

NOTARIZE PRIVACY POLICY

EFFECTIVE DATE: September 9, 2019

Notarize, Inc. ("**Notarize**," "**we**," "**us**" or "**our**") values your privacy. We maintain a website at <https://notarize.com> (the "**Platform**") and a mobile software application and related APIs (collectively, the "**Platform**"), through which users can obtain electronic notarization, e-signature, identity verification and other services (the "**Services**"). In this Privacy Policy ("**Policy**"), we describe how we collect, use, and disclose information that we obtain about visitors to the Platform or that is collected through the Platform. We also describe how we share your information with other entities, including with Affiliates who are required to comply with this Privacy Policy. Our Privacy Policy applies to any visitor to the Platform, including (i) casual visitors who do not sign up for an account ("**Visitors**"), and (ii) users who have registered through the Platform to receive the Services ("**Subscribers**") or who have been designated by **Subscribers** to sign documents or otherwise participate in Services on the Platform ("**Signatories**," "**Witnesses/Participants**" and "**Other Users**"). **Subscribers**, **Signatories**, **Witnesses/Participants** and **Other Users** are collectively referred to as "**Registered Users**." All of the foregoing, plus **Visitors**, are referred to as "**You**."

By visiting or registering on the Platform, or using any of our Services, you acknowledge that your personal information will be handled as described in this Policy. Your use of our Platform or Services, and any dispute over privacy, is subject to this Policy and our [Terms of Use](#). All defined terms used in this Privacy Policy and which are also used in our Terms of Use have the meanings set forth in the Definitions in our [Terms of Use](#).

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1. THE INFORMATION WE COLLECT ABOUT YOU

We collect information about you directly from you as well as automatically through your use of our Platform or Services.

Information We Collect Directly From You. Most content on the Platform is accessible without an account. However in order to use the Services on the Platform, you must create an account and become a Registered User. Different Services require that you provide somewhat different forms or types of information, but in general the minimum mandatory information that you (or, with respect to certain information, a Registered User creating a Transaction on your behalf) must provide is:

- (i) your name;
- (ii) your address;
- (iii) your e-mail address;
- (iv) your phone number;
- (v) your Social Security number (for Notarial Acts);
- (vi) a government-issued form of identification;
- (vii) depending upon the Transaction, a secondary form of identification document;
- (viii) documents relating to the Services requested; and
- (ix) other Transaction information required to provide and complete the Services.

All of this information is collectively referred to as "**User Data**." Where you do not provide this information, we are unable to provide the Services to you.

The registration process provides Registered Users with a user name and password to enable access to the Services on the password-protected portions of the Platform.

In order to provide certain of the Services, including Notarization and Identity Verification Services, we provide on the Platform a live video link between you and a Notary or Identity Verification Designated Agent, and any witnesses or other participants in the audio-video session (such as, for example, title agents or other permitted parties with a role in a real estate transaction), so that the Notary or Agent can interact with you and them and, as applicable, make determinations about your identity and witness the signing of relevant document(s) (the "**Session Video**"). This means that we will capture audio and video of Registered Users and others who make use of or participate in the Services and whatever

content is displayed during the Session Video. By requesting and participating in the Services, you confirm that all persons depicted in the Session Video are authorized and permitted to participate and have consented to do so.

Information We Collect Automatically. We automatically collect the following information about Visitors or Registered Users through cookies and other web tracking technologies: your IP address (the Internet address of your computer), your computer's name, the type and version of your web browser, referrer addresses and other generally-accepted log information. We may also record page views (hit counts) and other general statistical and tracking information, which will be aggregated with that of other users in order to understand how our Platform is being used, and for security and monitoring purposes. We may combine this information with other information that we have collected about you, including, where applicable, your name, location and other personal information such as your browsing patterns. Please see the section "Cookies and Other Tracking Mechanisms" below for more information.

Log Information. We additionally automatically collect information related to Registered Users' actions on the Platform which may be necessary to create Document, Transaction and account level audit trails. This information generally encompasses all Registered User session activity on the Platform, including but not limited to the following type of information: when and how a Registered User accessed the Platform, registered for an account, was authenticated, created and adopted an e-signature; and when and how a Document was uploaded to the Platform, any changes or modifications made to a Document by you or anyone else associated with the transaction, and movement of annotations.

Information we collect from Public Sources.

For Registered Users, as applicable in the specific context of use of the Platform and delivery of Services, in order to verify identification information as part of our legal and contractual obligations, we will collect and review personal information and identity credentials provided by you through use of identity database services and tools provided by third party service providers.

Information Collected by Third Parties.

Our Platform and Services contain a link to a third-party payment provider to enable you to make payment for any Services (in the event your payment obligations to us are not managed through invoicing and other methods of payment). This company acts as separate entity and Controller (as that term is defined by applicable law) in relation to any billing or credit card information, and its processing is not governed by this Policy. We do not hold your billing data, other than records of actual charges and related information, and we are not responsible for the information practices of such third party.

2. HOW WE USE YOUR INFORMATION

We use your personal information for the following purposes, subject to any limitations in applicable law or our contracts with Registered Users and third parties:

- A. To provide our Services to you, to communicate with you about your use of our Services, to respond to your inquiries, and for other customer service and opportunity purposes.
- B. To record information generated in the course of providing the Services including information provided by you as well as session and audit trail information and the Session Video.
- C. To maintain the availability and security of our Platform, to improve the delivery and performance of our Services, to tailor the content and information that we send or display to you, to offer personalized help and instructions to you, and to otherwise personalize your experiences while using the Platform or our Services.
- D. To help improve our Site and Services. In doing so we may aggregate the personal information we collect or remove identifying personal information ("de-identifying") to limit or prevent identification of any specific user or device. To provide the Services and to address issues and resolve problems, we may also use data that has not been aggregated or de-identified. As one example, we may review transactions, including recorded video of those transactions, to help us check for errors or to address an identified issue with a Transaction.
- E. For our own marketing and promotional purposes for our own products and Services. For example, we may use your email address to send you newsletters about events or special offers and promotions, or to otherwise contact you about our products or Services we offer which we think will interest you. You have the right to opt-out of these emails at any time.
- F. To better understand how users access and use our Platform and Services, in order to improve our Platform and Services and respond to user desires and preferences, and for other data analytical purposes. In particular, we allow you to voluntarily participate in surveys and questionnaires which we will use for the purposes of monitoring and improving the use and appeal of the Platform and the Services.
- G. To monitor responses on any blog, message board system, or review capability available on our Platform.

- H. To comply with legal obligations, including without limitation the requirements of notarial law including identity verification and recordkeeping, e-signature law, and other laws applicable to transactions on our Platform; to respond to legal or regulatory requests in accordance with law; to enforce our legal rights; as part of our general business operations; and for other business administration purposes.
- I. Where we believe necessary to investigate, prevent or take action regarding illegal activities or situations involving potential threats to the safety of any person or violations of our Terms of Use or this Policy.

3. HOW WE SHARE YOUR INFORMATION

We share your information as follows:

- **Designated Recipients And Transaction Participants With Required Permissions.** Documents, the Session Video and other information resulting from the Transaction and our Services will be shared with you and any party with the required authority and permissions to see such information after the Transaction is completed. This could include a recipient set up at the time a Subscriber created a Transaction, or the Registered User or other parties to the Transaction with necessary authority and permissions. For example, in a real estate transaction, this could include your lender or title agent.
- **To Those With A Legal Right To See Such Information.** We will share your information with regulatory agencies, enforcement authorities, parties with a legal subpoena, or members of the public or other parties with the legal right to compel us to provide such information for their review. (Note that notarial journals are available for public review under specified conditions and circumstances in certain states.) All such sharing by us will be in accordance with the requirements of applicable law.
- **Support Community Users.** If you upload feedback to any public blog, message board system, or review capability available on our Platform, your user name and any information that you post, including, without limitation, reviews, comments, and text will be available to, and searchable by, all users of the Platform. Messages you send in our Support channel, to us, will be viewable only by you and us.
- **Service Providers.** We disclose the information we collect from you to service providers, contractors or agents who perform services for us. For example, we engage third parties to provide database identity verification support services, and a third-party vendor to provide the live video link necessary to create the Session Video (the "Video Vendor"). Once we receive the Session Video, the Video Vendor is required to delete its copy of the Session Video.
- **Platform Vendors.** We may employ other companies to perform IT functions on our behalf, such as hosting or maintaining the Platform (collectively, "Platform Vendors").
- **Affiliates.** We may disclose the information we collect from you to our affiliates or subsidiaries, including Notarize, LLC. However, if we do so, their use and disclosure of your personal information will be subject to all existing obligations and limitations governing and affecting such data, including under applicable law, all applicable contracts, and as set forth in this Policy and in our Terms of Use.
- **Business Transfers.** If we are acquired by or merged with another company, if substantially all of our assets are transferred to another company, or if we are involved in any bankruptcy proceedings, we will transfer the information we have collected from you to the other company. If we do so, its use and disclosure of your personal information will be subject to all existing obligations and limitations governing and affecting such data, including under applicable law, all applicable contracts, and as set forth in this Policy.
- **In Response to Legal Process.** We might also disclose the information we collect from you in order to comply with the law, a judicial proceeding, court order, or other legal process, such as in response to a court order or a subpoena.
- **To Protect Us and Others.** We will disclose the information we collect from you where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Use or this Policy, or as evidence in litigation in which Company is involved.

4. OUR USE OF COOKIES

We use cookies and other tracking mechanisms to track information about your use of our Platform or Services.

Cookies. Cookies are alphanumeric identifiers that we transfer to your computer's hard drive through your web browser for record-keeping purposes. Some cookies allow us to make it easier for you to navigate our Platform and Services, while others are used to enable a faster log-in process or to allow us to track your activities at our Platform and Service. There are two types of cookies: session and persistent cookies.

- Session Cookies. Session cookies exist only during an online session. They disappear from your computer when you close your browser or turn off your computer. We use session cookies to allow our systems to uniquely identify you during a session or while you are logged into the Platform. This allows us to process your online transactions and requests and verify your identity, after you have logged in, as you move through our Platform.
- Persistent Cookies. Persistent cookies remain on your computer after you have closed your browser or turned off your computer. We use persistent cookies to track aggregate and statistical information about user activity.

We may use cookies to track your use of the Platform and to recognize you when you return to our Platform. In addition, we use "pixel tags", small graphic images (also known as "web beacons" or "single-pixel GIFS"), to tell us what parts of our Platform have been visited or to measure the effectiveness of searches customers perform on our Platform. Pixel tags also enable us to send email messages in a format customers can read, and they inform us whether emails have been opened, to help ensure that our messages are of interest to our customers.

Disabling Cookies. Most web browsers automatically accept cookies, but if you prefer, you can edit your browser options to block them in the future. The Help portion of the toolbar on most browsers will tell you how to prevent your computer from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Visitors to our Platform who disable cookies will be able to browse certain areas of the Platform, but some features may not function.

Do Not Track. Currently, our systems do not recognize browser "do-not-track" requests. You can, however, disable certain tracking as discussed in this section (e.g., by disabling cookies).

5. SECURITY OF YOUR PERSONAL INFORMATION

We have put in place security systems designed to prevent unauthorized access to or disclosure of the personal information you provide to us, and we take all reasonable steps to secure and safeguard this personal information. Our Platform's password-protected section requires users to give us unique identifiers such as their user name and password. Notarize employees are required to acknowledge that they understand and will abide by our policies with respect to confidential and private information. Additionally, we evaluate our third party service providers based upon the type of information they receive and process for our customers and then, based upon our security guidelines, require key vendors to confirm with us their confidentiality obligations and use of security processes. Moreover, permissioned access to our databases containing personal information is governed by our internal security policy.

Our security systems are structured to deter hackers and others from accessing information you provide to us. However, due to the nature of Internet communications and evolving technologies, we cannot provide assurance that the information you provide us will remain free from loss, misuse, or alteration by third parties who, despite our efforts, obtain unauthorized access. Accordingly, you should take steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen, or compromised passwords, or for any activity on your account via unauthorized password activity, or for any improper uses of your account or password which you permit others to make.

User Generated Content: If you post content to our Platform, all of the information that you post will be available to all visitors to our Platform. We cannot prevent such information from being used in a manner that violates this Policy, the law, or your personal privacy.

6. MODIFY MY PERSONAL INFORMATION

Registered Users are able to modify personal information submitted by logging into your account and updating your profile information. You can also email us at the email address below in order to change your personal information.

7. DIRECT MARKETING BY US.

Where you have agreed to receive newsletters or similar materials from us, we will send periodic promotional or informational emails to you. You can opt-out of such communications by following the opt-out instructions contained in the e-mail. If you opt-out of receiving emails about recommendations or other information we think may interest you, we will still send you service messages about your account or any Services you have requested or received from us or other notices as required by law.

8. CHILDREN UNDER 16

Our Services are not designed for children under 16 years of age (16). If we discover that a child under 16 has provided us with personal information, we will delete such information from our systems.

9. ADDITIONAL INFORMATION FOR EU INDIVIDUALS

Certain rights may be held by those who access the Platform or our Services and who are residents of the European Union ("EU"). The following information is provided for the benefit of such users and in the event it may affect their rights:

The Data Controller of the information collected through the Services is Notarize, Inc. which is headquartered in the United States at 745 Boylston Street, Unit 600, Boston, MA 02116. To exercise any rights that you have with regard to your personal information, you can contact us using the following details: support@notarize.com

The legal bases for using your personal information. We collect your information as a Data Controller when we have a legal basis to do so. The following legal bases pertain to our collection of data:

- Our use of your personal information is necessary to perform a **contract** or take steps to enter into a contract with you. This applies to our processing activities described in Section 2 above, including sections A and B.
- Our use of your personal information is in our **legitimate interest** as a commercial organization to make improvements to our Services, to expand our business and increase revenue and business opportunities, and to ensure that we maintain a reputable status. This applies to our processing activities described at Section 2 above, including sections C,D,E, F and G.
- Our use of your personal information is **necessary to comply with a relevant legal or regulatory obligation** that we have. This includes performing compliant Transactions and providing compliant Services; forming and maintaining required records; providing legally required access to information; providing required notices; maintaining secure systems; tracking and managing use of data; and disclosing information where required to a court, authority, agency or regulatory body or member of the public with a right of access. This applies to our processing activities described at Section 2, including sections A,B,C,D, F, G and H.
- Our use of your personal information is in accordance with your **consent**. This applies to our processing activities described at Section 2, including sections A,B and D.

If you would like to find out more about the legal bases on which we process personal information, please contact us.

Legal Rights Which May Apply to Users from the EU. Subject to certain exemptions; subject to applicable US federal and state law (including without limitation notarial law and e-signature law) and the obligations imposed upon us thereunder regarding use of data, recordkeeping, notifications and other compliance requirements; and dependent upon the processing activity we are undertaking; European Union individuals may have certain rights in relation to personal information. These may include:

Right to access, correct, and delete your personal information: If applicable, you have the right to request access to the personal information that we hold about you and: (a) the source of your personal information; (b) the purposes, legal basis and methods of processing; (c) the data controller's identity; and (d) the entities or categories of entities to whom your personal information is transferred. You also have the right to request that we correct any inaccuracies or (subject to other controlling law) delete your information. We are not required to comply with your request to erase personal information if the processing of your personal information is necessary for compliance with a legal obligation or for the establishment, exercise, or defense of legal claims.

Right to restrict the processing of your personal information: If applicable, you have the right to restrict the use of your personal information when (i) you contest the accuracy of the data; (ii) the use is unlawful but you do not want us to erase the data; (iii) we no longer need the personal information for the relevant purposes, but we require it for the establishment, exercise, or defense of legal claims; or (iv) you have objected to our personal information use which we have justified based on our legitimate interests verification as to whether we have a compelling interest to continue to use your data. In addition to other rights we have under law, we can continue to use your personal information following a request for restriction, where: (a) we have your consent; or (b) to establish, exercise or defend legal claims; or (c) to protect the rights of another natural or legal person.

Right to data portability: To the extent that we process your information (i) based on your consent or under a contract; and (ii) through automated means, you have the right to receive such personal information in a structured, commonly used, machine-readable format, or you can ask to have it transferred directly to another data controller.

Right to object to the processing of your personal information: If applicable, you can object to any processing of your personal information which has our *legitimate interests* as its legal basis, if you believe your fundamental rights and freedoms outweigh our legitimate interests. If you raise an objection, we have an opportunity to demonstrate that we have compelling legitimate interests which override your rights and freedoms

Right to lodge a complaint with your local supervisory authority: You have a right to lodge a complaint with your **local supervisory authority** if you have concerns about how we are processing your personal information. We ask that you please attempt to resolve any issues with us first, although you have a right to contact your supervisory authority at any time.

How to Exercise Your Rights: If the above rights apply to you and you would like to exercise them, please send us a request to support@notarize.com. In your message, please indicate the right you would like to exercise and the information to which it relates. We will ask you for additional information to confirm your identity and for security purposes before disclosing to you any requested personal information. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive. We will not always be able to fully address your request, for example if it would affect the duty of confidentiality we owe to others, or if we are legally entitled to deal with the request in a different way.

Cross-border Transfer of Information. We maintain servers and systems in the United States hosted by third party service providers. As a result, where the personal information that we collect through or in connection with the Services is processed in the United States, we will take steps to ensure that the information receives the same level of protection as if it remained within the European Union/EEA. You have a right to receive details of any safeguards that we have where your data is transferred outside the European Union (e.g. to request a copy where the safeguard is documented, which may be redacted to ensure confidentiality).

Retention. We will keep your information in a secure manner, as set forth above. We will retain your data for the period necessary to fulfill the different purposes outlined in section 2, including without exception to meet legal, regulatory and contractual requirements. We will endeavor to maintain an accurate record of your dealings with us in the event of any complaints or challenges, and if we reasonably believe there is a possibility of legal action relating to your data or dealings.

10. CALIFORNIA PRIVACY RIGHTS

California residents have the right to request and obtain from us once a year, free of charge, information about the personal information (if any) we disclose to third parties for their own direct marketing purposes in the preceding calendar year. If applicable, this information would include a list of the categories of personal information that was shared and the names and addresses of all third parties with which we shared information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to support@notarize.com.

11. CONTACT US

If you have questions about the privacy aspects of our Services or would like to make a complaint, please contact us at support@notarize.com.

12. CHANGES TO THIS POLICY

This Policy is current as of the Effective Date set forth above. We may change this Policy from time to time, so please be sure to check back periodically. We will post any changes to this Policy on our Platform at <https://notarize.com/privacy/>. If we make any changes to this Policy that materially affect our data privacy practices with regard to the personal information we have collected from you, we will provide you with notice in advance of such change.