

Privacy Policy

FlexShopper, LLC its subsidiaries and affiliates, agents, or assigns (collectively, "FlexShopper," "we," "us," or "our") provide products and services through our website (www.flexshopper.com) and the FlexShopper mobile applications (collectively, the "Site"). FlexShopper is committed to protecting your privacy, and we have created this privacy policy ("Privacy Policy") to make sure you know what information we collect and how we use it.

By using the Site, you expressly consent to the collection, storage, disclosure, and use of your information as outlined in this Privacy Policy, and you agree to the terms and conditions of this Privacy Policy. If you do not consent to the terms of this Privacy Policy, please do not continue to access or use the Site or apply to lease a product.

Please note that we do not offer our products and services to anyone under the age of 18. If you are under the age of 18, **do not** use or register for an account on our Site. In addition, if you live in AL or NE we do not offer our products and services for anyone under the age of 19; if you live in MS we do not offer our products or services for anyone under the age of 21.

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How Do We Collect Information – What Do We Collect?

We may collect information from you including, but not limited to, information provided and/or obtained when you: (a) lease or rent any products or apply to lease or rent any products; (b) order, return, or exchange products; (c) contact us through our Site or using a social media platform such as Facebook; (d) sign up to receive emails, mobile messages, or social media notifications from us; (e) enter a contest or sweepstakes on our Site; (f) provide comments, suggestions, or other input; (g) or in the context of our business relationships, including with any of our commercial clients or third-party service providers.

We collect personally-identifiable information ("PII") about you as well as information about your use of the Site. Except as otherwise explained in this Privacy Policy, we may combine the non-personally identifiable information that we automatically collect from you with your PII.

Categories of PII, which may include sensitive personal information, we collect may include:

- Identifiers: Real name, alias, unique personal identifier, online identifier, Internet Protocol address, account name, driver's license number, passport number, profile picture, image, and other information that directly identified you or other similar identifiers.
- Other Personal Information: Signature, physical characteristics or description, state identification card number, insurance policy number, education, employment, employment history, credit card number, or any other financial information, medical information, information on utility bills, or health insurance information.
- Characteristics of Protected Classifications under California or Federal Law: age.
- Commercial Information: records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- Internet or other electronic network activity information: browsing history, search history, and information regarding a consumer's interaction with an Internet website, application, or advertisement.
- Audio Information: customer service call recordings.
- Mobile Images: As part of our services, FlexShopper may allow customers to take and upload pictures for various purposes, including but not limited to product reviews, support inquiries, or other interactive features.
- Professional (or Employment) Information.
- Education Information.
- Inferences: drawn from PII to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.
- Any Other Information: information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household, including, but not limited to, the following if it identifies, relates to, describes, is capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular consumer or household.

We collect this information from a variety of sources, sometimes from you directly, sometimes indirectly through our business partners, service providers, and other third-party data sources.

Cookies and Other Tracking Technology

We use "cookies" (small data files stored on your computer) and other tracking technologies to collect information about your visit to our Site. The cookies and tracking technologies we use do not capture PII. The information that is captured about your visit may be used in a variety of ways across multiple devices, such as to monitor and maintain information about your visits to our Site, to help us identify and address problems with and to improve our Site, to analyze web traffic trends, and to help protect the security and integrity of our Site. You may set your browser not to accept cookies or to notify you when you receive cookies, giving you the opportunity to decide whether to accept cookies. If you do not accept cookies however, you will not experience a personalized visit nor will you be able to subscribe to the service offerings on the Site.

FlexShopper uses cookies to collect information around abandoned shopping carts. A cart is considered abandoned within one hour of inactivity/lack of purchase. Once the cart is considered abandoned, an SMS message will be sent as a reminder.

We may also use pixel tags (also known as "clear gifs," "web beacons," or "1-by-1 gifs"). These may be used in connection with certain pages of our Site or with email messages to measure the effectiveness of our communications, to compile statistics about usage and response rates, and to assist us in resolving issues that may arise on this Site.

Our website may also use a website recording service that may record mouse clicks, mouse movements, page scrolling and any text keyed into website forms. Data collected by this service is used to improve our website usability. The information collected is stored and is used for aggregated and statistical reporting and is not disclosed to third parties.

Other companies may also place cookies or web beacons on our Site. We do not have access to or control over these cookies. These companies may help operate our Site or provide you with additional products and services. Certain functionalities related to the provision of additional products and services require marketing companies to share website usage information about visitors to the Site, who have received a targeted promotional campaign, with a reputable third-party advertising company for the purpose of targeting future campaigns and upgrading visitor information used in reporting statistics. To this end, our third-party advertising companies may note some of the pages you visit on the Site through the use of pixel tags. These companies may collect PII about your online activities over time and across different websites when you use our Site.

If you have any questions about an ad or other targeted content, you should contact the responsible provider directly. Some of these third parties may provide you with ways to choose not to have your information collected or used for targeted advertising. For example, some of these companies may be members of the Network Advertising Initiative ("NAI") or the Digital Advertising Alliance ("DAA"), which provide a single location where you can opt out of certain types of data collection and use or out of receiving targeted ads from member companies. To opt out, visit www.networkadvertising.org/managing/opt_out.asp or www.aboutads.info.

Google Analytics & Remarketing

This Site uses Google Analytics, a service that transmits website traffic data to Google servers in the United States. Google Analytics does not identify individual users or associate your IP address with any other data held by Google. We use reports provided by Google Analytics to help us understand website traffic and webpage usage.

This Site also uses Remarketing with Google Analytics to advertise online. Third-party vendors, including Google, may show our ads on websites across the Internet. We and third-party vendors, including Google, use first-party cookies (such as the Google Analytics cookie) and third-party cookies (such as the Double Click cookie) together to inform, optimize, and serve ads based on your past visits to our Site. To opt out of Google's use of cookies, you may visit [Google's Ads Settings](#) or [Google Analytics Opt-Out Add-on](#).

How Do We Use Collected PII?

We may use the PII we collect for the following purposes:

- To respond to your inquiries, fulfill your requests, and facilitate collecting payments;
- To communicate to you important information regarding this Site, changes to our Terms and Conditions, and/or other administrative information;
- For our business purposes, such as data analysis, audits, developing a better understanding of our customers, enhancing our Site, adding or improving our products and services, identifying usage trends, and determining the effectiveness of our promotional campaigns;
- For risk control, to comply with laws and regulations, and to comply with other legal process and law enforcement requirements;
- If you register for an account with us, to contact you, via telephone, SMS, MMS or email:
 - To update you on the status of your order and for related product or service information;
 - For marketing purposes, such as notifying you of product discounts, Site changes, company news, and promotions that we feel may be of benefit to you, including third party offers;
 - To conduct surveys and research regarding your opinion of our current services or potential new services that we may offer; and
 - To personalize your experience or to improve our Site and offerings by allowing us to customize the content and/or layout of the Site based on feedback and information we receive from you.
- We may, from time to time, contact you on behalf of external business partners about a particular offering that may be of interest to you. In those cases, the sharing of your PII to a third party is only allowed so long as these parties agree to keep this information confidential, consistent with our Privacy Policy.
- To audit related to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards.
- To help ensure security and integrity to the extent the use of your personal information is reasonably necessary and proportionate for these purposes.
- For debugging to identify and repair errors that impair existing intended functionality.
- For short-term, transient use, including, but not limited to, nonpersonalized advertising shown as part of your current interaction with us, provided the PII that is not disclosed to another third party and is not used to build a profile about a consumer or otherwise alter an individual consumer's experience outside the current interaction, including, but not limited to, the contextual customization of ads shown as part of the same interaction.
- To perform services, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing advertising or marketing services, providing analytic services, or providing similar services.
- For internal research for technological development and demonstration.
- To undertake activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us.
- For commercial purposes, including any purpose to advance a person's commercial or economic interests, such as by inducing another person to rent or lease products, goods, or property, or enabling or effecting, directly or indirectly, a commercial transaction.

We may use the non-personally identifiable information that we collect for our general business operations, to maintain the quality of our services, and to provide general statistics regarding our customers' use of the Site.

How Do We Protect Your PII?

We implement a variety of industry standard security measures to maintain the safety of your PII, including encryption technologies. When you provide us with certain types of PII, such as financial information, we redirect you to a secure server. At our facilities, we implement security measures to protect against the loss, misuse, or alteration of information that we have collected from you on the Site. Unfortunately, no security technology is completely secure, and we cannot guarantee the absolute security of your PII. You should remember that no method of transmission over the Internet or method of electronic storage is 100% secure. To protect the security of your information, we may require you to authenticate your identity to conduct certain transactions using our services. If you believe that information that you have

submitted through our services has been used without your permission, call us immediately at [\(877\)-630-9596](tel:877-630-9596) to report the unauthorized access. If you fail to notify us, you may be liable for all unauthorized activity on your account.

Do We Disclose Your PII To Third Parties?

We do not sell, trade, or otherwise transfer your PII to third parties without your consent or unless disclosed in this Privacy Policy. We also do not sell or share the personal information of minors under 16 years of age without affirmative authorization.

We may disclose your PII to trusted third parties who assist us in operating our Site, processing transactions, conducting our business, providing services or offers that we feel may be of a benefit to you, or for any of the uses as described above, so long as these parties agree to keep this information confidential, consistent with this Privacy Policy.

We also may disclose PII to third parties: (a) when we have reason to believe that such disclosure is necessary to identify, contact, or bring legal action against someone who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, customers or other visitors to this Site, or anyone else who could be harmed by such activities; (b) to respond to judicial process, provide information to law enforcement agencies, in connection with an investigation on matters related to public safety, as permitted by law, or otherwise as required by law, such as to comply with a subpoena or similar legal process; (c) in the event of a merger, acquisition, consolidation, change of control, or sale of all or a portion of our assets or if we undergo bankruptcy or liquidation; or (d) for any other legitimate business purposes not otherwise prohibited by applicable law. We also may disclose PII to third parties in accordance with your instructions or with your consent, such as when you participate in our [Refer-a-Friend Program](#).

We may report information about your account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report. Non-personally identifiable information collected at this Site may be provided to third parties for marketing, advertising, or other uses.

You authorize us to communicate your lawful consent to your wireless operator (AT&T, Sprint, T-Mobile, US Cellular, Verizon, or any other branded wireless operator) to disclose your mobile number, name, address, email, network status, customer type, customer role, billing type, mobile device identifiers (IMSI and IMEI) and other subscriber status details, if available, for our use solely to allow verification of your identity and to compare information you have provided to us (and certain third parties) with your wireless operator account profile information for the duration of the business relationship.

How Do You Stop Receiving Marketing and Other Communications?

As mentioned, most browsers can be configured to reject cookies or other tracking technologies or alert you when cookies are being placed on your computer. If you would like to stop receiving communications from us or to cancel your account, you may contact us as follows:

Phone:	Call us toll-free at (877)-630-9596
Mail:	Send a letter or notice to the following address: Customer Service ATTN: Consent Department 901 Yamato Rd, Suite 260 Boca Raton, FL 33431

If you would like to cease receiving marketing emails from us, just click the unsubscribe link at the bottom of the email and you will stop receiving emails from us within seven (7) business days. By electing to opt out of information sharing, you will not receive updates on new products, services, or special offers.

Third-Party Links

This Site may contain links to other websites so you may learn more about the products available through us and other matters that we feel may be of interest to you. We are providing these links to you only as a convenience, and the inclusion of any link does not imply a recommendation or endorsement by us of the third-party website or any association with its operators. We have no control over the nature, content, and availability of those websites, and are in no manner responsible or liable for the availability and content of the websites to which this Site is linked or the privacy practices of the operators of those websites. We make no representations whatsoever about any other website you may access through this Site. Any concerns regarding the privacy practices of a website to which this Site is linked or the link itself should be directed to the operator of that specific website and not to us.

Collection and Use of Bank Account Information

As part of our information collection process, we may receive information about bank accounts owned by you from third-party service providers. We consider information about these accounts to be part of the application process. By applying for our services, you authorize us to search for and evaluate bank accounts owned by you for this purpose.

We also use third party providers to gather your data from banks and other financial institutions. By applying for our services, you grant us the right, power, and authority to act on your behalf to access and transmit your personal and financial information from the relevant financial institution. You agree to your personal and financial information being transferred, stored, and processed by these third parties, including Plaid Inc. in accordance with its [Privacy Policy](#) and Terrace Finance in accordance with its [Privacy Policy](#).

California Privacy Rights

California law permits residents of California to request certain details about how their information is disclosed with third parties for direct marketing purposes. FlexShopper does not disclose your PII with third parties for the third parties' direct marketing purposes unless you provide us with consent to do so. While we do not sell your PII for direct monetary consideration, we do contribute to a cooperative database which may be considered a "sale" or "share" of PII under California law. The cooperative database will not share your PII with any third parties. If you are a California resident, you may request that we do not sell or share your PII by clicking here [Do Not Sell or Share My Information](#).

Information We Collect

We collect PII that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (for the purposes of this California section, "personal information"). For more information about the categories of personal information we have collected about consumers in the preceding 12 months, please see the "How Do We Collect Information –What Do We Collect?" and the "Cookies and Other Tracking Technology" sections that appears above in this Privacy Policy. For more information about our business or commercial purpose for collecting personal information, please see the "How Do We Use Collected PII?" section that appear above in this Privacy Policy.

We retain personal information, including sensitive personal information, throughout the course of our business relationship with you and for a period of time thereafter in order to comply with applicable laws and regulations or as necessary to fulfill the purpose(s) for which it was collected, provide our services, resolve disputes, establish legal defenses, conduct audits, pursue our legitimate business purposes, enforce our agreements, and in accordance with our routine information storage policies and practices.

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose:

Category A: Identifiers.

Category B: California Customer Records: personal information categories

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Category C: Protected classification characteristics under California or federal law.

Category D: Commercial information

Category F: Internet or other similar network activity.

Category G: Geolocation data.

Category H: Sensory data

Category I: Professional or employment-related information.

Category J: Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).

Category K: Inferences drawn from other personal information.

Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you.
- Directly and indirectly from activity on the Site.
- From third-parties that interact with us in connection with the services we perform. For example, from affiliate marketers who place ads and forward activity to us or from consumer reporting agencies ("CRA").
- Information that is publicly available online or elsewhere.
- Employees and job applicants.
- Third parties such as advertising networks, internet service providers, data analytics providers, government entities, operating systems and platforms, social networks, and data brokers

The categories of third parties to whom we disclose personal information

We may disclose personal information for any of the uses and purposes described in this Privacy Policy to the following categories of third parties:

- Third parties such as advertising networks, internet service providers, government entities, operating systems and platforms and social networks
- Third parties such as data analytics provides, data brokers or data storage providers

Under the CCPA, California residents have the right to:

- Request that a business delete any personal information about the consumer which the business has collected from the consumer.
- Request that a business that collects personal information about the consumer disclose to the consumer, free of charge, the following:
 - The categories of personal information, including sensitive personal information, that it has collected about that consumer.
 - The categories of sources from which the personal information is collected.
 - The business or commercial purpose for collecting or selling personal information.
 - The categories of third parties with whom the business discloses personal information.
 - The specific pieces of personal information it has collected about that consumer.
- Request that a business that maintains inaccurate personal information about the consumer to correct that inaccurate personal information.
- Request that a business that sells or shares the consumer's personal information, or that discloses it for a business purpose disclose, free of charge, disclose to the consumer:
 - The categories of personal information that the business collected about the consumer.
 - The categories of personal information that the business sold or shared about the consumer and the categories of third parties to whom the personal information was sold or shared, by category or categories of personal information for each third party to whom the personal information was sold or shared.
 - The categories of personal information that the business disclosed about the consumer for a business purpose.
- Direct a business that sells or shares personal information about the consumer to third parties not to sell or share the consumer's personal information.
- Direct a business that collects sensitive personal information about the consumer to limit its use of the consumer's sensitive personal information to that use which is necessary to perform the services or provide the goods reasonably expected by an average consumer who requests those goods or services, to perform the services.
- To exercise any of the rights above, please use one of the designated methods for submitting requests described below.

[\(877\)-630-9596](tel:(877)-630-9596)

legal@FlexShopper.com

We may request up to up to three pieces of Personal Information about you when you make a request to verify your identity. These pieces of Personal Information may include your First Name, Last Name, Address, Phone Number, Email and/or Social Security number. Only you, or an authorized agent acting on your behalf, may make a verifiable consumer request related to your personal information. You may designate an authorized agent to make such requests on your behalf by providing your authorized agent with power of attorney or provide us with written permission that you have authorized the agent to act on your behalf.

FlexShopper will not discriminate or retaliate against a consumer because the consumer exercises any of the consumer's rights as described in this section. However, we reserve the right to limit these rights where permitted under applicable law, including where your identity cannot be reasonably verified, to the extent your rights adversely affect the rights and freedoms of others, or where the CCPA allows us an exemption, such as when we are required to comply with federal, state, or local laws. For example, Flexshopper is not required to respond to your requests when such requests involve protected health information that is collected by a covered entity or business associate governed by the Health Insurance Portability and Accountability Act; or information that is used, communicated, disclosed, or sold as authorized by the Fair Credit Reporting Act; or information that is collected, processed, sold, or disclosed pursuant to the Gramm-Leach-Bliley Act or the Driver's

authorized by the Fair Credit Reporting Act, or information that is collected, processed, sold, or disclosed pursuant to the Gramm-Leach-Bliley Act or the Bank Secrecy Act, or information that is collected, processed, sold, or disclosed pursuant to the Privacy Protection Act.

Additional State Privacy Rights

We will process data in accordance with applicable state laws and regulations based on your state of residence. As noted above, to protect your privacy, we will respond to your privacy requests as required by any such applicable laws.

For Virginia residents, you can appeal a decision we make related to your privacy requests by contacting us below or by utilizing additional options for appeal that we may provide in our response.

[\(877\)-630-9596](tel:(877)-630-9596)

legal@FlexShopper.com

Children's Online Privacy Protection Act

We respect the privacy of your children, and we comply with the Children's Online Privacy Protection Act ("COPPA"). We do not knowingly collect or retain PII from consumers under the age of thirteen (13). You must be at least eighteen (18) years of age to obtain services from us.

We do not sell or share the personal information of California consumers who are under the age of 16 without affirmative authorization. FlexShopper has no actual knowledge of any sales or sharing of the personal information of consumers under 16 years of age in the preceding 12 months.

Do Not Track

The Site does not currently respond to "Do Not Track" signals sent by browsers.

Changes to Our Privacy Policy

We reserve the right to modify our Privacy Policy at any time in the future. Any changes to our Privacy Policy will be posted on this page and will go into effect on the day that the Privacy Policy was last updated as indicated below. We encourage you to review our Privacy Policy periodically. By continuing to use the Site after an amended Privacy Policy has been posted, you agree to the amended terms of the Privacy Policy.

Contact Information

We welcome your comments regarding this Privacy Policy. If you have questions about this Privacy Policy, please contact us at legal@FlexShopper.com.

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