



# Privacy Policy

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This agreement is effective as of July, 2008 and replaces any previous Privacy Policy for CardFlex, Inc.

At CardFlex Payment Solutions, Inc. we recognize that the trust of our merchants is one of our most important assets. As such, our primary goal is to deliver innovative payment products and world-class service while ensuring the integrity and sanctity of our merchant's privacy. The following outlines some of the steps that we take on a daily basis to ensure that our merchant's information is secure, private, and used only in a manner consistent with our merchants' wishes. This privacy policy extends to all merchant services managed by CardFlex Payment Solutions, Inc.

**Safeguards Taken** – We will safeguard, according to our standards of security and confidentiality, any and all information our merchants share with us. CardFlex Payment Solutions, Inc. uses advanced security processes and technology designed to keep your information secure. In particular, we have strict policies regarding information that is used by our employees and partners to ensure your information is kept secure.

**Data Collected** – We collect nonpublic personal information about you from the following sources: (i) Information we receive from you on applications or other forms, (ii) Information about your transactions with us, or others such as your transaction history, parties to transactions, and (iii) Information we received from third parties, including government agencies, consumer-reporting agencies such as your tax identification number and credit worthiness and credit history. We advise our merchants about the general uses of the information we collect about them, and we will gladly and promptly provide additional explanation if our merchants request it.

**Access To Information** – We will permit only authorized employees, who are properly trained in the appropriate handling of sensitive merchant information, to have access to that information, and only if required by their business responsibilities. Employees who violate our Privacy Policy are subject to our disciplinary process, up to and including termination.

**Opt Out** – We give our merchants choices as to how their information is used, if at all. We provide our merchants with the opportunity to remove their names used for mail, telephone or online marketing upon initial merchant contact and subsequently on an annual basis. This opt out choice includes products and services offered by CardFlex Payment Solutions, Inc. and our affiliate marketing partners, and merchants may opt out by contacting us via U.S. mail at:

CardFlex Payment Solutions, Inc.  
2900 Bristol St F-206  
Costa Mesa, CA 92626  
or telephone at (866) 634-3044.

Disclosure – We may disclose aggregate information about our merchants and former merchants to third parties with whom we may have marketing agreements, or those companies who perform marketing services on our behalf. This includes all information we may collect directly or indirectly from you.

Release of Information – Except as outlined in this Privacy Policy, we limit the release of merchant information. In addition to providing our merchants with the opportunity to opt out of marketing offers, we release information only with the merchant's consent or request, or when we are required to do so by law or other regulatory authority. When a court order or subpoena requires us to release merchant information, we notify the merchant promptly in order to provide the merchant with the opportunity to exercise their legal rights. The only exception to this policy is when we are prohibited from notifying the merchant by law or due to a court order, or in cases in which fraud, money laundering and/or criminal or illegal activity is suspected.

Response and Explanation – We quickly respond to our merchant's requests for explanation. In the event that we deny service, and to the extent permitted by applicable laws, we will provide a prompt and detailed explanation if requested.

Privacy Policy Changes – We will notify our merchants in the event that our privacy policy changes. If our privacy policy is modified, we will attempt to notify our merchants of these changes via email, U.S. mail or via telephone. Merchants will continue to have a choice as to whether or not they allow us to use their information in this different manner. In addition, if we make any material changes in our privacy practices that do not affect user information already stored in our database, we will post a prominent notice on our web site ([www.cardflexpaymentsolutions.com](http://www.cardflexpaymentsolutions.com)) notifying users of said change(s). In some cases where we post the notice we will also email users, who have opted to receive communications from us, notifying them of the changes in our privacy practices.

Updating Merchant Information – Should merchants need to update any information they have previously supplied, they may contact CardFlex Payment Solutions, Inc. Customer Service at 866-634-3044 at anytime or email at [support@flex1.com](mailto:support@flex1.com). If you wish to opt out of and our partner's, marketing offers, please contact us via U.S. mail at the following address:

CardFlex Payment Solutions, Inc.  
2900 Bristol St F-206  
Costa Mesa, CA 92626

Cookies – In some cases, our websites may require the use of cookies, pieces of information that a website places in a file associated with our merchant that may be used to deliver content specific to their interests and for other purposes, such as security and other account administrative functions. For example, cookies are used to store customer preferences for certain types of information so that they do not have to input it every time they visit our site. Our cookies are encrypted and do not contain nor track personal identifying information; none will contain information that will enable anyone to contact our merchants via telephone, e-mail or any other means. We may collect "referrer" information, IP addresses, and various environmental variables.

- Information the Web browser passes along to Web server that references the URL from which the customer came.
- "IP address" is a number used by computers on the network to identify the customer's computer so that data can be transmitted to them.

- "Environmental variables" include, among other things, the domain from which customers access the Internet, the time they accessed our Web site, type of Web browsers and operating system or platform used, the Internet address of the Web site they left to visit, the names of the pages they visit while at our Web site, and the Internet address of the Web site they subsequently visit.

This information is collected to enhance web site security and to detect broad member trends.

Security – The CardFlex Payment Solutions, Inc. website has security measures in place to protect the loss, misuse and alteration of the sensitive information under its control. All personal and account activity information collected on and used by the [www.cardflexpaymentsolutions.com](http://www.cardflexpaymentsolutions.com) website and other supported merchant service web sites are not accessible by the public or via the Internet. All accesses to our databases wherein personal information are kept are logged for security purposes and access is limited to key personnel. All personal information, account activity and purchasing activities are protected via user names and passwords. All user-specific activities (those that are accessed during and after a user logs-in with their user name and password) are protected using a secure communications encryption technology called SSL.

SSL (Secure Socket Layer) is a security feature that creates an encrypted connection between the client (your computer) and our server [www.cardflexpaymentsolutions.com](http://www.cardflexpaymentsolutions.com), which prevents the interception and inappropriate use of this critical data.