

# Sample Privacy Policy Template

Clover requires merchants utilizing its platform to adopt and maintain a privacy policy that discloses to your customers your data collection, use, and sharing practices using the Clover Point of Sale system.

For your convenience, Clover provides a sample privacy policy as a reference to help you and/or your legal counsel prepare a privacy policy. Ultimately, it is your decision what your privacy policy says. Clover cannot provide legal advice. This sample privacy policy assumes that your business does not already have a privacy policy that addresses your use of Clover; if you already have a privacy policy and you choose to adopt this privacy policy in addition, you and/or your legal counsel should ensure there are no inconsistencies between this policy and any other policy that you maintain.

The **yellow-highlighted language** below is intended to identify information that you should fill in.

If you use this sample privacy policy as the template for your own privacy policy, **before finalizing the document, please be sure that:**

- The policy fully and accurately describes your privacy practices and does not omit any material information; and
- You erase all highlighted language in the document and this introduction.

*Note: The statements you make in a Privacy Policy carry legal significance, and we suggest that you consult with an attorney before issuing or revising any privacy policy.*

## Privacy Policy for [MERCHANT NAME]

Effective Date: [INSERT DATE ADOPTED]

[MERCHANT LEGAL NAME] (“Company” or “we”) uses a Clover Point of Sale system (“Clover POS”) to manage payments for goods and services and other customer interactions. This “Privacy Policy” explains how we collect, use, disclose, and otherwise process our customers’ personal information in the context of the Clover POS. This Privacy Policy does not apply to Company’s privacy practices in any other context.

### Information We Collect

#### Information that we collect when you make a payment

When you make a payment via a Clover POS, we collect information about the transaction, which may include personal data. Information about transactions includes the payment card used, name associated with the payment card, the fact that the purchase happened at our store and the location of our store, date and time of the transaction, transaction amount, and information about the goods or services purchased in the transaction.

#### Additional information you provide through the Clover POS

We may collect additional information ancillary to the payment. This information may include:

- Your email address or phone number, such as if you choose to receive an electronic receipt
- Your marketing preferences, such as whether you wish to receive marketing communications or newsletters
- Information about your participation in a merchant’s loyalty program, if you choose to participate
- Other information you provide, such as your birthdate, interests or preferences, reviews, and feedback
- [DESCRIBE ANY OTHER APPLICABLE INFORMATION]

#### Information that we input into the Clover POS about our customers

We may input additional information that we have collected about you into the Clover POS. This information may include email address, phone numbers, and purchase history. In addition, we collect: [DESCRIBE ANY OTHER APPLICABLE INFORMATION].

## **Information that we collect about our personnel**

We may collect information about our personnel and interactions with the Clover POS, such as clock-in and clock-out time and tips earned. In addition, we collect: [DESCRIBE ANY OTHER APPLICABLE INFORMATION].

## **How We Use the Information We Collect**

We use your personal data for the purposes described in this section.

### **Providing our products and services**

We use the information we collect to provide our products and services. This may include:

- Fulfilling a payment or return transaction initiated by you
- Delivering an electronic receipt via email or text message, if you request it
- Managing our relationship with you
- Personalizing the manner in which we provide our products and services
- Maintaining records of customers' purchase history and activity
- Administering our loyalty or rewards program
- Checking for fraud and/or managing our risk
- Administering and protecting our business
- Providing support and maintenance for our products and services

### **Marketing**

We may present opportunities at the Clover POS to provide your personal data for our own marketing purposes, and we will send such marketing communications if you agree to receive them. Likewise, Clover may present opportunities to provide your personal data for its marketing purposes. You may view Clover's Privacy Notice at this link <https://www.clover.com/privacy-policy>.

We may contact you with marketing communications using the personal data that you provided to us when you made a purchase or when you actively expressed interest in making a purchase and, in any case, have not opted out of receiving that marketing, to the extent permitted by applicable law. You can ask us to stop sending you marketing messages at any time by clicking on the opt-out link included in each marketing message.

Should you choose to opt out of receiving our marketing messages, we will continue to carry out our other relevant activities using your personal data, including sending non-marketing messages.

### **Complying with law**

We use your personal data as we believe necessary or appropriate to comply with applicable laws, lawful requests and legal process, such as to respond to subpoenas or requests from government authorities.

### **Compliance, fraud prevention and safety**

We use your personal data as we believe necessary or appropriate to (a) enforce the terms and conditions that govern our products and services; (b) protect our rights, privacy, safety or property, and/or that of you or others; and (c) protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity.

### **With your consent**

In some circumstances, we may request your consent, such as when we ask you to opt-in to our marketing communications. If we request your consent to use your personal data, you have the right to withdraw your consent any time in the manner indicated when we requested the consent or by contacting us. If you have consented to receive marketing communications from Clover or other third parties, you may withdraw your consent by contacting them directly.

### **How We Share Information**

We may share your personal data as described in this section.

#### **Clover**

The Clover POS is operated by Clover Network, Inc., which receives the information that is processed through the Clover POS, including your personal data. Clover uses the information to provide its services to us and as otherwise disclosed in its Privacy Notice.

#### **Service providers**

We may employ third party companies and individuals to administer and provide services on our behalf (such as companies that provide customer support and order fulfilment and delivery services).

### **Third-party applications that run on the Clover POS**

The Clover POS enables us to install third-party applications on the Clover POS, similar to how mobile applications can be installed on a smartphone. The information that the third-party developer receives (if it receives any at all) depends on the features and functions of the application it provides. In some cases, application developers receive no personal data. In others, the developer receives the personal data only to provide services to the merchants that use their applications. In still other cases, the application developer uses personal data for its own purposes.

### **Compliance with laws and law enforcement; protection and safety**

Company may disclose information about you to government or law enforcement officials or private parties as required by law, and disclose and use such information as we believe necessary or appropriate to (a) comply with applicable laws and lawful requests and legal process, such as to respond to subpoenas or requests from government authorities; (b) enforce the terms and conditions that govern our products and services; (d) protect our rights, privacy, safety or property, and/or that of you or others; and (e) protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity.

### **Business transfers**

Company may sell or transfer some or all of its business or assets, including your personal data, in connection with a business transaction (or potential business transaction) such as a merger, consolidation, acquisition, reorganization or sale of assets or in the event of bankruptcy, in which case we will make reasonable efforts to require the recipient to honor this Privacy Policy.

### **To other parties with your permission or to fulfill a contract they have with you**

Company may transfer your personal data to any third party who is not otherwise covered by the other listed categories above where you have given us permission to do so, or with whom you have entered into a contract when we need to transfer your personal data to that party in order to fulfil that contract.

### **Data Retention**

Company retains personal information for as long as necessary to (a) provide our products and services; (b) comply with legal obligations; (c) resolve disputes; and (d) enforce the terms of any agreement we may have with you. You may contact us via the contact us details provided below for additional information about our data retention practices in connection with the Service.

## **Your Rights and Choices**

### **Choosing not to provide your personal data**

You may choose not to provide your personal data to us. If you decide not to provide information that we request, in some circumstances we may be unable to provide products or services to you. For example, we may be unable to process your transaction.

### **Accessing, modifying or deleting your information**

You may contact us directly to request access to, or modify or delete your information that we maintain in connection with the Clover POS. We may not be able to provide access to, modify, or delete your information in all circumstances; and we may decline your request where we are not legally obligated to respond.

### **Complaints**

If you have a complaint about our handling of your personal data, you may contact us via the contact information provided below.

### **Updates**

We reserve the right to modify this Privacy Policy at any time. We will notify you of updates by updating the date of this Privacy Policy and posting the updated Privacy Policy to our website.

### **Contact Us**

You may contact us with any questions, comments, or complaints, about this Privacy Policy or our privacy practices via: **[INSERT CONTACT DETAILS]**