

**Effective date: October 28, 2018**

## 1. WHO WE ARE

Welcome to LaterPay, Inc. (“**LaterPay**,” “**we**,” “**us**” or “**our**”). LaterPay facilitates the sale and distribution of digital content by content providers to end users (“**users**” or “**you**”) without requiring advance registration, upfront payment, or personal data from users, other than as described below. LaterPay also facilitates the management and payment of subscription services and the making of voluntary contributions or charitable donations to charities and other organizations, similarly without initially requiring registration or the submission of personal data. LaterPay is based at 205 E. 42nd St., New York, NY, 10017. Our affiliate company, LaterPay GmbH, based in Munich, Germany, serves the European market, while LaterPay Inc. serves the U.S. market. This Privacy Policy addresses use of personal data by LaterPay Inc.

This Privacy Policy explains how we and some of the companies we work with collect, use, share and protect information in relation to our services, web site, and any software provided on or in connection with LaterPay, and your choices about the collection and use of your information.

- This Policy applies to all visitors, end users, and others who access LaterPay.
- By using the LaterPay service, you understand and agree that we are providing a platform for access to digital content, including, but not limited to, digital information such as, audio, photographs, videos, articles, documents and other materials, as well as access to charities seeking donations.
- Your agreement to the LaterPay Terms of Service and this Privacy Policy is, of course, voluntary. Please understand, however, that you may not access paid-for digital content or make a contribution or donation using the LaterPay Service without granting such consent.

## 2. INFORMATION WE COLLECT

We collect the following types of information.

### Information you provide to us directly:

- Your first and last name, password, e-mail and mailing address, date of birth, nationality, a reference number that can be associated with your payment details, your purchase history (if any) and login data, which you provide when you register for a LaterPay account. When you sign up for our newsletter, we collect your name, e-mail, industry and company.
- Communications between you and LaterPay. For example, we may send you LaterPay service-related emails (e.g., account verification, changes/updates to features of LaterPay, technical and security notices). You may send us comments, questions or requests.
- Additional details related to your use of the services, including a record of your agreement to LaterPay legal terms, term of subscription and renewal periods, contents of your shopping

basket (if any), preferred billing method, user account details or credit card details or other terms of payment.

### Information you provide to us indirectly:

LaterPay collects additional data from you while you interact with LaterPay systems, as explained in more detail immediately below.

### Analytics information:

- LaterPay uses analytics tools provided by Google Analytics (a service provided by Google, Inc.) and Hubspot, Inc. to help us measure traffic and usage trends both on our website and on our content providers’ websites. These tools collect information sent by your device or by our service to you, including the web pages you visit through LaterPay, add-ons, your anonymized IP address, and other information that assists us in gathering feedback to improve LaterPay and our business model. We collect and use this analytics information together with analytics information from other users so that it cannot reasonably be used (and is not used) to identify any particular individual user. You can opt out of being included in Google Analytics by downloading and installing a plugin found [here](#).

### Cookies and similar technologies:

- When you visit LaterPay, we may use cookies and similar technologies like pixels, web beacons, and local storage to collect information about how you use LaterPay and provide features to you. Cookies are small files that make it easier for you to use content from the providers that use LaterPay. Your Internet browser automatically receives these files from our servers and then saves the cookies on your computer. LaterPay uses what are known as session cookies and persistent cookies. We send several persistent cookies to your computer. Among other things, cookies allow you to access Internet content across different websites.
- You can change the settings on your browser so that it informs you when it accepts a cookie, or so that it does not accept any cookies at all. We recommend that your browser be set to accept cookies from LaterPay, as only then will you be able to use the LaterPay Services.
- We may ask advertisers or other partners to serve ads or services to your devices, which may use cookies or similar technologies placed by us or the third party.

### Log file information:

- Log file information is automatically reported by your browser each time you make a request to access (i.e., visit) a web page or app. It can also be provided when the content of the webpage or app is downloaded to your browser or device.
- When you use LaterPay, our servers automatically record certain log file information, including your web request, IP address, browser type, referring / exit pages and URLs, number of clicks and how you interact with links on LaterPay, domain names, landing pages, pages viewed, and other such information. We may also collect similar information from emails sent to our users, which then help us track which emails

are opened and which links are clicked by recipients. The information allows for more accurate reporting and improvement of the LaterPay services.

#### Browser Fingerprint:

- Your browser contains information about your browser version, program language, individually installed plug-ins (i.e., small programs or program extensions). The individual fingerprints are all different from one another, like human fingerprints. Browser providers or installed plugins can retrieve (or read out) this information in order to, for example, inform you when a new software is available to you. These “fingerprints” enable us to identify you when you are trying to make a purchase, restore your access to a previous purchase and merge anonymous invoices.

### 3. INFORMATION WE COLLECT

In addition to uses of information we describe elsewhere in this Privacy Policy, we use your data to do the following:

#### Enable the LaterPay service:

- For both visitors and registered users, we use browser fingerprint information to determine which device is employed to access LaterPay content. This allows us to know what content you have accessed and whether you have created an account, so that we can restore access to a previous purchase or link anonymous invoices to determine when you reach a payment threshold. We process your data, including your name, e-mail and mailing address, and payment information to carry out the transactions that you initiate when you use the LaterPay service as an account-holding user. We further review a range of user data, including log files, IP addresses, mailing and e-mail addresses, date of birth, and purchase information in order to improve the LaterPay product, troubleshoot and track issues with the LaterPay platform, and identify areas for improvement.
- We use your personal data to communicate with you about the services we provide. For instance, for subscription service users, we use your contact information to notify you that your subscription will automatically be renewed soon or has expired. We also use user and transaction data to **handle support requests from users or content providers, including investigating an invoice or issuing a refund.**
- In order to make sure our content providers get paid, we engage in a settlement process. During this process, our payment service provider consults user data, including name, address, amounts owed and currency information and makes net payments to our content providers.

#### Perform credit, identity and address checks:

- The success of our business depends on end users’ paying their bills and on our preventing illegal or fraudulent transactions. We compare user names and country information against crime prevention watch lists upon registration. We also use user name and country information to perform credit and money-laundering risk assessments for some transactions conducted using the LaterPay service.

#### Analyze user behavior:

- We perform statistical and other analysis of your activities related to LaterPay, including which digital content you access, at what times and frequency, as well as your donations and contributions. We do this to gain a better understanding of how our services are used so that we can provide you with a better, more intuitive and personalized experience and offer new products and services that may interest you.

#### Direct marketing:

- With your active consent, LaterPay will use your data for direct marketing purposes, including to communicate with you about products, services, charities and other organizations and activities that may interest you. In order to tailor these communications, we evaluate your LaterPay activities, often by using automated processing. The results of these evaluations enable us to offer you discounts, for instance, on services similar to those you have demonstrated an interest in. In the course of using your data for marketing purposes, we will not, under any circumstances, forward it to third parties without your consent. You may opt out of being included in marketing communications in your user account settings, available [here](#), or by contacting us as explained in Section 9 below.

### 4. HOW WE SHARE YOUR INFORMATION

We will not share your information with third parties outside LaterPay or its Affiliates (defined below) except as noted in this Privacy Policy or with your explicit consent.

#### Parties with whom we may share your information:

- LaterPay shares your data with its content providers for the purposes of fulfilling the services. This includes anonymized purchase information, VAT/Sales Tax information, subscription terms information and renewal periods.
- LaterPay shares your name, email address and transaction history with that specific content provider after you have conducted a transaction with that content provider. The data sent to the content provider may be used to inform you by email of its products and/or services that might be of interest, i.e. for direct marketing purposes. Content providers are not permitted to share your data with any third parties. Additionally, LaterPay may share the results of analysis of user behavior described above with content providers and other affiliates of LaterPay. You can opt out of this sharing in your user account settings, available [here](#).
- In order to collect our accounts receivable, we transmit certain user data to our payment service providers, e.g. credit card billing companies, banks and other financial institutions. We typically transmit the receivable amount and a reference number that the payment service provider associates with your payment details. We also monitor whether payments from users are received on time and provide that information to our content providers. We share name and country data with our

payment service providers to help us perform some of the credit and fraud risk assessments described in Section 3.

- We share your city, state and zip code information with a third party service provider for the purpose of determining the proper sales tax amount for a given transaction. We share the state included in your billing address with content providers, so that the content provider can remit sales tax to the proper state tax authority. For users based in the European Union, we use your IP address, statement of where your taxable residence is, and mailing address data for purposes of complying with MOSS/VAT statutes.
- For donations users only, LaterPay may share your name, address, and donation amount so that the content provider may provide you with a donation receipt.
- We may share certain information regarding LaterPay content and/or your information (including but not limited to, information from cookies, log files, device identifiers, location data, and usage data) with businesses that are legally part of the same group of companies that LaterPay is part of, or that become part of that group, including LaterPay GmbH ("**Affiliates**"). Affiliates may use this information to help provide, understand, and improve LaterPay (including by providing analytics) and Affiliates' own services (including by providing you with better and more relevant experiences).
- We also may share your information, including information from tools like cookies, log files, and browser fingerprint information, with payment service providers, hosting providers, Google Analytics and other third-party organizations that help us provide LaterPay to you ("**Service Providers**"). Our Service Providers will be given access to your information as is reasonably necessary to provide LaterPay with their services, under data processing agreements that require them, among other things, only to act on LaterPay's instruction and to take sufficient technical and organizational measures to safeguard your data.
- We may also share certain information such as cookie data with third-party advertising partners. This information would allow third-party ad networks to, among other things, deliver targeted advertisements that they believe will be of most interest to you.

**What happens in the event of a change of control:**

- If we sell or otherwise transfer part or all of the LaterPay business, or our assets, to another organization (e.g., in the course of a transaction like a merger, acquisition, bankruptcy, dissolution, or liquidation), your information may be among the items sold or transferred. The buyer or transferee would be obligated to honor the commitments we have made in this Privacy Policy.

**Responding to legal requests and preventing harm:**

- We may access, preserve and share your personal data in response to a legal request (like a search warrant, court order or subpoena) if we have a good faith belief that a law, regulation, or governmental request requires us to do so. This may include responding to legal requests from jurisdictions

outside of the United States where we have a good faith belief that the response is required by law in that jurisdiction, affects users in that jurisdiction, and is consistent with internationally recognized standards. We may also access, preserve and share information when we have a good faith belief it is necessary to: detect, prevent and address fraud and other illegal activity; to protect ourselves, you and others, including as part of investigations; and to prevent death or imminent bodily harm. Information we receive about you may be accessed, processed and retained for an extended period of time when it is the subject of a legal request or obligation, governmental investigation, or investigations concerning possible violations of our terms or policies, or otherwise to prevent harm.

## 5. HOW WE STORE YOUR INFORMATION

**Storage and Processing:**

- Your information collected through LaterPay may be stored and processed in the United States or any other country in which LaterPay, its Affiliates or Service Providers maintain facilities.
- LaterPay, its Affiliates, and/or Service Providers may transfer information that we collect about you, including personal information, across borders and from your country or jurisdiction to other countries or jurisdictions around the world. If you are located in the European Union or other regions with laws governing data collection and use that may differ from U.S. law, please note that we may transfer information, including personal information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction. Regardless of where your information is processed, we apply the same protections as are described in this policy. In instances where data is transferred, we ensure a sufficient level of protection for the rights of data subjects based on the adequacy of the receiving country's data protection laws, contractual obligations on the recipient of the data, or privacy shield principles.
- We use commercially reasonable safeguards to help keep the information collected through LaterPay secure and take reasonable steps (such as requesting a unique password) to verify your identity before granting you access to your account. However, LaterPay cannot ensure the security of any information you transmit to LaterPay or guarantee that information on LaterPay may not be accessed, disclosed, altered, or destroyed.
- You are responsible for maintaining the secrecy of your unique password and account information, and for controlling access to emails between you and LaterPay, at all times. We are not responsible for the functionality, privacy, or security measures of any other organization.

## 6. YOUR CHOICES ABOUT YOUR INFORMATION

You are entitled to make choices about our handling of your data, from deleting or correcting data you include in your profile to opting out of advertising and other communication controls.

For personal data that we have about you:

- **Delete Data:** You can ask us to delete all or some of your personal data (e.g., if it is no longer necessary to provide the LaterPay services to you).
- **Change or Correct Data:** You can edit some of your personal data through your account. You can ask us to update your data in certain cases, particularly if it's inaccurate.
- **Object to, or Limit or Restrict, Use of Data:** You can ask us to stop using all or some of your personal data (e.g., if we have no legal right to keep using it) or to limit our use of it (e.g., if your personal data is inaccurate or unlawfully held).
- **Right to Access Your Data:** You can request a copy of your personal data.

If you have any questions, you may contact us using the contact information below.

We will only collect and process personal data about you where we have a lawful basis for doing so. Examples of lawful bases include consent (where you have given us consent for the processing, whether by agreeing to this Privacy Policy, ticking a box in a dialogue window, both, or by another explicit method), contract (where processing is necessary for us to perform our contract with you, for instance, to deliver the LaterPay services) and "legitimate interests." Where we rely on your consent to process personal data, you have the right to withdraw or decline your consent at any time. In those instances where we rely on legitimate interests, you have the right to object. If you have any questions about the lawful bases on which we collect and use your personal data, please contact us as set forth below.

### How long we keep your data:

- **Retention.** We will retain your information as long as your account is active, as necessary to provide you with the Services or as otherwise set forth in this Privacy Policy. We will also retain and use this information as necessary for the purposes set out in this Policy and to the extent necessary to comply with our legal obligations, resolve disputes, enforce our agreements and protect LaterPay's legal rights. We also collect and maintain aggregated, anonymized or pseudonymized information which we may retain indefinitely to protect the safety and security of our site, improve our services or comply with legal obligations.
- Your consent to the uses of your data outlined in this Privacy Policy are valid unless revoked.
- If you do not access your digital content or use the LaterPay service for a period of eighteen (18) months, LaterPay may delete your data. LaterPay may inform you three (3) months

before the expiration of this deadline, and give you the opportunity to oppose this deletion.

## 7. CHILDREN'S PRIVACY

LaterPay does not knowingly collect or solicit any information from anyone under the age of 18 or knowingly allow minors to register for LaterPay. LaterPay and its content are not directed at anyone under the age of 18. In the event that we learn that we have collected personal information from a child under age 18, we will delete that information as quickly as possible. If you believe that we might have any information from or about a child under age 18, please contact us at [support@laterpay.net](mailto:support@laterpay.net).

## 8. OTHER WEB SITES AND SERVICES

Please remember that when you use a link to go from our service to another website or service, our Privacy Policy or other terms do not apply to those third-party websites or services. Your browsing and interaction on any third-party website or service, including those that have a link on our website, are subject to that third party's own rules and policies.

## 9. HOW TO CONTACT US

If you have any thoughts or questions about this Privacy Policy or LaterPay, please contact us at [privacy@laterpay.net](mailto:privacy@laterpay.net).

If you live in the United States, the data controller responsible for your personal data is LaterPay, Inc.:

LaterPay, Inc.  
Attn: Privacy Policy Inquiry  
205 E. 42nd St., Floor 20  
New York, NY, 10017

If you live outside the United States, the data controller is LaterPay GmbH:

LaterPay GmbH  
Attn: Data Protection Officer  
Oskar-Von-Miller-Ring 20  
D-80333 Munich  
GERMANY

## 10. CHANGES TO OUR PRIVACY POLICY

LaterPay may modify or update this Privacy Policy from time to time, so please review it periodically. We may provide you additional forms of notice of modifications or updates as appropriate under the circumstances. Your continued use of LaterPay after any modification to this Privacy Policy will constitute your acceptance of such modification.

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