

## Privacy Policy

Effective: September 1, 2021

### 1. Introduction and Application

(a) Shop My Shelf, Inc. (“Shopmyshelf.us,” “ShopMyShelf,” “Shoplist.us,” “Shoplist,”) is committed to protecting your privacy and the security of your personal information. The objective of this privacy policy (“Privacy Policy”) is to explain how we handle your personal information.

(b) By using the Service, you agree to the collection and use of personal information and other information in accordance with this policy.

(c) This Privacy Policy may change from time to time and it is therefore important you review it regularly on our Service at [https://static.myshlf.us/Privacy\\_Policy.pdf](https://static.myshlf.us/Privacy_Policy.pdf)

(d) In this Privacy Policy, the following terms have the following meanings (otherwise, capitalized terms used in this Privacy Policy but not defined have the meanings given to them in the Terms of Service):

"Publisher" means a ShopMyShelf.us user whose Shop includes links to external Merchants' Websites to facilitate product purchases, applications, tracking, reporting, and receipt of commission payment.

"Merchant" means a participating brand, retailer, third-party Web site or supplier that pays a commission for a legitimate sale to a Visitor and uses the ShopMyShelf.us or Shoplist.us Service to facilitate purchases, sign-ups, tracking, reporting, and issuance of commission statement.

"Visitor" means any person or user that clicks on a Link or product from a Publisher's Shop.

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### 2. What personal information do we collect?

(a) Personal data means information or data about a living individual who can be specifically identified from that information or data (which includes information or data in our possession or which is likely to come into our possession).

(b) We collect several different types of personal information for various purposes, as explained below.

(c) Types of Data Collected:

**User data**

This is the personal information that is provided by you (a Publisher or Visitor) when you sign up for and use the Service. Such personal information may include your name, address, date of birth, email address, username, hashed password, credit card and/or bank account information, city/country when signing up, any country of last sign-in, language/browser type, vertical (industry), and application data (e.g., user preferences). This information is anonymized and aggregated in high quantities and we remove any personal information.

**Usage data**

This includes information on how the Service is accessed and used by Visitors and Publishers, as well as usernames and passwords, internet protocol (“IP”) addresses (and geographic information from an IP address), browser types, time zone settings, the time spent on webpages, unique device identifiers and other diagnostic data.

**Location data**

We may use and store information about your approximate location (e.g. your country, city or postcode) using geographic information from your IP address. We use this data to provide features of the Service and to improve and customize the user experience.

**Marketing data**

This includes your preferences in receiving marketing communications from us.

**Cookies data**

We use cookies and similar tracking technologies to track the activity on the Service and retain certain information. Cookies are files with small amounts of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. For more information see the “How do we use cookies?” section below.

(d) Certain aspects of your personal information, for example user data, are required for the Service and if you fail to supply such information as requested, we may be unable to provide you with the products and services in full and your enjoyment of such products and services may be impaired.

**(e) Sensitive data**

We do not collect any sensitive personal information about you, such as details about your race or ethnic origin, political opinions or associations, religious beliefs or affiliations, philosophical beliefs, health, genetic background, biometric personal information, membership in a professional or trade association or union, sexual orientation or practices, and criminal record information.

**(f) Children's data**

1. Our services are not intended for use by anyone under the age of thirteen (13). If you are under thirteen, please do not use the Service and do not provide us your personal information. If you are a parent or guardian and you are aware that an individual (of whom you are a parent or guardian) under the age of thirteen has provided us with personal information, please contact us. We will upon notice or discovery take all reasonable efforts to erase or destroy any personal information that may have been collected or stored by us about that individual.
2. If you are older than thirteen but younger than eighteen (18) years of age, you must obtain the consent of your parent or guardian to use the Service before signing up. If you are a parent or guardian and you are aware that an individual (of whom you are the parent or guardian) under the age of eighteen has provided us with personal information, please contact us. We will, upon notice or discovery, take all reasonable efforts to erase or destroy any personal information that may have been collected or stored by us about that individual.

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**3. Why do we collect your personal information?**

(a) Shop My Shelf uses the data we collect for various purposes, including for the most common purposes listed below:

1. **To provide and deliver the Services** and to assess, maintain and improve the performance of the Services.

2. **To ensure the Service is relevant** to you and your device, to notify you about changes to our Service, and to deliver targeted content based on your user data, location and preferences.
  3. **For consumer research** and to allow you to participate in surveys or interactive features of our Service when you choose to do so.
  4. **To provide customer support** and to process and respond to a request or complaint that you may have.
  5. **To monitor the usage of our Service** and to detect, prevent and address technical issues.
  6. **To process any of your transactions** and to conduct business planning, reporting, and forecasting.
  7. **To deliver promotional materials**, special offers and general information about other goods, services and events which we offer that are similar to those that you have already purchased or enquired about unless you have opted not to receive such information.
  8. **For the administration of our business** including for fulfilling and exercising our obligations and rights, exercising or defending legal claims, and managing the relationship with you.
  9. **To comply with our legal obligations and law enforcement requests.**
  10. **To verify your identity** and to detect fraud and potential fraud, including fraudulent payments and fraudulent use of the Service.
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#### **4. How do we collect your personal information?**

(a) We will collect personal information directly from you wherever it is reasonable and practical to do so. We may collect personal information from you via:

1. your use and access of the Service, including during your registration as a Publisher;
2. website links, social media or through any other platform or channel where you make personal information available to us;
3. your response to any surveys or marketing materials we send out;
4. information and recommendations uploaded to the Services by you or by other users; and
5. interactions between yourself, other users of the Services, and our staff.

(b) We may also collect your personal information from third parties including:

1. third parties who partner with us and help us provide our Services;
2. third parties that provide us with marketing leads;
3. third parties for whom we provide marketing and data analysis services; and
4. via public sources or when you connect with a social network service when using and accessing the Service.

If you provide us with information about another person (e.g., your employees or target audience), you will let that other person know that we use their personal information in the ways set out in this Privacy Policy, and that they can access the Privacy Policy on the Service or request a copy of it from us.

(c) The legal basis for collecting and using personal information will depend on the specific circumstances in which we collect that data. Generally, however, we will collect personal information from you where:

1. it is necessary for the performance of a contract to which you are a party (including in connection with the Service);

2. you have consented to our use of the personal information for one or more purposes;
  3. the processing is in the legitimate interests pursued by us, and those interests are balanced against your rights to privacy and do not override your interests or fundamental rights to the protection of your personal information; and
  4. to comply with a legal obligation and the law.
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## **5. To whom may we disclose your personal information?**

### **(a) Third party disclosure**

We may disclose your personal information to various third parties. These third parties are likely to include:

1. technology and media partners in connection with the services that these third parties perform for us;
2. our lawyers, accountants and professional advisors;
3. other third party service providers, such as third party branding service providers;
4. to Shop My Shelf related companies;
5. to law enforcement authorities where we are required to do so by law or as a result of a legal process;
6. in the event that we sell or transfer all or a portion of our business or assets, to any transferee of such business or assets. Should such a sale or transfer occur, we will use reasonable efforts to require that the transferee uses the personal information that you have provided to us in a manner that is consistent with this Privacy Policy; and

7. third party payment processors.

(b) In relation to 5(a)(7) above, because we provide paid products and/or services within the Service, we use third party services for payment processing. We will not store or collect your payment card details. That information is provided directly to our third party payment processors whose use of your personal information is governed by their privacy policies and their own terms and conditions. These payment processors adhere to the standards set by payment card industry data security standards (“**PCI-DSS**”) as managed by the Payment Card Industry Security Standards Council, which is a joint effort of brands like Visa, Mastercard, American Express and Discover. PCI-DSS requirements help ensure the secure handling of payment information. The payment processors we work with are:

- PayPal

Their privacy policy can be viewed at <https://www.paypal.com/us/webapps/mpp/ua/privacy-full>

- Stripe

Their privacy policy can be viewed <https://stripe.com/privacy>

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## 6. How do we use cookies?

(a) To help improve the Service, certain information is collected from your browser. This information is collected as statistical information and may include the IP address, browser type, language and access times. Our websites also use cookies to track pages visited and information accessed. This information is for statistical reference, site analysis and to remember your details and preferences when you return to that website.

(b) In many cases, the tools used on our website record information in a way that does not identify you as an individual. In other cases, information may be personal information in which case this Privacy Policy will apply.

(c) Below we summarize why we use cookies and the different types that we use:

1. **Necessary cookies:** are those that are essential to run our website or to enable you to receive a service that you have requested. For example, to operate a Visitor’s session or any other request type functionality on the Service.
2. **Performance cookies:** are those that collect information about how Visitors use and interact with our website so that we can improve it.

3. **Functionality cookies:** are those that remember the choices you make. Without these cookies you may find that certain features are less convenient and reliable. For example, we use these to remember your language and country of choice and to present relevant content or collect statistical information for our internal analytics.
4. **Marketing cookies:** are those that help us deliver advertising that is more relevant to you and your interests. They include third party cookies placed by our partners and other advertisers who share cookie data with us. For example, we use these cookies to re-target our advertising to appropriate audiences within our advertising partners' platforms.

(d) The Service may also use third party website tools from time to time, for example data analytics and online survey tools. These third parties have access to your personal information only to perform these tasks on our behalf and are prohibited from disclosing or using it for any other purpose. These service providers may change from time to time.

(e) Your web browser can also be configured to reject cookies. If you set up your web browser to reject cookies, certain functions of the Service may become unavailable to you.

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## **7. Direct marketing communications**

From time to time we may send you direct marketing communications regarding our product solutions and services. We may contact you by electronic messages (e.g. email), online (e.g. through our Service), by mail and by other means, unless you opt-out or we are subject to legal restrictions from doing so. You may opt-out of receiving electronic messages from us at any time by contacting us via the contact details at the bottom of this Privacy Policy or by using the opt-out mechanism included in our marketing messages.

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## **8. How long do we retain your personal information?**

We will retain your personal information for the period necessary to fulfil the purposes outlined in this Privacy Policy and in each case in accordance with applicable law and regulation.

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## **9. How do we secure your personal information?**

(a) We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed.



(b) In addition, we limit access to your personal information to employees, agents, contractors and other third parties who have a business need for access. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

(c) While we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security. Therefore we have put in place procedures to deal with any suspected personal information breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

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## **10. Links to other sites**

(a) From time to time, our Service (including this Privacy Policy) may contain links interfacing with other websites that are not operated by us for your information or convenience. This includes Shops on our Website that are populated by the Publisher who built the Shop.

(b) These websites operate independently from our Service and may be subject to alternative terms of use, including terms concerning the use of personal information. We have not reviewed these third party websites and do not control and are not responsible for how they are operated, their content or privacy policies.

(c) If you decide to access or interact with any of these third party websites, you do so at your own risk. As such, we strongly encourage you to review the privacy policy of every website you visit.

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## **11. What are your rights in relation to personal information?**

(a) Access and correction of personal information

1. We take reasonable steps to ensure that the personal information we handle is accurate, complete and up-to-date. If you become aware of any errors in your personal information or, if you change your personal information, please let us know.
2. You can request access to any personal information we hold about you at any time. From time to time, we may need to reject your request to access personal information we hold about you, if we believe it to be necessary and to the extent allowed by law. To request access to any personal information that we may hold about you, please contact us using the contact details at the bottom of this Privacy Policy. Depending on your request and where permitted by law, we may charge a small fee for complying with your request.

3. You may also request us to amend any personal information we hold about you which you believe to be inaccurate, incomplete or out of date. To request an amendment to any personal information that we hold about you, please contact us using the contact details at the bottom of this Privacy Policy. If we do not agree to amend your personal information, you may request that we make a note of your requested correction with the information we hold about you.
4. If we are unable or unwilling to provide you with access to any of your personal information, or to correct any of your personal information, we will provide you with our reasons to the extent required by applicable law.
5. You may also contact us if you wish to obtain further information regarding our privacy practices and the way we handle your personal information.

#### **(b) Other rights**

Subject to certain limitations and restrictions (e.g. depending on circumstances such as where you reside) you may have the right to exercise additional rights in relation to your personal information. This may include rights under Massachusetts General Laws c. 214 § 1B, the General Data Protection Regulation (the “**GDPR**”) or the California Consumer Privacy Act. Accordingly, the following rights might be available to you depending on your location and except as limited under applicable law. These may include the right to:

##### **1. Access, update or to delete the information we have on you**

Whenever made possible, you can access, update or request deletion of your personal information directly within your account settings section. If you are unable to perform these actions yourself, please contact us for assistance using the contact details at the bottom of this Privacy Policy.

##### **2. The right of rectification**

You have the right to have your information rectified if that information is inaccurate or incomplete.

##### **3. The right to object**

You have the right to object to our processing of your personal information.

##### **4. The right of restriction**

You have the right to request that we temporarily or permanently restrict the processing of your personal information.

### **5. The right to data portability**

You have the right to be provided with a copy of the information we have on you in a structured, machine-readable and commonly used format.

### **6. The right not to be subject to automated decision making**

You have the right to not be subject to a decision based solely on automated decision making, including profiling, where the decision would have a legal effect or produce a significant effect on you.

### **7. The right to withdraw consent**

You also have the right to withdraw your consent at any time where we relied on your consent to process your personal information.

(c) Please note that in order to verify your request or the applicability of any of these right to your circumstances, we may ask you for further information and to verify your identity before responding to such requests.

(d) If you have any questions about these privacy rights, or how to exercise them, please contact us using the contact details at the bottom of this Privacy Policy. You may also have the right to complain to your local data protection authority about our collection and use of your personal information.

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## **12. Do Not Track**

Your web browser may have a setting that permits you to automatically transmit a “Do Not Track” signal to our Websites when using them. Shop My Shelf does not currently alter its data collection practices in response to “Do Not Track” signals.

## **13. Complaints**

(a) We take your privacy concerns seriously. If you have a complaint regarding our handling of your personal information or concerning our privacy practices, you may file a complaint with us using the contact details set out at the bottom of this Privacy Policy. We will confirm receipt of your complaint and, if we believe necessary, we will open an investigation into your complaint.

(b) We may need to contact you to request further details of your complaint. If an investigation has been opened following a complaint made by you, then we will contact you with the result of that complaint as soon as possible. In the unlikely circumstances we are unable to resolve your complaint to your satisfaction, you may contact the local privacy and data protection authorities in your jurisdiction.

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#### **14. YouTube Connection (Optional):**

If users choose to connect their YouTube account with our API client, the following privacy terms apply:

- a. **YouTube API Services:** We use YouTube API services to provide features and functionality. By connecting your YouTube account, you agree to YouTube's Terms of Service.
- b. **Google Privacy Policy:** The connection to YouTube is subject to Google's Privacy Policy. You can review Google's Privacy Policy at [Google Privacy Policy](#).
- c. **Revoking API Client's Access:** You can revoke our API Client's access to your YouTube data at any time through your Google Security Settings. Please refer to [Google Security Settings Page](#) for more information.

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#### **15. Changes to This Privacy Policy**

We may update our Privacy Policy from time to time and it is therefore important you review it regularly. We will notify you of any changes by posting the new Privacy Policy on the Service. We will let you know via email and/or a prominent notice on our Service prior to the change becoming effective and update the “effective date” at the top of this Privacy Policy. Changes to this Privacy Policy are effective when they are posted on this page unless otherwise set out in the email and/or prominent notice.

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#### **16. Contact Us**

If you have any questions about this Privacy Policy, our privacy practices or if you would like to make a request about any personal information we may hold about you, including correction of personal information, please contact us:

- By email to: [team@shopmyshelf.us](mailto:team@shopmyshelf.us)