

## Privacy Policy

Notice of change: On May 19, 2017, we updated our Privacy Policy. If this Privacy Policy was applicable to you prior to May 19, 2017, this Privacy Policy will be effective as set forth below on June 19, 2017. Otherwise, this Privacy Policy applies to you as of May 19, 2017.

Last revised: May 19, 2017

This Privacy Policy describes your privacy rights regarding our collection, use, storage, sharing and protection of your personal information. It applies to the earnup.com website and all related sites, applications, services and tools regardless of how you access or use them.

You accept this Privacy Policy when you sign up for, access, or use our products, services, content, features, technologies or functions offered on our website and all related sites, applications, and services (collectively “EarnUp Services”).

We may amend this policy at any time by posting a revised version on our website. The revised version will be effective as of the published effective date. In addition, if the revised version includes a substantial change, we will provide you with 30 days’ prior notice by posting notice of the change on the “Privacy Policy” page of our website and/or send the notice by email. After this 30-day notice period, you will be considered as having expressly consented to all amendments to this Privacy Policy.

### How We Collect Information About You

When you visit the earnup.com website or use EarnUp Services, we collect information provided by you over the phone or sent to us by your computer, mobile phone or other access device. The information provided to us includes data on the pages you access, your computer IP address, device identifiers, the type of operating system you’re using, your location, mobile network information, standard web log data and other information. Web log data includes the browser type you’re using and traffic to and from our site. When you visit the earnup.com website or use EarnUp Services, we also collect information about your transactions and your activities.

**In addition, if you open an EarnUp Inc. account or use EarnUp Services, we may collect the following types of information:**

- Contact information, such as your name, address, phone, email and other similar information (“Contact Information”).
- Financial information, such as the full bank account and routing numbers, that you link to your EarnUp account or give us when you use or enroll in EarnUp Services (“Financial Information”).
- Detailed personal information such as your date of birth or social security number (“Personal Identifying

Information”).

- We may also obtain information about you from third parties such as credit bureaus and identity verification services.

You may choose to provide us with access to certain personal information stored by third parties such as social media sites (e.g., Facebook and Twitter). The information we may receive varies by site and is controlled by that site. By associating an account managed by a third party with your EarnUp account and authorizing EarnUp to have access to this information, you agree that EarnUp may collect, store and use this information in accordance with this Privacy Policy.

In order to help protect you from fraud and misuse of your personal information, we may collect information about your use and interaction with our website or EarnUp Services. For example, we may evaluate your computer, mobile phone, other access device, or transaction activity to identify any malicious software or activity.

We may also collect additional information from or about you in other ways, such as through contact with our customer support team or results when you respond to a survey.

### How We Use Cookies

When you access our website or use EarnUp Services, we (including companies we work with) may place small data files on your computer or other device. These data files may be cookies, pixel tags, “Flash cookies” or other local storage provided by your browser or associated applications (“Cookies”). We use these technologies to: recognize you as a customer; customize EarnUp Services, content, and advertising; measure promotional effectiveness; help ensure that your account security is not compromised; mitigate risk and prevent fraud; and to promote trust and safety across our sites and EarnUp Services.

We use both session and persistent Cookies. Session Cookies expire and no longer have any effect when you log out of your account or close your browser. Persistent Cookies remain on your device until you erase them or they expire.

We encode our Cookies so that we can interpret the information stored in them. You are free to decline our Cookies if your browser or browser add-on permits, but doing so may interfere with your use of our website and EarnUp Services. Refer to the help section of your browser, browser extensions, or installed applications for instructions on blocking, deleting, or disabling Cookies.

You may encounter EarnUp Cookies on websites that we do not control. For example, if you view a web page created by a third party or use an application developed by a third party,

there may be a Cookie placed by the web page or application. Likewise, these third parties may place their own Cookies that are not subject to our control and the EarnUp Privacy Policy does not cover their use.

## **How We Protect and Store Personal Information**

Our primary purpose in collecting personal information is to provide you with a secure, smooth, efficient, and customized experience. We may use your personal information to:

- Provide EarnUp Services and customer support;
- Process transactions and send notices about your transactions;
- Have our transaction vendors (“Processors”) process transactions you have authorized through us as indicated in your enrollment agreement;
- Work with the entities you are paying (“Lenders”) to process your payments, and to support them in helping you stay on time with your payments;
- Resolve disputes, collect fees, and troubleshoot problems;
- Prevent potentially prohibited or illegal activities, and enforce any agreements you have with us;
- Measure, customize, improve, and market EarnUp services;
- Deliver targeted marketing, service update notices, and promotional offers;
- Contact you at any telephone number, by placing a voice call or through text (SMS) or email messaging; and
- Verify your information with third parties as set forth below.

## **Marketing**

We do not sell or rent your personal information to third parties for their marketing purposes without your explicit consent. We may combine your information with information we collect from other companies and use it to improve and personalize EarnUp Services, content, and advertising. If you do not wish to receive marketing communications from us or participate in our ad-customization programs, simply indicate your preference by contacting us via email or telephone, or by following the directions that may be provided within the communication or advertisement.

We may call or text message (SMS) you at a mobile phone number that you have provided to us. If you do not wish to be contacted on your mobile number please contact us to have your mobile number removed from your account.

## **How We Share Your Personal Information With Other Parties**

To process your payments, we may share some of your personal information with our Processors. Your Contact Information, Financial Information, Loan Information, and Personal Identifying Information are provided to our Processors

in order to conduct the transactions you authorized in your enrollment agreement with us. Unless you have agreed to it, these Processors are not allowed to use this information for any purpose other than to enable EarnUp Services. The information we share with our Processors is set forth in your enrollment agreement with us.

We will not disclose your Contact Information, Financial Information, Loan Information, or Personal Identifying Information to anyone, except with your express permission or if we are required to do so to comply with ACH transaction rules, a subpoena, or other legal process.

## **We May Share Your Personal Information With**

- Our Processors, as noted above, so that we may successfully carry out payment transactions in order to provide the EarnUp Services.
- The Lenders and organizations that have paid for you to receive our services (or otherwise referred you to us as part of their services).
- Service providers under contract who help with our business operations such as fraud prevention, bill collection, marketing and technology services. Our contracts dictate that these service providers only use your information in connection with the services they perform for us and not for their own benefit.
- Credit bureaus and collection agencies to report account information, as permitted by law.
- Companies that we plan to merge with or be acquired by.
- Law enforcement, government officials, or other third parties pursuant to a subpoena, court order, or other legal process or requirement applicable to EarnUp; when we need to do so to comply with law or credit card rules; or when we believe, in our sole discretion, that the disclosure of personal information is necessary to prevent physical harm or financial loss, to report suspected illegal activity or to investigate violations of your enrollment agreement.
- Other third parties with your consent or direction to do so.

EarnUp will not sell or rent any of your personal information to third parties for their marketing purposes and only shares your personal information with third parties as described in this policy.

If you open an EarnUp account directly with a third party, any information that you enter on that website, application, or otherwise (and not directly with EarnUp) will be shared with the owner of the third party. These sites are governed by their own privacy policies and you are encouraged to review their privacy policies before providing them with personal information. EarnUp is not responsible for the content or information practices of such third parties.

## **How You Can Restrict EarnUp From Sharing Your Personal Information**

EarnUp maintains your preferences for use and sharing of information, including how we contact you. Some federal and state laws allow you to restrict the sharing of your personal information in certain instances. EarnUp does not share your personal information with third parties for their marketing purposes unless you have given your explicit consent. If you do not want EarnUp to use your personal information with for the purpose of marketing products simply contact us via email or phone to indicate your preferences.

## **How You Can Access or Change Your Personal Information**

You can review and edit your personal information at any time by contacting us via phone. You can also close your account by contacting us by phone. If you close your EarnUp account, we will mark your account in our database as “Cancelled,” but may

retain personal information from your account to collect any fees owed, resolve disputes, troubleshoot problems, assist with any investigations, prevent fraud, enforce our enrollment agreement, comply with regulatory requirements, or take other actions as required or permitted by law.

## **How You Can Contact Us About Privacy Questions**

If you have questions or concerns regarding this policy, you should contact us by writing to us at EarnUp, Attention: Privacy Department, 2370 Market St., Suite 203, San Francisco, CA 94114.