, we will identify the categories of Personal Data shared with each category of third party recipient.

If we have sold your Personal Data over the past 12 months, we will identify the categories of Personal Data purchased by each category of third party recipient.

*Deletion*

You have the right to request that we delete the Personal Data that we have collected from you. Under the CCPA, this right is subject to certain exceptions: for example, we may need to retain your Personal Data to provide you with the 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.

*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 Data, 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 Data provided in a Valid Request to verify you 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: [Merchant Support Phone Number][Note to Merchant: if you are not online-only with direct customer relationships, you must provide a toll-free phone number here.]
* Emailing us at: [Merchant Support Email]
* Submitting a form at this address: <FORM URL>[Note to Merchant: if you wish to handle data requests through an online form instead of via email/phone, insert the link here. Otherwise, you can remove this bullet.]

*Personal Data Sales Opt-Out and Opt-In*

You have the right to opt-out of the sale of your Personal Data. To do so, click the following link:

* Do Not Sell My Personal Information<LINK>.[Note to Merchant: if you sell any Personal Data, you need to provide users with an online form where they can opt out of such sales. You can link to that form here.]

Once you have submitted an opt-out request, we will not ask you to reauthorize the sale of your Personal Data for at least 12 months. However, you may change your mind and opt back in to Personal Data sales at any time by clicking the following link:

* <Opt-In Link>.[Note to Merchant: you can add a link here that will allow users who have opted out of sales to opt back in.]

If you are between 13 and 16 years of age, you must authorize us to sell your Personal Data, which you may do by clicking the Opt-In link above. If you are under 13 years of age, your parent or guardian must authorize us to sell your Personal Data, which your parent or guardian may do by clicking the Opt-In link above.

*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 our 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 Data that we receive from you.

*Our Financial Incentive Program*[Note to Merchant: You will need to make sure this section is accurate and complete, including adding a description and link to an online form where users may register and consent.]

From time to time, we may offer financial incentives, including payments to you as compensation, for the collection of your personal information, the sale of your personal information, or the deletion of your personal information. These financial incentives include <DESCRIPTION OF FINANCIAL INCENTIVES>. To participate, complete the online form at <INSERT WEB SITE ADDRESS>. You may revoke your consent to participate in our financial incentive program at any time.

**Other State Law Privacy Rights**

*California Resident Rights*

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Data to third parties for such third parties’ direct marketing purposes; in order to submit such a request, please contact us at [Merchant Support Email].

Your browser may offer you a “Do Not Track” option, which allows you to signal to operators of websites and web applications and services that you do not wish such operators to track certain of your online activities over time and across different websites. Our Services do not support DO Not Track requests at this time. To find out more about “Do Not Track,” you can visit [www.allaboutdnt.com](http://www.allaboutdnt.com).

*Nevada Resident Rights*

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Data to third parties who intend to license or sell that Personal Data. You can exercise this right by contacting us at [Merchant Support Email] with the subject line “Nevada Do Not Sell Request” and providing us with your name and the email address associated with your account.

**Changes to this Privacy Policy**

We’re constantly trying to improve our Services, so we may need to change this Privacy Policy from time to time as well, but we will alert you to changes by placing a notice on the [Merchant Main Domain] website, by sending you an email, and/or by some other means. Please note that if you’ve opted not to receive legal notice emails from us (or you haven’t provided us with your email address), those legal notices will still govern your use of the Services, and you are still responsible for reading and understanding them. If you use the 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.

**Contact Information:**

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

* [Merchant Support Phone Number]
* [Merchant Main Domain]
* [Merchant Support Email]
* [Merchant Address]