

Last updated: May 13, 2021

eState Planner Privacy Policy

eState Planner (“**eState Planner**”, “**we**”, “**us**”, “**our**” and terms of similar meaning) take your privacy rights very seriously. We are committed to transparently describing our privacy practices, including how we collect, use and disclose (a) your personal or personally identifiable information (“**Information**”); and (b) data we obtain from your activity on the Services (as defined below) (“**Data**”) as part of providing the eState Planner website (<https://https://www.e-stateplanner.com/>) (the “**Site**”) and the eState Planner software application (the “**Software**”) (collectively, the “**Services**”).

We encourage you to read and understand our SaaS Terms and Conditions (“**Terms**”) and this privacy policy (“**Privacy Policy**”) before using the Services. By accepting the Terms and/or Privacy Policy or by accessing the Services, you expressly consent to our collection, use and disclosure of your Information and Data in accordance with this Privacy Policy. This Privacy Policy is incorporated into and subject to our Terms.

All capitalized terms that are not otherwise defined herein obtain their meaning from the Terms.

1. What Information Do We Collect?

- (a) *General.* Our primary purpose in collecting Information and Data from you voluntarily is to provide you with a secure, efficient and customized experience when using the Services. We will only ask for and collect Information and Data that we consider necessary to ensure a positive experience.
- (b) *Information and Data.*
 - (i) When signing up for a User account, Administrators, Firm Users and Clients, as defined in the Terms, of the Services must provide the Information as requested or where indicated. Where possible, on these forms we indicate which fields are required and which fields are optional. Our primary purpose in collecting Data from you voluntarily is to provide a secure experience. When using the Services, we may collect, without limitation, Information and Data related to and generated from your use of the Services, as described in section 1(e).
 - (ii) As you use the Services, you can, or may be required, from time to time enter or send to us Information, which may include, without limitation, Information that you share on your account as an Administrator or a Firm User - pertaining to the Firm or its Clients - or a Client.
- (c) *Payment and Banking Information.* When you add a credit/debit card, payment method or banking information to any Administrator account, these payment details will be shared with our third-party payment processor(s). We do not store credit/debit card, payment method or banking information on our servers. If you modify which Administrator account provides payment for the Services, we will require that Information to be updated for your continued access to the Services.
- (d) *User Feedback.* We may collect ratings and review Information from Users of the Services. Such ratings and reviews are made in accordance with the Terms. If you choose to provide any ratings and reviews relating to the Services, you acknowledge and agree that we will have an unrestricted, perpetual, worldwide right to use such ratings and reviews, in any and all manner and media whatsoever, without any obligation to obtain consent from you, provide attribution to you, or make any payment to you.
- (e) *Information and Data Collected Automatically.*
 - (i) When you use the Services, eState Planner automatically receives and records Data from your device, including, but not limited to your GPS location, IP address, operating Data, device Data, other Software IDs, cookies, and the page you requested. Unless otherwise stated in this Privacy Policy, eState Planner only uses this Data in aggregate form.

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- (ii) “Cookies” and similar technologies are small files placed on your computer and devices that assist us in providing our Services. We and our third-party service providers use cookies and similar technologies to provide and personalize the Service, analyze use, target advertisements and prevent fraud. You can disable cookies in your browser settings, however, if you do so, some parts of the Service may not function properly.

2. How Do We Use Your Information and Data?

We may use your Information to determine your eligibility to be a Firm, Administrator, or Client, or to continue to have a User account on the Service. We may also use your Information and Data to provide to you the license for the Services; to provide you with the Services; communicate with you, either directly or through one of our partners, including for marketing and promotional purposes; to improve our marketing and promotional efforts; to advise of pricing and Service updates; facilitate transactions and payments (if and as applicable); resolve service disputes; troubleshoot problems; to analyze usage of our Services; to improve our content and product offerings; deliver information to you that, in some cases, is relevant to your interests; customize your experience, the content, layout and services; detect and protect us against error, fraud and other criminal activity; enforce our Terms; provide you with system or administrative messages; and/or as otherwise described to you at the time of collection. These uses improve the Services and better tailor it to meet your needs, so as to provide you with a secure, efficient and customized experience while using the Services.

3. Our Disclosure of Your Information and Data

- (a) *General Disclosure.* We may share your Information and Data with third parties only in the ways that are described in this Privacy Policy and in accordance with your consent. We will not share, sell or rent your Information or Data to third parties without your explicit consent.
- (b) *Anonymized Aggregated Data.* We may aggregate and anonymize your Data and use and disclose it for a variety of purposes, including analytics. However, in these situations, we do not disclose any Information.
- (c) *Subsidiaries, Affiliates & Service Providers.* We may use the services of subsidiaries, affiliates and third party service providers (collectively, “**Third Parties**”) in connection with our provision of the Services, including, without limitation, for the processing of payments, off-premise data hosting, communication services, account hosting and Information collecting services. We may disclose your Information and Data to the Third Parties in the course of our use of their services. We take care to use Third Parties that we believe are reputable and capable of performing the services we require of them, including, without limitation, the handling of confidential information and Information and Data and the compliance with all applicable laws.
- (d) *Laws and Jurisdictions.* Notwithstanding anything to the contrary in this Privacy Policy, we may preserve or disclose your Information and Data if we believe that it is reasonably necessary to comply with a law, regulation or legal request; to protect the safety of any person; to address fraud, security or technical issues; or to protect our or any other person’s or entity’s rights or property. However, nothing in this Privacy Policy is intended to limit any legal defenses or objections that you may have to a third party’s, including a government’s, request to disclose your Information and Data.
- (e) *Sale of Business.* We may disclose Information and Data to the acquiror or its agents in the course of the sale of our business. If we do this, the disclosure will be subject to confidentiality arrangements customary in such transactions.
- (f) *Storing and Processing Your Information and Data.* In some cases, Information and Data that we collect may be stored or processed outside of the jurisdiction it is received. When that occurs, we continue to

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protect the Information and Data with appropriate safeguards and data export requirements, but it may be subject to the legal jurisdiction of those countries and governmental authorities in those countries.

4. Communication Preferences

You can always unsubscribe from our commercial and promotional emails, but we may still send you communications relating to your status as a Firm, a Client, or a User, and your use of the Services in accordance with applicable anti-spam legislation.

5. Information and Data Retention

- (a) *General Retention Policy.* We will periodically de-identify (a) Information from collected Data in unused User accounts; and (b) unnecessary Information from Data collected elsewhere on and/or through the Services.
- (b) *Termination of User Account.* If your User accounts are terminated, we will deactivate them, but we may retain your Information and Data for a certain period of time and disclose it in a manner consistent with our practices under this Privacy Policy.

6. Your Information and Data Rights

In accordance with the applicable privacy laws, you may have the following rights with respect to your Information and Data:

- (a) *Right of Access and Portability.* You may ask for an overview or copy of your Information and/or Data to be provided to you; and/or transferred to another organization.
- (b) *Right to Rectification.* You may review your Information and delete and/or update it through your User account or by contacting us, to ensure it is accurate and complete on the Services.
- (c) *Right to Erasure and Restriction.* You may ask us to remove and/or restrict our processing of your Information and/or Data in certain circumstances (e.g. if you believe we have processed your Information and/or Data unlawfully, if you believe that your Information and/or Data is no longer necessary for the purposes in which it was collected or processed, you withdraw your consent (as discussed below). Notwithstanding the foregoing, despite such request, subject to all applicable laws and the terms and conditions of this Privacy Policy, we may still retain your Information and Data for legitimate business interests, to collect any fees owed (if and as applicable), resolve disputes, troubleshoot problems, analyze usage of the Services, assist with any investigations, prevent fraud, enforce our Terms and/or take other actions as required or permitted by law.
- (d) *Right to Withdraw Consent.* Where we have asked for your consent to use and/or process your Information and Data, you can withdraw this consent at any time. We will do our best to accommodate your request, subject to applicable laws and the terms and conditions of this Privacy Policy.

Please contact us at info@e-stateplanner.com if you would like to exercise any of the above rights.

7. Security

We strive to protect your Information and Data by putting in place a range of technical and organizational measures to safeguard and secure the Information and Data we receive from you, including without limitation, security technologies. We are continuously utilizing security measures to protect your Information and Data from unauthorized access or against loss, misuse or alteration. Despite our efforts, we cannot guarantee the security of your Information and Data. Unauthorized entry or use, hardware or application failure and other factors, may

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compromise the security of your Information and Data at any time. We reserve the right, without any limitation, to investigate any suspected breaches of the Services' security or information technology or other systems or networks.

8. Changes to This Privacy Policy

eState Planner may amend this Privacy Policy from time to time. The use of Information and Data we collect is subject to the Privacy Policy in effect at the time the Information or Data is used. If we make any material changes in the way we use your Information or Data, we will notify you by (a) posting a notice on the User account page of the Software or elsewhere on the Services; or (b) e-mailing you at your e-mail address associated with your Firm, Administrator, Client, or User account. Firms, Clients, and Users of the Services are bound by any changes to the Privacy Policy when they use the Services after such changes have been first posted.

9. Questions?

It is our goal to make our privacy practices easy to understand. If you have questions, concerns or if you would like more detailed information, please email our data controller at info@e-stateplanner.com.