

Payway, Inc.
Privacy Policy

Effective Date: July 29, 2019

Protecting the privacy of your personal information is important to us. This Privacy Policy describes and governs the collection, storage, processing and use of your personal information by Payway, Inc. (“**Payway**”, “**we**”, “**us**”, “**our**”). It is designed to inform you about our handling of personal information collected on this website (www.paywaycomplete.com) (the “**Site**”), from merchants and other entities that use our payment gateway and merchant services solutions (collectively the “**Services**”), and from applications or forms you may submit to us for use of our Services.

I. What is Personal Information

“**Personal Information**” or “**PI**” generally refers to information that can be used to identify you. Information we may collect about you includes, without limitation: name, business name, mailing address, email address, phone number, date of birth, government issued identification numbers (such as from your driver’s license, passport, or other government ID card), social security number or other taxpayer identification number, transaction information, payment information such as credit or debit card number, financial information (such as bank account information or credit reports), IP address or other device information, and similar information. With respect to California residents, PI is more broadly interpreted to include any data that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household.

II. The Personal Information We Collect

The type of PI we collect varies depending on the type of interaction you have with Payway. If you are using our Site and you request information or download an e-book, we may collect your name (or business name where applicable), email address, phone number, mailing address and IP address or other device information, and similar information. If we are receiving your PI as a result of a transaction you have conducted with a merchant using the Services, then Payway may receive your name, identity information, transaction information, payment information, IP address or other device information, and similar information. If you are a merchant, when you apply for Services, go through our identity or account verification process, log into your account, communicate with us, upload content, respond to surveys or otherwise use the Services, we collect PI such as your name, business name, email address, mailing address, phone number, date of birth, identification numbers and/or information, financial information, transaction information, IP address or other device information, and similar information.

III. When Personal Information is Collected and Retained

In some cases you may provide us with PI directly, such as by entering PI into an online or offline form or application or communicating with us, including with our customer service personnel, via phone, fax, website, social media account or email. In other cases it may be provided to Payway indirectly, such as the IP address of the computer or device you use to connect with us online or by a merchant from whom



you are purchasing a good or service. Where you are seeking to contract with Payway or have already contracted with Payway for Services, we may collect information from you when you apply for Services or communicate with our personnel, or from third parties and publicly available sources in connection with any credit investigation or identity or account verification process, collection procedure, fraud detection process or as may be required by law.

Payway will store your PI only for as long as is reasonably necessary to provide the Services or comply with applicable law, taking into consideration our relationship with you, our customers' (meaning the merchants') relationship with you, our service providers' relationship with you, the purposes stated in this Privacy Policy, our need to resolve disputes or claims or assist with investigations, and our need to respond to requests for such information from government regulatory authorities and other organizations, or otherwise comply with legal and regulatory requirements under applicable law.

IV. How We Use Your Personal Information

Payway may use PI to:

- provide you with the information you have requested or otherwise communicate with you;
- determine your eligibility to use our Services and/or continue using our Services;
- determine the terms under which we are willing to contract with you and/or perform services for you;
- maintain any account you have with us;
- facilitate, complete, reject or investigate merchant-initiated or authorized transactions;
- operate and manage our business and provide the Services;
- perform analytics and other value-added services,
- improve and facilitate provision of our Services;
- comply with applicable federal, state and local laws, including credit reporting laws and card association rules;
- identify, investigate, prevent and report fraud, security breaches, and other potentially prohibited or illegal activity;
- protect Payway, the Services and the rights of other Services users;
- to enforce the terms of any contract you may have with Payway;
- protect our legal rights or defend against legal claims, including to collect a debt;
- fulfill any legal, regulatory and/or due diligence requirements applicable to Payway;
- develop new products and services;
- provide you with customer service;
- send you other information about Payway and its services that we believe you would find interesting; or
- as otherwise permitted, authorized, or required by state or federal law.

V. When We Share Personal Information

We may share your PI in accordance with this Privacy Policy, for the purposes described in Section IV. In addition:



- Payway may share PI with non-affiliated third parties that have been hired to provide services to us or on our behalf. Examples include, but are not limited to, security providers, analytics or research companies, identity verification or fraud prevention companies, payment card associations, payment networks, payment processors, lawyers, auditors, and accountants;
- PI may be shared for other business purposes such as to facilitate a merchant's use of our Services in connection with a transaction between you and such merchant;
- We may disclose PI to fulfill legal or regulatory obligations or if we determine such disclosure is legally advisable or necessary to protect our rights, the rights of others, or to prevent harm. This would include, without limitation, disclosure to the police, tax authorities or other law enforcement agents;
- Payway may aggregate and anonymize data about users of our Site or our Services for statistical or analytical purposes. This will help us to better understand our users and how to improve our offerings;
- Payway may disclose PI in connection with a proposed or actual sale, merger, consolidation, transfer, restructure or other corporate change of all or a portion of our business; and
- Payway may disclose PI as we deem reasonably necessary to protect our Services, comply with applicable laws, rules and regulations, and to protect us, our Services and the public from fraud, harm, security breaches, and other potentially prohibited or illegal activity.

Payway does not disclose, and has not in the preceding 12 months disclosed, PI to third parties for marketing purposes nor does Payway sell PI.

VI. Cookies

Cookies are small data files that are stored in your device memory or on your hard drive when you visit a website. Cookies may be used as a mechanism to recognize you, record behavior, and/or customize your experience with the Site. They can also be used to monitor Site activity, mitigate risk, measure the effectiveness of promotions and prevent potential fraud. If you choose to disable cookies, your use of the Site may be limited or otherwise affected. By using this Site, you permit us to collect and use your information related to Site access and device activity. You can learn more about cookies by visiting <http://www.allaboutcookies.org>.

VII. Information about Online Tracking

Some browsers incorporate a Do Not Track feature that signals to websites you visit that you do not want to have your online activity tracked. Tracking is not the same as using or collecting information in connection with a single website. For these purposes tracking refers to collecting personally identifiable information from consumers who use or visit a website or online service as they move across different websites over time.



How browsers communicate the Do Not Track signal is not yet uniform. As a result, this Site is not yet set up to interpret or respond to Do Not Track signals communicated by your browser. Even so, as described more fully throughout this Privacy Policy, we limit our use and collection of your personal information.

For a description of Do Not Track protocols for browsers and mobile devices, or simply to learn more about the choices available to you, you can visit the All About Do Not Track website: <http://allaboutdnt.com>.

VIII. International Transfers of Your Personal Information

Payway's Services and the purpose for which your PI is processed may cause your PI to be processed and/or stored outside of the United States. Therefore, your PI may be sent to other countries with data protection standards that differ from those of your home country. By supplying your PI to Payway either directly or indirectly, you consent to your information being transferred across international borders to Payway and its affiliates, vendors, and agents. Vendors and other outside contractors we engage are subject to our contractual requirements for safeguarding PI.

IX. Security Safeguards

At Payway, security is a priority. Payway follows generally accepted industry standards to protect PI submitted to us and employs appropriate measures, including advanced technology, to protect PI against unauthorized access, disclosure, alteration, or destruction. These measures may include, among others, physical access security, administrative security measures, data encryption, firewalls, and other appropriate technologies. Payway reviews and enhances its security systems as necessary. Notwithstanding Payway's efforts, no method of transmission over the internet or electronic storage is 100% secure and Payway cannot guaranty complete security of the transmission or storage of your PI.

X. This Website is Not Directed at Persons Under the Age of 13

Our Services are intended for a general audience and are not directed at persons under the age of 13. If you are a parent or guardian and believe we may have collected information about a person under the age of 13, please contact us at the email address or phone number set out at Section XII of this Privacy Policy. If we determine that we have inadvertently collected PI from a person under the age of 13, we will promptly delete such information from our records to the extent permitted by applicable law.

XI. This Website May Be Linked to Other Websites

As you navigate our Site, you may click to websites of our affiliated companies or business partners. Those websites may have their own online privacy statements or policies. This Privacy Policy will not apply when you move to one of these other websites because affiliate privacy practices and policies are tailored to the products and services offered by the individual affiliate. If you visit the pages and websites of our affiliated business units, please be sure to review the privacy policies applicable to those websites.



We may create links to third-party websites (for example, the All About Do Not Track website linked above). Payway is not responsible for the privacy practices employed by any third-party websites. Payway's privacy policies and practices do not apply to these websites. Payway is not responsible for any content on websites linked from or to this Site. Payway does not guarantee, approve, or endorse any information, material, services, or products contained on or available through any linked websites. Payway provides any such links as a convenience only and your connection to and use of any linked website is at your own risk.

XII. Changes to this Policy

From time to time, Payway may make changes to this Privacy Policy so we encourage you to check back and review it regularly to ensure you are aware of current practices. Changes will be effective as of the stated "Effective Date". If you disagree with the changes, you must stop your use of our Services and discontinue use of our Site. Your continued use of our Services and/or the Site following the Effective Date of any change constitutes your consent to any modification to this Privacy Policy.

If you have any questions, please contact Payway at info@paywaycomplete.com or toll free (US) at (800) 457-9932, or +1 (978) 262-9799. Alternatively, you can use the "Contact" button on our Site: <https://www.paywaycomplete.com>.

XIII. Your Choices About Personal Information Collection

If you wish to provide feedback or if you have questions or concerns, or wish to exercise your rights related to your PI, please contact us at info@paywaycomplete.com or toll free (US) at (800) 457-9932, or +1 (978) 262-9799. Alternatively, you can use the "Contact" button on our Site: <https://www.paywaycomplete.com>.

California law allows California residents to access their PI held or processed by Payway. To the extent permitted by law, Payway reserves the right to charge an administrative fee for multiple requests for access that are clearly submitted for the purpose of causing nuisance or harm to Payway. Under California law, if Payway has collected PI directly from you (as opposed to from a merchant that has transmitted the PI to Payway for processing), you may have the right to have us erase such PI, subject to certain exceptions in the California law. Additionally, California residents are permitted to request certain details about Payway's disclosure of PI to third parties for marketing or other commercial purposes. Payway does not disclose, and has not in the preceding 12 months disclosed, PI to third parties for marketing purposes nor does it sell PI. Other than an offer of a complimentary e-book for which you would need to provide your email address to us, Payway does not offer financial incentives for providing data or not exercising privacy rights. If you are a California resident and want to request information, please contact us at the email address, phone numbers or Site listed above. The level, type, quality, or cost of our Services will not be varied for any individual who exercises their privacy rights under applicable laws.

