

Privacy Policy

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This privacy notice for Pilot Processing (doing business as Next Level Merchant) ("**NLM**," "**we**," "**us**," or "**our**") describes how and why we might collect, store, use, or share ("process") your information when you use our services ("**Services**"), such as when you:

- Visit our website at <http://www.nextlevelmerchant.com> or any data of ours that links to this privacy notice
- Engage with us in other related ways, including any sales, marketing, or events

Questions or concerns? Reading this privacy notice will help you understand your privacy rights and choices. If you disagree with our policies and practices, please do not use our Services. If you still have questions or concerns, please contact us at compliance@nextlevelmerchant.com.

Summary Of Key Points

What personal information do we process? When you visit, use, or navigate our Services, we may process personal information depending on how you interact with NLM and the Services, your choices, and the products and features you use.

Do we process any sensitive personal information? We may process sensitive personal information when necessary with your consent or as otherwise permitted by applicable law.

Do we receive any information from third parties? We may receive information from public databases, business partners, social media platforms, and outside sources.

How do we process your information? We process your information to provide, improve, and administer our Services, communicate with you for security and fraud prevention, and to comply with the law. We may also process your information for other purposes with your consent. We process your data only when we have a valid legal reason.

In what situations and with which parties do we share personal information? During the application process, we share the information provided on the application you sign with our business partners. We also may share information in specific situations and with specific third parties.

How do we keep your information safe? We have organizational and technical processes and procedures to protect your personal information. However, no electronic transmission over the internet or information storage technology can be guaranteed to be 100% secure, so we cannot promise or guarantee that hackers, cybercriminals, or other unauthorized third parties will not be able to defeat our security and improperly collect, access, steal, or modify your information.

What are your rights? Depending on your geographical location, the applicable privacy law may mean you have certain rights regarding your information. Review this notice in full for additional information.

How do you exercise your rights? The easiest way to exercise your rights is by contacting us at compliance@nextlevelmerchant.com. We will consider and act upon any request following applicable data protection laws.

Want to learn more about what NLM does with any information we collect? Review the Privacy Notice in full.

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1. What Information Do We Collect?

Personal Information You Disclose To Us

In short: We collect personal data that you provide to us.

We collect personal information that you voluntarily provide us when you express an interest in obtaining information about us or our products and Services when you participate in activities on the Services or otherwise when you contact us.

Personal Information Provided by You. The personal information we collect depends on the context of your interactions with us and the Services, your choices, and the products and features you use. The personal information we collect may include the following:

- Names
- Phone Numbers
- Email Addresses
- Mailing Addresses
- Contact Preferences
- Billing Addresses

Sensitive Information. When necessary, with your consent or otherwise as permitted by applicable law, we process the following categories of sensitive information:

- Financial Data
- Social Security Numbers Or Other Government Identifiers

All personal information you provide must be true, complete, and accurate, and you must notify us of any changes to such personal information.

Information Collected From Other Sources

***In short:** We may collect limited data from public databases, business partners, social media platforms, and other outside sources.*

To enhance our ability to provide services, update our records, and deliver relevant marketing, we may obtain information about you from other sources, such as public databases, joint marketing partners, affiliate programs, data providers, and other third parties. This information includes mailing addresses, email addresses, phone numbers, intent data (or user behavior data), Internet Protocol (IP) addresses, social media profiles, URLs, and custom profiles for targeted advertising and event promotion.

2. How Do We Process Your Information?

***In short:** We process your information to provide, improve, and administer our Services, communicate with you for security and fraud prevention, and to comply with the law. We may also process your information for other purposes with your consent.*

We process your personal information for a variety of reasons, depending on how you interact with our Services, including:

- **To deliver and facilitate the delivery of services to the user.** We may process your information to provide you with the requested service.
- **To respond to user inquiries/offer support to users.** We may process your information to respond to your questions and solve any potential issues you might have with the requested service.
- **To send administrative information to you.** We may process your information to send you details about our products and services, changes in our terms and policies, and other similar information.
- **To fulfill and manage your orders.** We may process your information to execute and manage your orders, payments, returns, and exchanges through the Services.
- **To enable user-to-user communications.** We may process your information if you use any of our offerings to communicate with another user.

- **To comply with our legal obligations.** We may process your information to comply with our legal obligations, respond to lawful requests, and exercise, establish, or defend our legal rights.

3. When And With Whom Do We Share Your Personal Information?

***In short:** We may share information in specific situations described in this section and with the following third parties.*

Vendors, Consultants, and Other Third-party Service Providers. We may share your data with third-party vendors, service providers, contractors, or agents ("**Third parties**") who perform services for us or on our behalf and require access to such information to do that work. We have contracts with our third parties designed to help safeguard your personal information. Our contracts ensure they can only do something with your personal information if we have instructed them to do it. They will also not share your personal information with any organization apart from us. They also commit to protect the data they hold on our behalf and to retain it for the period we instruct. The categories of third parties we may share personal information with are as follows:

- Cloud Computing Services
- Communication & Collaboration Tools
- Data Storage Service Providers
- Finance & Accounting Tools
- Government Entities
- Payment Processors
- Order Fulfillment Service Providers
- Website Hosting Service Providers

We also may need to share your personal information in the following situations:

Business Partners. We may share your information with our business partners to offer certain products, services, or promotions.

Affiliates. We may share your information with our affiliates, in which case we will require those affiliates to honor this privacy notice. Affiliates include our parent company and any subsidiaries, joint venture partners, or other companies we control or are under common control.

Business Transfers. We may share or transfer your information in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company.

4. How Long Do We Keep Your Information?

***In short:** we keep your information for as long as necessary to fulfill the purposes outlined in this privacy notice unless otherwise required by law.*

We will only keep your personal information for as long as it is necessary for the purposes set out in this privacy notice unless a more extended retention period is required or permitted by law (such as tax, accounting, or other legal requirements).

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize such information, or, if this is not possible (for example, because your data has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

5. How Do We Keep Your Information Safe?

In short: *We aim to protect your personal information through organizational and technical security measures.*

We have implemented appropriate and reasonable technical and organizational security measures designed to protect the security of any personal information we process. However, despite our safeguards and efforts to secure your information, no electronic transmission over the Internet or information storage technology can be guaranteed to be 100% secure, so we cannot promise or guarantee that hackers, cybercriminals, or other unauthorized third parties will not be able to defeat our security and improperly collect, access, steal, or modify your information. Although we will do our best to protect your personal information, the transmission of personal information to and from our Services is at your own risk. You should only access the Services within a secure environment.

6. Do We Collect Information From Minors?

In short: *We do not knowingly collect data from or market to children under 18.*

We do not knowingly solicit data from or market to children under 18. By using the Services, you represent that you are at least 18. If we learn that personal information from users less than 18 years of age has been collected, we will deactivate the account and take reasonable measures to delete such data from our records promptly. If you become aware of any data we may have collected from a minor child, please contact us at compliance@nextlevelmerchant.com.

7. What Are Your Privacy Rights?

In short: *You may review, change, or terminate your account anytime.*

Withdrawing your consent: If we are relying on your consent to process your personal information, which may be express or implied consent, depending on the applicable law, you have the right to withdraw your consent at any time. You can withdraw your consent anytime by contacting us using the details provided in the "How Can You Contact Us About This Notice?" section below.

However, please note that this will not affect the lawfulness of the processing before its withdrawal, nor when applicable law allows, will it affect the processing of your personal information conducted in reliance on lawful processing grounds other than consent.

If you have questions or comments about your privacy rights, email us at compliance@nextlevelmerchant.com.

8. Controls For Do-Not-Track Features

Most web browsers, mobile operating systems, and mobile applications include a Do-Not-Track ("DNT") feature or setting you can activate to signal your privacy preference and not to have data about your online browsing activities monitored and collected. No uniform technology standard for recognizing and implementing DNT signals has been finalized. As such, we do not currently respond to DNT browser signals or any other mechanism that automatically communicates your choice not to be tracked online. If a standard for online tracking is adopted that we must follow in the future, we will inform you about that practice in a revised version of this privacy notice.

9. Texting Policies & Procedures

NLM does not participate in marketing texts. Our text policy is with your consent only; You agree to receive **informational** text messages regarding your application or account directly from employees or contractors of Next Level Merchant between 9:00 am and 6:00 pm CST. This agreement is not a condition of purchase. Next Level Merchant will never send automated or promotional messaging. Message & data rates apply.

NLM does not rent, sell, or share information to send messages. We create and vet our opt-in lists. We also maintain all opt-in and opt-out requests in our records to ensure that future messages are not attempted (in the case of an opt-out request) and that your consent is honored to minimize unwanted messages.

You may contact us anytime to opt-in, opt-out, or request additional information on our text policies.

10. Do California Residents Have Specific Privacy Rights?

In short: Yes, if you are a resident of California, you are granted specific rights regarding access to your personal information.

California Civil Code Section 1798.83, also known as the "Shine The Light" law, permits our users who are California residents to request and obtain from us, once a year and free of charge, information about categories of personal data (if any) we disclosed to third parties for direct marketing purposes and the names and addresses of all third parties with which we shared personal information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing using the contact information provided below.

CCPA Privacy Notice

The California Code of Regulations defines a "resident" as:

1. Every individual who is in the State of California for other than a temporary or transitory purpose AND
2. Every individual who is domiciled in the State of California who is outside the State of California for a temporary or transitory purpose

All other individuals are defined as "non-residents."

If this definition of "resident" applies to you, we must adhere to certain rights and obligations regarding your personal information.

What categories of personal information do we collect?

We have collected the following categories of personal information in the past twelve (12) months:

- **Category A - Identifiers:** Contact details, such as real name, postal address, telephone or mobile contact number, and email address
- **Category B: Personal information categories listed in the California Customer Records statute:** Name, contact information, and financial information
- **Category C - Protected classification characteristics under California or federal law:** Gender and date of birth
- **Category I - Professional or employment-related information:** Business contact details to provide you with our Services at a business level or job title, work history, and professional qualifications if you apply for a job with us
- **Category L - Sensitive Personal Information:** Contents of email or text messages, debit or credit card numbers, driver's licenses, passport numbers, social security numbers, and state id card numbers

We will use and retain the collected personal information as needed to provide the Services if the user has an account with us.

Category L information may be used or disclosed to a service provider or a contractor for additional, specified purposes. You have the right to limit the use or disclosure of your sensitive personal information.

We may also collect other personal information outside of these categories through instances where you interact with us in person, online, or by phone or mail in the context of:

- Receiving help through our customer support channels; and
- Facilitate the delivery of our Services and respond to your inquiries.

How do we use and share your personal information?

You can find more information about our data collection and sharing practices in this privacy notice.

You can opt out of sharing your personal information by disabling cookies in Cookie Preference Settings.

You may contact us via the contact details at the bottom of this document.

If you are using an authorized agent to exercise your right to opt out, we may deny a request if the authorized agent does not submit proof that they have been validly authorized to act on your behalf.

Will your information be shared with anyone else?

We may disclose your personal information with our service providers according to a written contract between each service provider and us. Each service provider is a for-profit entity that processes the information on our behalf, following the same strict privacy protection obligations mandated by the CCPA.

We may use your personal information for our business purposes, such as undertaking internal research for technological development and demonstration. These business purposes are not considered the "selling" of your personal information.

NLM has disclosed the following categories of personal information to third parties for a business or commercial purpose in the preceding twelve (12) months:

- **Category A - Identifiers:** Contact details, such as real name, postal address, telephone or mobile contact number, and email address
- **Category B: Personal information categories listed in the California Customer Records statute:** Name, contact information, and financial information
- **Category C - Protected classification characteristics under California or federal law:** Gender and date of birth
- **Category I - Professional or employment-related information:** Business contact details to provide you with our Services at a business level or job title, work history, and professional qualifications if you apply for a job with us
- **Category L - Sensitive Personal Information:** Contents of email or text messages, debit or credit card numbers, driver's licenses, passport numbers, social security numbers, and state id card numbers

You can find the categories of third parties to whom we disclosed personal information for a business or commercial purpose under "When And With Whom Do We Share Your Personal Information?".

Your rights concerning your data

Right to request deletion of the data - Request to delete

You can ask for the deletion of your personal information. Suppose you ask us to delete your data. In that case, we will respect your request and delete your personal information, subject to certain exceptions provided by law, such as (But not limited to the exercise by another consumer of their right to free speech, our compliance requirements resulting from a legal obligation, or any processing that may be required to protect against illegal activities.

Right to be informed - Request to know.

Depending on the circumstances, you have a right to know:

- whether we collect and use your personal information;
- the categories of personal information that we collect;
- the purposes for which the collected personal information is used;
- whether we sell or share personal information with third parties;
- the categories of personal data that we sold, transferred, or disclosed for a business purpose;
- the types of third parties to whom the personal information was sold, shared, or disclosed for a business purpose;
- the business or commercial purpose for collecting, selling, or sharing private information; and
- the specific pieces of personal information we collected about you.

Per applicable law, we are not obligated to provide or delete consumer information that is de-identified in response to a consumer request or to re-identify individual data to verify a consumer request.

Right to Non-Discrimination for the Exercise of a Consumer's Privacy Rights

We will not discriminate against you if you exercise your privacy rights.

Right to Limit Use and Disclosure of Sensitive Personal Information

If the business practice collects any of the following:

- social security information, driver's licenses, state ID cards, passport numbers
- account login information
- credit card numbers, financial account information, or credentials allowing access to such accounts
- precise geolocation
- racial or ethnic origin, religious or philosophical beliefs, union membership
- the contents of email and text, unless the business is the intended recipient of the communication
- genetic data, biometric data, and health data
- data concerning sexual orientation and sex life

You have the right to direct that business to limit its use of your sensitive personal information to what is necessary to perform the Services.

Once a business receives your request, they are no longer allowed to use or disclose your sensitive personal information for any other purpose unless you consent to use or disclose sensitive personal information for additional purposes.

Please note that sensitive personal information collected or processed without the purpose of inferring characteristics about a consumer is not covered by this right, nor is publicly available information.

To exercise your right to limit the use and disclosure of sensitive personal information, please email compliance@nextlevelmerchant.com.

Verification process

Upon receiving your request, we will need to verify your identity to determine that you are the same person we have the information with within our system. These verification efforts require us to ask you to provide certain information so that we can match the information you provide with the information we already have on file, or we may contact you through a communication method (e.g., phone or email) that you have previously provided to us. We may also use other verification methods as the circumstances dictate.

We will only use the personal information provided in your request to verify your identity or authority to make the request. To the extent possible, we will avoid requesting additional information from you for verification. However, suppose we cannot verify your identity from the information we maintained. In that case, we may request that you provide additional information to verify your identity and for security or fraud-prevention purposes. We will delete such additionally provided information as soon as we vet you.

Other privacy rights

- You may object to the processing of your personal information.
- You may request correction of your data if it is incorrect or no longer relevant or ask to restrict the processing of the information.
- You can designate an authorized agent to request the CCPA on your behalf. We may only accept a request from an authorized agent that submits proof that they have been validly assigned to act on your behalf under the CCPA.

To exercise these rights, you can contact us by referring to the contact details at the bottom of this document.

11. Do Virginia Residents Have Specific Privacy Rights?

In short: Yes, if you are a resident of Virginia, you may be granted specific rights regarding access to and use of your personal information.

Virginia CDPA Privacy Notice

Under the Virginia Consumer Data Protection Act (CDPA):

"Consumer" means a natural person who resides in the Commonwealth acting only in an individual or household context. It does not include a natural person acting in a commercial or employment context.

"Personal data" means any information linked or reasonably linkable to an identifiable natural person. "Personal data" does not include de-identified data or publicly available information.

"Sale of personal data" means exchanging personal data for monetary consideration.

If this definition of "Consumer" applies to you, we must adhere to certain rights and obligations regarding your data.

The information we collect, use, and disclose about you will vary depending on how you interact with NLM and our Services. To find out more, read this document in its entirety.

Your rights concerning your data

- Right to be informed whether or not we are processing your data
- Right to access your data
- Right to correct inaccuracies in your data
- Right to request deletion of your data
- Right to obtain a copy of the personal data you previously shared with us
- Right to opt out of the processing of your data if it is used for targeted advertising, the sale of personal data, or profiling in furtherance of decisions that produce legal or similarly significant effects ("profiling")

NLM has not sold personal data to third parties for business or commercial purposes. NLM will not sell personal data belonging to website visitors, users, and other consumers in the future.

Exercise your rights provided under the Virginia CDPA

You can find more information about our data collection and sharing practices in this privacy notice.

You may contact us by referring to the contact details at the bottom of this document.

If you are using an authorized agent to exercise your rights, we may deny a request if the authorized agent does not submit proof that they have been validly authorized to act on your behalf.

Verification process

We may request that you provide additional information reasonably necessary to verify you and your consumer's request. If you submit the request through an authorized agent, we may need to collect additional information to verify your identity before processing your request.

Upon receiving your request, we will respond without undue delay, but in all cases, within forty-five (45) days of receipt. The response period may be extended once by forty-five (45) additional days when reasonably necessary. We will inform you of any such extension within the initial 45-day response period and the reason for the extension.

Right to appeal

If we decline to take action regarding your request, we will inform you of our decision and its reasoning. If you wish to appeal our decision, please email us at compliance@nextlevelmerchant.com. Within sixty (60) days of receipt of an appeal, we will inform you in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. You may contact the Attorney General to submit a complaint if your appeal is denied.

12. Do We Make Updates To This Notice?

In short: we will update this notice to comply with relevant laws.

We update this privacy notice from time to time. The updated version will be indicated by an updated "Revised" date, and the updated version will be effective as soon as it is accessible. If we make material changes to this privacy notice, we may notify you by prominently posting a notice of such changes or by directly sending you a notification. We encourage you to review this policy notice frequently to be informed of how we are protecting your information.

13. How Can You Contact Us About This Notice?

If you have questions or comments about this notice, you may email us at compliance@nextlevelmerchant.com or by post to:

Next Level Merchant
401 Century Pkwy
#553
Allen, TX 75013

14. How Can You Review, Update, Or Delete The Data We Collect From You?

Based on the applicable laws of your state, you may have the right to request access to the personal information we collect from you, change that information, or delete it. Please contact us via the contact information above to request to review, update, or delete your personal information.