

PastPerfect Software, Inc.

Privacy Policy

Last Updated: October 12, 2023

PastPerfect Software, Inc. ("**PastPerfect**," "**we**," or "**us**") is committed to protecting the privacy of our clients and visitors ("**user**" or "**you**") to our websites, [museumsoftware.com](https://www.museumsoftware.com) and [mypastperfect.com](https://www.mypastperfect.com) (collectively, the "**Site**"). We have therefore adopted this Privacy Policy (this "**Policy**") to inform you that we collect certain information from you when you visit the Site or sign up for a subscription (each an "**Subscription**") for the services we offer through the Site (collectively, the "**Service**"), or otherwise provide us with information via the Site or the Service. This Privacy Policy is intended to provide you with a clear understanding of the types of information we collect, the purpose of that collection, how we use the information, whether and with whom we share it, how we protect it, and the choices we offer you regarding our collection and use of such information.

PLEASE READ THIS PRIVACY POLICY CAREFULLY. BY USING THE SITE OR THE SERVICE, WHICH USE IS AT ALL TIMES SUBJECT TO OUR TERMS OF SERVICE, YOU CONSENT TO OUR COLLECTION AND USE OF YOUR PERSONAL INFORMATION (DEFINED BELOW) AS DESCRIBED IN THIS PRIVACY POLICY. IF YOU DO NOT CONSENT TO OUR COLLECTION AND USE OF YOUR PERSONAL INFORMATION AS SET FORTH IN THIS PRIVACY POLICY, YOU MAY NOT ACCESS THE SITE OR THE SERVICE AND MUST IMMEDIATELY CEASE ALL USE THEREOF.

Except as set forth in this Privacy Policy, your Personal Information will not be used for any other purpose without your consent. You may withdraw your consent to our processing of your Personal Information at any time. However, withdrawing consent may result in your inability to continue using the Site or the Service or some of their features. Capitalized terms used but not otherwise defined in this Privacy Policy have the respective meanings given to such terms in our Terms of Service.

Definitions.

- **California Consumer Privacy Act ("CCPA")** means the California statute intended to enhance privacy rights and consumer protection for residents of California, United States.
- **General Data Protection Regulation ("GDPR")** means the European Union ("**EU**") law on data protection and privacy applicable to individuals within the EU.
- **Personal Data** under the GDPR means any information relating to an identified or identifiable natural person, an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

- **Personal Information** is personally identifiable information—information about you that can uniquely identify you, either alone or in combination. For purposes of this Privacy Policy, “Personal Data” is included within this definition.

Types of Information Collected

We may collect from you certain information—both Personal Information and Non-Personal Information (defined below)—that you provide to us through your use of the Site or the Service.

Personal Information We Collect from You

When you request information via the Site regarding our products and services, subscribe to a newsletter, fill out a form, respond to a survey or marketing communication, or use Live Chat on the Site, we collect the following types of Personal Information from you:

- name;
- mailing address (if personal mailing address is provided);
- e-mail address (if personal e-mail is provided);
- telephone number (if personal mobile or home phone number is provided); and
- any other information that you upload or submit to the Site directly or indirectly

When you order a Subscription via the Site as an Authorized User, we collect the following types of Personal Information from you upon placing the order:

- name;
- mailing address (if personal mailing address is provided);
- e-mail address (if personal e-mail is provided);
- telephone number (if personal mobile or home phone number is provided);
- credit card information (including card number, expiration address, and verification code) (see “*Payment Information*” below);
- billing address (if personal billing address is provided); and
- any other information that you upload or submit to the Site directly or indirectly

When you register as an Authorized User on the Service, we collect the following types of Personal Information from you:

- name;
- e-mail address (if personal e-mail is provided); and
- any other information that you upload or submit to the Site directly or indirectly

In addition, as a condition of providing you with the Service, you may be required to provide us certain data that includes Personal Information of your own customers. By registering for a Subscription, you represent and warrant to us that you have obtained the necessary rights to share such information with us and that, in sharing such information with us, you are in full compliance with all applicable laws.

It is always your choice whether to provide us with Personal Information but, if you choose not to provide certain requested Personal Information, in some instances you may not be able to access or use some of the features of the Site or the Service or register for a Subscription.

Non-Personal Information We Collect from You

“Non-Personal Information” is information of an anonymous nature, such as an Internet Protocol Address (IP Address), the domain used to access the Site, and the type and version of browser or operating system being used by visitors to access the Site. Aggregated information, such as demographic statistics of our users (*e.g.*, the average age or geographical location of our users), number of visitors, what pages users access or visit, and average time spent on the Site is considered Non-Personal Information. Similarly, business contact information such as the name, title, business address, e-mail address, and telephone number of a business, a professional person or an employee of an organization are each considered Non-Personal Information.

The use of certain Non-Personal Information collected, used or disclosed through the Internet as described herein is not restricted (and to the extent that such is the case, the obligations under this Privacy Policy do not apply to such information). Similar to other websites, we may collect some Non-Personal Information automatically from you when you visit the Site and use certain functionalities provided on the Site for free. We store this information in log files. This collection may include, but is not limited to, your domain name and host for Internet access, the Internet address of the site from which you came, the date and time of your access, your computer’s IP address and information about its operating system, browser, and host, the date and time you access the Service and the pages you visit. We collect this Non-Personal Information in order to help diagnose problems and to administer the Service. We also use it to help identify you and to gather broad demographic information. We may automatically collect information using various mechanisms, including but not limited to cookies and pixels (See *Cookies* below).

Payment Information

When you order a Subscription, we collect credit card and billing information from you. This information is used only to make single payment requests, or to register you for an ongoing Subscription that requires automatic payments in the future. It is important to note, however, that we do not store any of this payment information or process any of your payments on our servers. We use the third-party payment processor GoDaddy Payments to assist in securely processing your personally identifiable payment information, including recurring charges (if any). The credit card information that you provide to our representative when you order your Subscription is included in your Order information compiled by that representative and then immediately transmitted to GoDaddy Payments via an https connection. Once it is transmitted, we destroy your credit card and related payment information.

GoDaddy Payments is bound by contractual obligations to keep the Personal Information we provide them confidential and use it only for the purposes for which we disclose it to them. We are not responsible, however, for GoDaddy Payment’s collection or use of the Personal

Information they collect in connection with your financial transactions made via the Site. You may find out more about how GoDaddy stores and uses your credit card information by accessing the [Privacy Policy for GoDaddy](#).

Communications

In order to receive certain communications from us, such as responses to user inquiries, you will be required to submit your e-mail address to us. You may also provide your email address to us in order to receive security updates and news even if you do not sign up for an account or make a purchase. Any non-Service-related email you receive from us will include an unsubscribe link that will allow you to opt-out of receiving future emails. It may be necessary to send you Service related announcements. For example, if the Service is temporarily suspended for maintenance, we may send users an email. You may not opt-out of Service-related emails that are not promotional in nature.

Cookies

When you visit the Site, we may also collect certain information by automated means, such as cookies. A “cookie” is a text file that websites send to a visitor’s computer or other Internet connected device to uniquely identify the visitor’s browser or to store information or settings in the browser. We may also use third-party website analytics tools (such as Google Analytics) that collect information about user traffic on the Site. We do not control the use of cookies by third parties. Also see “Third-Party Analytics Providers” below.

The information we may collect by automated means includes, but is not limited to, the following:

- information about the device you used to access the Site (such as the IP address and the type of the device, operating system, and web browser);
- dates, times and duration of visits to the Site (including whether you are a repeat or first-time visitor); and
- information on actions taken on the Site (such as page views and Site navigation patterns)

You have a variety of tools available to control the data collected by cookies, web beacons, and similar technologies. You may set your browser setting to attempt to reject cookies and you may still use the Service, however, certain features of the Service may not be available if your browser does not accept cookies. See “How We Respond to Do-Not-Track Signals” below for more information on how use of the Service may or may not be affected by your browser settings.

How We Respond to Do-Not-Track Signals

Your web browser may let you choose your preference as to whether you want to allow websites to collect Personal Information over time about your online activities across different websites or online services. At this time our Site does not respond to the preferences you may have set in

your web browser regarding the collection of your information, and we may continue to collect information in the manner described in this Privacy Policy.

Third-Party Analytics Providers

We use third parties to help us operate and improve the Service. In doing so, we may share with these third parties non-personally identifiable information about users' use of the Service. These third-party providers also use cookies. We use third party analytics providers, such as Google Analytics, to provide us with general demographic and interest-level information about our users and to help create a better user experience. We do not control information collected by third parties and are not responsible for their use of that information.

Google Analytics uses cookies and pixels in order to collect demographic and interest-level information and usage information from users that visit the Service, including but not limited to information about the pages where users enter and exit the Service and what pages users view on the Service, time spent, browser, operating system, and IP address. Cookies and pixels allow Google to recognize a user when a user visits the Service and when the user visits other websites. Google uses the information it collects from the Service and other websites to share with us and other website operators' information about users including, but not limited to, age range, gender, geographic regions, general interests, and details about devices used to visit websites and purchase items. We take reasonable measures to prevent linking of information we receive from Google with any of your personally identifiable information. For more information regarding Google's use of cookies and collection and use of information see the [Google Privacy Policy](#). To opt out of Google Analytics, please visit the [Google Analytics Opt-Out Page](#) to learn about opting out and installing the appropriate browser add-on.

How We Use the Information We Collect

The lawful basis for us processing your Personal Information for the uses described herein will typically be because you have provided your consent; it is necessary for our contractual relationship; the processing is required for us to comply with legal obligations; and/or the processing is in our legitimate interest of providing the Service.

We may use your Personal Information to:

- provide you with the Service and any other services you request;
- register you to receive e-mails or other information or materials you request;
- understand your needs and interests and tailor the Site and the Service accordingly;
- respond to your questions and comments and provide customer support;
- communicate with you about our services, offers, and promotions;
- process orders for and maintain Subscriptions,
- assist you with your experience while visiting the Site or using the Service;
- improve upon the functionality of the Site and the Service;
- maintain a record (for record accountability purposes) of changes to the Personal Information we collect from you.;
- enforce our [Terms of Service](#) and other agreements; and

- comply with applicable legal requirements and industry standards.

In addition to the uses described above, we may use the information collected through cookies to identify and authenticate visitors. We may also combine the information we collect with publicly available information, and with that of other users of the Site. For example, we may use your and other users' Personal Information in an aggregated and anonymized manner in order to improve the Site or the Service, for statistical analysis, or for any other legitimate business purposes.

How We Share the Information We Collect

We will not share or disclose your Personal Information except (i) to our subsidiaries and affiliates, or to contractors, service providers, and other third parties we use to support our business who are bound by contractual obligations to keep such Personal Information confidential and use it only for the purposes for which we disclose it to them; (ii) to comply with any court order, law, or legal process, including to respond to any government or regulatory request; (iii) to enforce or apply our [Terms of Service](#) and other agreements; (iv) to provide the Service to you; or (v) if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of PastPerfect, users of our Site or our Service, or any third party.

We also reserve the right to transfer your Personal Information to a buyer or other transferee in the event of a merger, divestiture, restructuring, reorganization, dissolution, sale, or other transfer of some or all of our assets. Should such a sale, merger, or transfer occur, we will use reasonable efforts to direct the transferee to use your Personal Information in a manner that is consistent with this Privacy Policy.

Advertisements

Any advertisements appearing on the Site may be delivered by us or one or more third-party web advertisers. These third-party web advertisers may set cookies. These cookies allow the advertisement server operated by that third party to recognize your computer each time they send you an online advertisement. Accordingly, advertisement servers may compile information about where or whether you viewed their advertisements and which advertisements you clicked on. This information allows web advertisers to deliver targeted advertisements that they believe will be of most interest to you. This Privacy Policy applies to cookies placed on your computer by us, but does not cover the use of cookies by any third-party web advertisers. For the privacy practices of such third-party web advertisers, you should consult the applicable privacy policy for the relevant third-party web advertiser(s).

Third-Party Links; Social Media Sites

The Site may contain links to other third-party websites, such as social media sites, which are not owned or controlled by us. Such third-party websites are governed by the terms and conditions and privacy policies of such third-party providers and we are not involved in any interaction or transaction between you and such third-parties. We encourage you to read carefully the privacy policies of all such third-party websites. If you access a social network through the Site, you may be asked to grant PastPerfect access to certain information from your social

network profile, such as your friends or contacts lists, photographs, and updates. This information may be used by PastPerfect to suggest new features and content that may be relevant to you, for statistical analysis, or for other business purposes. You understand that even if PastPerfect deletes your Personal Information it may still be available in a third-party service provider's database. PastPerfect has no responsibility or liability for the Personal Information collection, use, or storage activities of the third-party services providers used by PastPerfect to provide you with the services associated with the Service.

Your Choices

We offer you the following choices about what information we collect from you and how we communicate with you:

Cookies. Most browsers will tell you how to stop accepting new cookies, how to be notified when you receive a new cookie, and how to disable existing cookies. Please note, however, that without cookies you may not be able to take full advantage of all of the Site's features.

Marketing Emails. If we have sent you a marketing email, you may choose not to receive additional marketing emails from us by following the unsubscribe instructions contained in each email.

Accessing and Correcting Your Information

We will make every reasonable effort to keep your Personal Information accurate and up-to-date, based upon any updates, corrections, deletions or additions thereto that you provide to us. It is your responsibility, however, to promptly notify us of any changes to your Personal Information or Non-Personal Information. You may request to review the current information we have on file for you and to update, correct, delete or add to your Personal Information or Non-Personal Information from time to time by contacting us at support@museumsoftware.com or 1-800-562-6080.

We will use your amended Personal Information only in accordance with this Privacy Policy. Subject to applicable law, you may have certain additional rights to request access to and receive information about the Personal Information we maintain about you, update and correct inaccuracies in your Personal Information, and have your Personal Information blocked or deleted, as appropriate. For more information, please email us at support@museumsoftware.com.

Security

The security of your Personal Information is important to us. PastPerfect therefore maintains reasonable security measures in place in an effort to protect your Personal Information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please note that no electronic transmission of information can be entirely secure. We cannot guarantee that the security measures we have in place will never be defeated or fail, or that such measures will

always be sufficient or effective. Any transmission of information is at your own risk. We are not responsible for circumvention of any Site privacy settings or our security measures.

Retention

We will keep your Personal Information for as long as it remains necessary for the identified purpose or as required by law, which may extend beyond the termination of our relationship with you. We may retain certain data as necessary to prevent fraud or future abuse, or for legitimate business purposes, such as analysis of aggregated Non-Personal Information, account recovery, or if required by law. All retained Personal Information will remain subject to the terms of this Privacy Policy. If you request that your name be removed from our databases, it may not be possible to completely delete all your Personal Information due to technological and legal constraints.

EU Users' Rights Under the GDPR

The GDPR provides users located in the EU under its protection certain rights with respect to their Personal Data collected by us on the Service. Accordingly, PastPerfect recognizes and will comply with the GDPR and those rights, except as limited by applicable law. The rights under the GDPR include:

- **Right of Access:** This includes the right to obtain from us your Personal Data and whether it is being processed, along with the purposes of the processing; categories of Personal Data concerned; recipients to whom your Personal Data has been disclosed; the period for which your Personal Data is being stored; and the right to lodge a complaint.
- **Right of Rectification:** This includes the right to correct inaccurate Personal Data collected and/or stored by us.
- **Right of Erasure (“Right to be Forgotten”):** This includes the right to have your Personal Data deleted. However, if applicable law requires us to comply with your request to delete information, fulfillment of your request may prevent you from using our services and may result in closing your account.
- **Right to Restriction of Processing:** This includes the right to request restriction of how and why your Personal Data is used or processed by us.
- **Right to Data Portability:** This includes the right to receive your Personal Data in a structure, readable format and the right to have your Personal Data transferred.
- **Right to Object:** This includes the right to object to us processing your Personal Data for reasons such as direct marketing purposes and for scientific or historical research or statistical purposes.
- **Right to not be Subject to Automated Decision-Making:** This includes the right to not be subject to a decision based solely on automated processing, including profiling, that

could have a legal, or similarly significant, effect on you from being made solely based on automated processes.

California Users' Rights

Under the CCPA, California Users have the following rights:

- **Right to Know About Personal Information Collected, Disclosed, or Sold:** You have the right to request that PastPerfect disclose what Personal Information of yours it collects, uses, discloses, and sells over the past 12 months.
- **Right to Request Deletion of Personal Information:** You have the right to request that PastPerfect delete any of your Personal Information that we collected from you.
- **Right to Opt-Out of the Sale of Personal Information:** PastPerfect does not sell Personal Information.
- **Right to Non-Discrimination for Exercising CCPA Rights:** PastPerfect shall not discriminate against California Users for exercising their rights under the CCPA.

To exercise your rights under the CCPA – or have an authorized agent exercise your rights under the CCPA on your behalf – please submit either a “Request to Know Personal Information” or a “Request to Delete Personal Information” to PastPerfect by contacting PastPerfect at support@museumsoftware.com or 1-800-5626080. PastPerfect will verify this request by ensuring that such request is from an email address associated with an Authorized User’s account or with a user to a reasonably high degree of certainty.

Under California’s “Shine the Light Law,” California residents have the right to receive information that identifies any third-party companies or individuals that PastPerfect has shared your Personal Information within the previous calendar year, as well as a description of the categories of Personal Information disclosed to that third party. You may obtain this information once a year and free of charge by contacting PastPerfect at the information below.

Supplemental Notice for Residents of Other US States

Residents of certain other states, such as Colorado, Virginia, and Connecticut, may have certain rights regarding their “personal data,” as defined in these states’ laws (“Personal Information”), that we process.

Residents of Colorado may review this Privacy Policy to understand the kind of personal information we process, the sources of such information, the purposes for which we process each category of personal information, and the categories of entities to whom the personal information is disclosed. Please note that we do not engage in profiling that produces legal or similarly significant effects.

Your state law may permit you to request that we:

- Confirm whether or not we are processing your personal information and provide you with access to such personal information;
- Correct inaccuracies in your personal information, taking into account the nature of the personal information and the purposes of the processing of the personal information;
- Delete your personal information;
- Provide you a copy of personal information that you previously provided to us in a portable and, to the extent technically feasible, readily usable format that allows you to transmit the data to another business, where our processing is carried out by automated means; and
- Opt you out of processing of personal information for purposes of profiling in furtherance of decisions that produce legal or similarly significant effects concerning you (please note that we do not engage in this kind of processing).

Certain information may be exempt from such requests under applicable law. For example, we need certain types of information so that we can provide the Site to you. If you ask us to delete it, you may no longer be able to access or use the Site.

To exercise any of these rights – or have an authorized agent exercise your rights on your behalf – please submit a request to PastPerfect by contacting PastPerfect at support@museumsoftware.com or 1-800-5626080. PastPerfect will verify this request by ensuring that such request is from an email address associated with an Authorized User's account or with a user to a reasonably high degree of certainty.

Notice for Nevada Residents

Under Nevada law, certain Nevada consumers may opt out of the sale of Personal Information for monetary consideration. We do not engage in such activity; however, if you are a Nevada resident who has purchased or leased goods or services from us, you may submit a request to opt out of any potential future sales under Nevada law at support@museumsoftware.com. We will verify this request by ensuring that such request is from an email address associated with an Authorized User's account or with a user to a reasonably high degree of certainty.

Geographic Restrictions

PastPerfect is based in and operates the Site out of the United States. When we obtain Personal Information about you, we may process such information outside of the country in which you are located, including in the United States. The countries in which we process your information may not have the same data protection laws as the country in which you are located. We will protect your information as described in this Privacy Policy.

Children Under the Age of 13

The Site is not directed to, and PastPerfect does not knowingly collect or solicit Personal Information from, children under the age of 13. If we learn we have collected or received Personal Information from a child under the age of 13, we will delete that information. If you believe we might have any information from or about a child under the age of 13, please contact us at support@museumsoftware.com.

Changes to Our Privacy Policy

PastPerfect reserves the right to update or change this Privacy Policy at any time. If we make a material change to this Privacy Policy, we will indicate on the Site that our privacy practices have changed and will provide a link to the new policy. In the event we make a material change to how we use your Personal Information, we will provide you with an opportunity to opt out of such new or different use. The date this Privacy Policy was last updated is at the top of this page. You are responsible for periodically reviewing the Site and this Privacy Policy to check for any updates or changes.

Contact Us

If you have any questions or comments regarding this Privacy Policy, please contact us at support@museumsoftware.com or 1-800-562-6080.