

## **PRIVACY POLICY OF BUTLER BUSINESS SYSTEMS**

### ***Introduction and Overview***

Butler Business Systems, LLC (“BBS” or “we”) cares about your privacy as much as it cares about its own. For those concerned, this privacy policy delineates how BBS and its affiliates collect and use the sensitive and/or personally identifiable information of its merchants, merchant employees, end users, resellers, applicants, third-party partners, and other visitors to our websites. Personally identifiable information (“PII”) is information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context. What follows should provide insight for those interested in what and how we collect, use, protect or otherwise handle your PII in accordance with our website.

### ***What personal information does BBS collect from visitors to its website?***

When ordering products or services, using customer or support services, creating an account with us, registering or downloading information on our site, as appropriate, you may be asked to enter your name, email address, mailing address, phone number, billing and payment information, candidate information (for job applicants), date of birth, social security number, and other details about you that could directly or indirectly identify you.

### ***When do we collect information?***

We collect information when you place an order, enter information on our website, use our customer or support services, apply for a job, sign up for our newsletter, respond to a survey or marketing communication, surf our website, or use our website’s features. You will provide most of the information we collect about you. And by providing this information to us, you consent to our collection of your information in compliance with all applicable laws.

### ***How do we use you information?***

We may use the information we collect about you for the following purposes:

- Operating, evaluating, maintaining, improving, and providing the features and functionality of our products and services
- Fulfilling a payment or return transaction initiated by you
- Delivering electronic receipts to consumers who request them via email or text message
- Managing our relationship with you or your company
- Carrying out our obligations, and exercising our rights, under our agreement with you or your company
- Communicating with you regarding your account with us, if you have one, including by sending you service-related emails or messages (e.g., messages regarding account verification, changes or updates to the functionality of our products or services, technical and security notices and alerts, and support and administrative messages)
- Facilitating communications between resellers and merchants and merchants and merchants’ customers regarding marketing messages and preferences
- Personalizing the manner in which we provide our products and services
- Maintaining records for merchants regarding their personnel’s interaction with and use of the BBS POS (e.g., clock-in and clock-out time)
- Maintaining records for merchants of their customers’ purchase activity and history
- Checking for fraud or money laundering and/or managing either our or a merchant’s risk
- Administering and protecting our business

- Providing support and maintenance for our products and services, including responding to your service-related requests, questions, and feedback
- Responding to queries regarding customer and support services
- Answering questions sent to us via email or through our website
- Developing and creating analytics and related reporting, such as regarding merchant, reseller, industry and fraud trends
- Research, developing, analyzing and improving our services, products and business

***How do we protect your information?***

- Your personal information is contained behind secured networks and is only accessible by a limited number of people who have special access rights to such systems and (i) are required to access the information to fulfill a business purpose and (ii) are required to keep the information confidential. In addition, all sensitive/credit information you supply (if any) is encrypted via Secure Socket Layer (SSL) technology.
- We implement a variety of security measures when a user places an order to maintain the safety of your personal information.
- All transactions are processed through a gateway provider and are not stored or processed on our servers.

***Do you anonymize data?***

We may create anonymized (or de-identified) data from your and other individuals' personal information we collect. If we create anonymized data, we do so by removing the information that makes the data personally identifiable to you, and use that anonymized data for our lawful business purposes.

***Do we use cookies and other tracking devices?***

Yes.

Cookies. A cookie is a small file placed on your device's hard drive that allows your device to be recognized by a site (such as ours) or its service provider. A cookie does not provide access to your device or any information about you, other than the data you choose to share with us. For instance, we use cookies to help us remember and process the items in your shopping cart. We also use them to help us understand your preferences based on previous or current site activity, which enables us to provide you with improved services. We also use cookies to help us compile aggregate data about site traffic and site interaction so that we can offer better site experiences and tools in the future. All this allows information enables us to provide you with more relevant product offerings, a better experience on our websites and mobile applications, and to collect, analyze and improve the performance of our services. We may also collect your location (IP address) so that we can personalize our services. If you wish to opt out of interest-based advertising [click here](#). Please note you will continue to receive generic ads even if you choose to "opt out."

Replay Technologies. We also use third party software that uses software coded to record users' interaction with our website in a manner that allows us to watch video-like replays of user sessions. These replays include users' clicks, mouse movements, scrolls, and keystrokes/key touches during those sessions. These replays help us diagnose usability problems and identify areas for improvement. You can opt-out of session recording at [help@r2pos.com](mailto:help@r2pos.com).

Web Beacons. Web beacons, also known as pixel tags or clear GIFs, are used to demonstrate that a webpage or email address was accessed or opened, or that certain content was viewed or clicked.

Local Storage Technologies. like HTML5 and Flash, that provide cookie-equivalent functionality but can store larger amounts of data on your device outside of your browser in connection with specific applications.

***Do we receive additional data from third parties?***

Additional information about you may be received from other sources, including publicly available databases or third parties from whom we have purchased data, in which case we may combine this data with information we already have about you so that we can update, expand and analyze the accuracy of our records, assess the qualifications of a candidate for employment, identify new customers, and provide products and services that may be of interest to you. If you provide us personal information about others, or if others give us your information, we will only use that information for the specific reason for which it was provided to us.

Any third parties (and any subcontractors they may be permitted to use) that may receive your information to assist us in operating our business have agreed not to share, use or retain your personal information for any purpose other than as necessary for the provision of the requisite products and services.

***Do we sell, trade or transfer personal data to third parties?***

We do not sell, trade, or otherwise transfer to outside parties your personally identifiable information unless we provide you with advance notice. This does not include website hosting partners and other parties who assist us in operating our website, conducting our business, or servicing you, so long as those parties agree to keep your personally identifiable information confidential. We may also release your information when we believe it is appropriate to comply with the law, enforce our site policies, or protect ours or others' rights, property, or safety.

However, non-personally identifiable visitor information may be provided to other parties for marketing, advertising, or other uses.

We will also disclose your information to third parties:

- if we sell or buy any business or assets (whether a result of liquidation, bankruptcy or otherwise), in which case we will disclose your data to the prospective seller or buyer of such business or assets; or
- if we sell, buy, merge, are acquired by, or partner with other companies or businesses, or sell some or all of our assets. In such transactions, your information may be among the transferred assets.

**We may share your personal data with the following parties**

- We may disclose your personal data to our subsidiaries and corporate affiliates for purposes consistent with this Privacy Notice.
- We may use third parties to administer and provide services on our behalf (such as companies that provide customer support, companies that we engage to host, manage, maintain, and develop our website, mobile applications, and IT systems, and companies that help us process payments). These third

parties may use your information only as directed by BBS and in a manner consistent with this Privacy Notice and they are prohibited from using or disclosing your information for any other purpose.

- Third-party applications that a merchant has installed on a BBS compatible device may instruct BBS to transfer personal data. For example, an application may direct BBS to export data or reports to a third-party cloud storage system. Merchants are responsible for their use of third-party applications, the directions that the application provides to BBS, and BBS's reliance on those directions. BBS is not responsible for the privacy policy or practices of any third-party application.
- When BBS provides services for its merchants, it may share personal data with those merchants. For example, BBS may collect information about a merchant's customers from or on behalf of the merchant, such as when BBS processes payment transactions, and BBS may provide personal data about those customers back to the merchant. We not responsible for the privacy practices of the merchants using our services.
- BBS shares personal data with businesses involved with processing a payment transaction, such as merchants, banks or other card issuers, card associations, debit network operators and their members.
- BBS shares personal data with credit reference, fraud protection, risk management, and identity verification agencies to help guard against, detect, and respond to fraud or money laundering, and/or manage our or our merchants' risk, and to comply with contractual, legal, or regulatory requirements.
- We may disclose your personal data to our professional advisors, such as lawyers, bankers, auditors and insurers, where necessary in the course of the professional services that they render to us.
- BBS may disclose information about you to government or law enforcement officials (including tax authorities) or private parties as required by law, and disclose and use such information as we believe necessary or appropriate to:
  - Comply with applicable laws, lawful requests, and legal processes, such as to respond to subpoenas or requests from government authorities;
  - Enforce the terms and conditions that govern our products and services;
  - (iii) Protect our rights, privacy, safety or property, and/or that of you or others; and
  - Protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity.
- BBS 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.

#### ***Do you have third party links on your websites?***

Occasionally, at our discretion, we may include or offer third party products or services on our website. These third-party sites have separate and independent privacy policies. We therefore have no responsibility or liability for the content and activities of these linked sites. Nonetheless, we seek to protect the integrity of our site and welcome any feedback about these sites. We also encourage you to review the privacy policies of the linked sites so you know how these sites collect and use your PII.

#### ***How do you communicate with us?***

We may contact you directly or through a third-party service provider regarding products or services you have signed up or purchased from us, such as necessary to deliver transactional or service-related communications. We may also contact you with offers for additional services we think you'll find valuable if you give us consent, or when allowed based upon legitimate interests. You don't need to provide consent as a condition to purchase our goods or services. These contacts may include:

- Email
- Text (SMS) messages
- Telephone calls
- Messenger applications (e.g., WhatsApp, etc.)
- Automated phone calls or text messages.

You may also update your subscription preferences with respect to receiving communications from us and/or our partners by signing into your account and visiting “Business Settings” page.

If we collect information from you in connection with a co-branded offer, it will be clear at the point of collection who is collecting the information and whose privacy policy applies. In addition, it will describe any choice options you have in regards to the use and/or sharing of your personal information with a co-branded partner, as well as how to exercise those options. We are not responsible for the privacy practices or the content of third-party sites. Please read the privacy policy of any website you visit.

If you make use of a service that allows you to import contacts (ex. using email marketing services to send emails on your behalf), we will only use the contacts and any other personal information for the requested service. If you believe that anyone has provided us with your personal information and you would like to request that it be removed from our database, please contact us at [privacy@Poynt.com](mailto:privacy@Poynt.com).

***What is COPPA (Children Online Privacy Protection Act)?***

When it comes to the collection of personal information from children under 13, the Children’s Online Privacy Protection Act (COPPA) puts parents in control. The Federal Trade Commission, the nation’s consumer protection agency, enforces the COPPA Rule, which spells out what operators of websites and online services must do to protect children’s privacy and safety online.

We do not specifically market to children under 13.

***What are the Fair Information Practices?***

The Fair Information Practices Principles form the backbone of privacy law in the United States and the concepts they include have played a significant role in the development of data protection laws around the globe. Understanding the Fair Information Practice Principles and how they should be implemented is critical to comply with the various privacy laws that protect personal information.

In order to be in line with Fair Information Practices we will take the following responsive action, should a data breach occur:

We will notify the users via email within 7 business days.

We also agree to the individual redress principle, which requires that individuals have a right to pursue legally enforceable rights against data collectors and processors who fail to adhere to the law. This principle requires not only that individuals have enforceable rights against data users, but also that individuals have recourse to courts or a government agency to investigate and/or prosecute non-compliance by data processors.

***Do we provide ‘Do Not Track’ notifications?***

Some browsers allow you to automatically notify websites you visit not to track you using a “Do Not Track” signal. There is no consensus among industry participants as to what “Do Not Track” means in this context. Like many websites and online services, we currently do not alter our practices when we receive a “Do

Not Track" signal from a visitor's browser. To find out more about "Do Not Track," you may wish to visit [www.allaboutdnt.com](http://www.allaboutdnt.com).

***If you exercise your privacy rights, will you be discriminated against?***

We will not discriminate against you for exercising any of your privacy rights. Unless permitted under applicable laws, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

***How may we change this policy?***

We reserve the right to modify this Privacy Policy at any time. If we decide to change our Privacy Policy, we will post those changes to this Privacy Policy and any other places we deem appropriate, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it. If we make material changes to this Privacy Policy, we will notify you here, by email, or by means of a notice on our home page, at least thirty (30) days before the implementation of the changes.

***How may you contact us?***

If there are any questions regarding this privacy policy you may contact us using the information below.

[support@butlerbizsys.com](mailto:support@butlerbizsys.com)

800-283-9037

[legal@butlerbizsys.com](mailto:legal@butlerbizsys.com)

***How may I stop tracking devices?***

Some Internet browsers may send "Do Not Track" signals to the online services that you visit. We currently do not respond to do not track signals. To find out more about "Do Not Track," please visit <http://www.allaboutdnt.com>.

***How do I choose not to send my personal data?***

Where we request personal data directly from you, you do not have to provide it to us. If you decide not to provide the requested information, in some circumstances we, or merchants who use BBS, may be unable to provide products or services to you. For example, we may be unable to process your transaction without certain personal data.

***How may I Access, modify or delete my information?***

In some jurisdictions, applicable law may provide a right for individuals to access, modify, or delete their personal data. You may contact us directly to request access to, or modification or deletion of, your information. We may not be able to provide access to, or modify or delete, your information in all circumstances.

***What can I do if I have any complaints?***

If you have a complaint about our handling of your personal data, you may contact our data protection officer using the contact information below. We request that a complaint be made in writing. Please

provide details about your concern or complaint so that our data protection officer can investigate it. We will take appropriate action in response to your complaint, which may include conducting internal discussions with relevant business representatives. We may contact you for additional details or clarification about your concern or complaint. We will contact you to inform you of our response to your complaint. You also may have a right to file a complaint with a national or local regulatory agency.

***I'm a California Resident; what are my specific rights?***

The information provided in this “Information for California Residents” section only applies to California residents. This notice describes how we collect, use and share your Personal Information (as defined in the California Consumer Privacy Act of 2018, or “CCPA”), and your rights with respect to that Personal Information.

***If I'm a California resident, what are my privacy rights?***

As a California resident, you have the rights listed below. However, these rights are not absolute, and we may decline your request as permitted by the CCPA.

- Information. You may request the following information about how we have collected and used your Personal Information during the past 12 months:
  - The categories of Personal Information that we have collected.
  - The categories of sources from which we collected Personal Information.
  - The business or commercial purpose for collecting and/or selling Personal Information.
  - The categories of third parties with whom we share Personal Information.
  - Whether we have disclosed your Personal Information for a business purpose, and if so, the categories of Personal Information received by each category of recipient.
  - Whether we've sold your Personal Information; and, if so, the categories of Personal Information received by each category of recipient.
- Access. You may request a copy of the Personal Information that we maintain about you.
- Deletion. You may ask us to delete the Personal Information that we maintain about you.
- Nondiscrimination. You may exercise the rights described above free from discrimination. This means that we will not penalize you for exercising your rights by taking actions such as by denying you goods or services, increasing the price/rate of goods or services, decreasing the service quality, or suggesting that we may penalize you as described above for exercising your rights. However, the CCPA allows us to charge you a different price or provide a different service quality if that difference is reasonably related to the value of the Personal Information, we are unable to use.

***How may exercise my rights?***

You may exercise your California privacy rights as follows:

You may request to exercise your information, access and deletion rights in the following ways:

- Access our online CCPA form [here](#)
- Call 1-855-968-5569
- Identity verification. The CCPA requires us to verify the identity of the individual submitting the request before providing a substantive response to the request. A request must be provided with sufficient detail to allow us to understand, evaluate and respond. The requester must provide sufficient information to allow us to reasonably verify that the individual is the person about whom we collected information. A request may also be made on behalf of your child under 13.

- Authorized agents. California residents can empower an “authorized agent” to submit requests on their behalf. We will require the authorized agent to have a written authorization confirming that authority.

***Do you sell my Personal Information?***

We do not sell, as defined under CCPA, your Personal Information to third parties.

***What Personal information do you collect, use and share?***

The chart below summarizes our collection, use and sharing of Personal Information during the last 12 months before the effective date of this Privacy Policy. We describe the sources through which we collect your Personal Information in section above titled The Personal Data We Collect, and describe the purposes for which we collect, use, sell and share this information in section above titled How We Use Your Personal Data and The Parties with Whom We Share Your Personal Data.

Category	Do we collect this information?	Do we share this information for business purposes?	
Identifiers	Yes	Yes	
Online Identifiers	Yes	Yes	
Protected Classifications	Age possible, if provided by merchant	No	
Commercial Information	Yes	Yes	
Biometric Information	Yes	No	
Internet or Network Information	Yes	Yes	
Geolocation Data	Yes, possible	Yes, Possible	
Sensory Information	No	No	
Professional or Employment Information	No	No	
Education Information	No	No	
Inferences	No	No	
Financial Information	Yes	Yes	
Medical Information	No	No	

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## **GLOSSARY**

<b>Categories of Personal Information</b>	<b>Date Elements within the Category</b>
Biometric Information	An individual's physiological, biological or behavioral characteristics, including DNA, that can be used, singly or in combination with each other or with other identifying data, to establish an individual's identity. Biometric information includes, but is not limited to, imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns, and voice recordings, from which an identifier template, such as a face print, a minutiae template, or a voiceprint, can be extracted, and keystroke patterns or rhythms, gait patterns or rhythms, and sleep, health, or exercise data that contain identifying information.
Transaction History	Products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
Financial Information	Bank account number, debit or credit card numbers, insurance policy number, and other financial information.
Geolocation Data	Precise location, e.g., derived from GPS coordinates or telemetry data.
Identifiers	Real name, alias, postal address, unique personal identifier, customer number, email address, account name other similar identifiers.
Government Issued ID	Social security number, driver's license, passport, or other government-issued ID, including an ID number or image.
Medical Information	Personal information about an individual's health or healthcare, including health insurance information.
Internet or Network Information	Browsing history, search history, and information regarding a consumer's interaction with an Internet website, application, or advertisement.
Online Identifiers	An online identifier or other persistent identifier that can be used to recognize a person, family or device, over time and across different services, including but not limited to, a device identifier; an Internet Protocol address; cookies, beacons, pixel tags, mobile ad identifiers, or similar technology; customer number, unique pseudonym, or user alias; telephone numbers, or other forms of persistent or probabilistic identifiers (i.e., the identification of a person or a device to a degree of certainty of more probable than not) that can be used to identify a particular person or device.

Physical Description	An individual's physical characteristics or description (e.g., hair color, eye color, height, weight).
Professional or Employment Information	Information relating to a person's current, past or prospective employment or professional experience (e.g., job history, performance evaluations), and educational background.
Protected Classification Characteristics	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).
Sensory Information	Audio, electronic, visual, thermal, olfactory, or similar information.