

# Privacy Policy

## Lastly.com Privacy Policy

Lastly.com respects the privacy of visitors to our website. To better protect your privacy, Lastly.com and/or our applicable subsidiaries and/or affiliates (collectively, “Lastly.com”, “us”, “our” or “we”) provides this Privacy Policy, which explains our online information practices and the choices you can make about the way in which your information is collected and used on this website (the “Website”) and the Lastly.com mobile application. Please see our Terms and Conditions for additional information applicable to your use of our Website. By using this Website, you expressly consent to our collection, processing, storage, use, transfer and disclosure of your personally identifiable information as described in this Privacy Policy.

### The Information We Collect

You do not have to give us personally identifiable information in order to access and browse some of the areas of our Website. However, in order to utilize, participate in or otherwise subscribe to one of our products or services, you may be required to provide us with your personally identifiable information, which is information that, alone or in combination with other information, allows us to identify you, such as your name, address, phone number, e-mail address, birthday, contact preferences, credit card information, financial information or information relating to a support or service issue. If you provide us with your personally identifiable information, you are giving us permission to use that information for the specific purpose for which it is provided and for any other purpose described in this Privacy Policy.

You also give information when you answer Lastly.com questions or post information about your life, history, memories and thoughts in the Life Review section of Lastly.com. Lastly.com does not pre-screen all content, and we are not liable for any content. However, Lastly.com may view your Life Review in order to ensure compliance with our Terms and Conditions, to resolve service problems, or to improve the web experience of Lastly.com members. You may also provide information and email addresses of your friends and family for use in sharing the Life Review you create, and such friends and family will be able to view personally identifiable information in the Life Review that you allow them to access. When you choose to share the Life Review that you have created with your friends and family, those individuals will have the opportunity to provide and share information about you as Contributors to your Life Review. You, or others you give your Life Review access to, will be required to provide personally identifiable information when participating in or otherwise subscribing to such products or services.

We also may collect, store and use certain non-personally identifiable information we receive when you visit our Website, and we may aggregate data and information provided by or collected from multiple users in a manner that is not personally identifiable to any individual user. All non-personally identifiable information collected by us on our Website and all aggregated/compilations of data we create are the exclusive property of Lastly.com. Nothing in this Privacy Policy limits our right to use any such non-personally identifiable or aggregated information in any way (including, but not limited to, monitoring user traffic patterns, analyzing and quantifying user preferences, improving the design and content of our Website, and enabling us to personalize your

user experience) or prohibits us from sharing non-personally identifiable or aggregated information with third parties.

## **How We Use the Information**

Subject to the restrictions described in this Privacy Policy and applicable law, we may use personally identifiable information for any reasonable purpose related to Lastly.com's business. Information about our members is an important part of our business, and we may also share personally identifiable information collected on our Website with unaffiliated third parties as described below.

- **Other Users and Contributors:** You may give others permission to view, edit and/or contribute personal information about you, and the decision to share your information is at your sole discretion.
- **Business Providers; Unaffiliated Businesses:** At times, we may provide products, services or offerings on our Website in cooperation with an unaffiliated third party. We may share personally identifiable information that you provide in connection with any such products, services or offerings with the unaffiliated third party(ies) involved in your particular product, service or offering. For instance, when you express interest in products or services that we offer, we will share your request or expression of interest with the businesses with which we partner to offer you those products and services and, as applicable, with their affiliates and third party finder or marketing companies (collectively, "Business Providers"). By electing to participate or otherwise expressing interest in any such product, service or offering conducted in conjunction with any Business Provider, you expressly authorize us to provide your personally identifiable information to those Business Providers. Please be aware the Business Providers with whom we share your personally identifiable information may retain or use your information whether or not you use their services, and the privacy and information sharing practices of such Business Providers may differ from those described in this Privacy Policy. Additionally, we may share personally identifiable information with unaffiliated third parties to whom you explicitly ask us to send your information.
- **Third Party Service Providers:** We employ other companies and individuals to perform functions on our behalf. Examples may include sending postal mail and e-mail, uploading and posting photos, removing repetitive information from customer lists, analyzing data, providing marketing assistance, providing search results and links (including paid listings and links), processing credit card payments and providing customer service. In connection with their performance of functions on our behalf, we may share personally identifiable information with such companies and individuals as needed for them to perform their functions.
- **Third Party Promotions:** We may send offers to selected groups of customers on behalf of unaffiliated businesses that want to market their products or services to you, and as part of these promotional offers we may sell or disclose certain of your personally identifiable information to such unaffiliated businesses.
- **In-House Promotions:** We may on occasion combine information we receive online with outside records to enhance our ability to market our products and services that may be of interest to you.
- **Social Networking:** We may work with third party social media providers to offer you their social networking services through our Website. For example, you may use third party apps, websites or other services that use, or integrate with, our products and services. These

social networking services may collect, process, and retain information about you in accordance with their own terms of service or privacy policies. We have no responsibility or liability for such independent terms or policies, and you should review their terms and policies carefully regarding how your information may be used.

- **Business Transfers:** As our business continues to evolve, we might sell one or more of our companies, subsidiaries or business units. In such transactions, personally identifiable information generally is one of the transferred business assets. In such event, this Privacy Policy may be amended as set forth below or the collection and uses of your personally identifiable information may be governed by a different privacy policy.
- **Protection of Our Website and Others:** We reserve the right to release personally identifiable information to unaffiliated third parties when we believe its release is appropriate to comply with the law, enforce or apply our Terms and Conditions and other agreements, or protect the rights, property or safety of Lastly.com, our users or others. This includes exchanging information with other unaffiliated third parties in connection with fraud protection and credit risk reduction.

## **Cookies and Web Beacons**

To enhance your experience with our Website, many of our Web pages use “cookies.” Cookies are text files we place in your computer’s browser to store your preferences. Cookies, by themselves, do not tell us your e-mail address or reveal other personally identifiable information unless you choose to provide this information to us by, for example, registering at our Website. However, once you choose to furnish our Website with personally identifiable information, this information may be linked to the data stored in the cookie.

We use cookies to understand site usage and to improve the content and offerings on our Website. For example, we may use cookies to personalize your experience at our Website (e.g., to recognize you by name when you return to our Website), save your password in password-protected areas and enable you to use shopping carts on our Website. We also may use cookies to offer you products, programs or services.

“Web beacons” are small pieces of code placed on a Web page to monitor behavior and collect data about the visitors viewing a Web page. For example, Web beacons or similar technology can be used to count the users who visit a Website or to deliver a cookie to the browser of a visitor viewing that page. We may use Web beacons or similar technology on our Website from time to time for this and other purposes.

## **Mobile Data**

If you access our Website using a mobile device (e.g. your phone or tablet), we may collect mobile device identifiers such as the device type, IP address and the operating system. For example, if you are accessing the Lastly.com mobile application, we may record information such as how often you use the application, the events that occur within the application, aggregated usage, performance data, and from where the application was downloaded. We may link the information we store to any personally identifiable information you submit within the mobile app for internal purposes or to communicate with you. Our Website may also collect other information from your mobile device, such as your geographic location, with your permission. We may also occasionally send you push notifications to provide you information about our services. You may opt-out of these notifications through the settings on your mobile device.

## **Do Not Track Disclosures**

Some Web browsers may transmit Do Not Track (DNT) signals to our Website. Because there is currently no industry standard concerning DNT signals, we currently do not take action in response to these signals.

## **California Privacy Rights**

Lastly.com does not authorize the collection of personally identifiable information from our members for third party use for their direct marketing purposes without separate member consent.

If you are a California resident, you may request information regarding the disclosure of your personally identifiable information by Lastly.com to third parties for the third parties' direct marketing purposes. To make such a request, please send an email to [*email*] or write us at [*postal address*].

## **Collection of Information by Third-Party Sites**

Our Website may contain links to other websites whose information practices may be different than ours. Our Privacy Policy and procedures may or may not be consistent with the policies and procedures of such third party websites, and when you visit such websites our Privacy Policy does not apply to personally identifiable information and other data collected by such third party. You should consult, read and understand the privacy notices of such third parties before choosing to provide personally identifiable information on any such linked websites.

## **Our Commitment to Security**

We have in place what we believe to be commercially reasonable procedures to safeguard and help prevent unauthorized access of, maintain data security for, and correctly use the personally identifiable information you have provided or that we otherwise collect on our Website. While such efforts are intended to ensure the confidentiality of your personally identifiable information, we cannot and do not warrant or guaranty the absolute safety and security of your personally identifiable information.

## **How You Can Access or Correct Information, and Close Your Account**

You have a right to (1) access, modify, correct, or delete your personally identifiable information controlled by Lastly.com regarding your profile, (2) change or remove your content, and (3) close your account. For example, if you created a password-protected account within our Website, you may return to that portion of the Website to review the personally identifiable information you provided. Alternatively, you may send an e-mail or letter to us requesting information about or corrections to your personally identifiable information, subject to appropriate verification procedures. However, when you edit or delete content and personal information, copies of such content and information may remain viewable elsewhere to the extent such copies have been shared by others, was otherwise distributed pursuant to your privacy settings, or was copied or stored by other users or other members.

## **Data Retention**

We retain the personal information you provide while your account is in existence or as needed to provide you services. We may retain your personal information even after you have closed your account if retention is reasonably necessary to comply with our legal obligations, meet regulatory requirements, resolve disputes between members, prevent fraud and abuse, or enforce this Privacy Policy and our Terms and Conditions. We may retain personal information, for a limited period of time, if requested by law enforcement.

### **Your privacy responsibilities**

To help protect your privacy, be sure:

- not to share your user ID or password with anyone else;
- to log off the Website when you are finished;
- to take customary precautions to guard against “malware” (viruses, Trojan horses, bots, etc.), for example by installing and updating suitable anti-virus software.

### **Underage Children**

This Website you are visiting is a general audience website and is not designed for children. We are not responsible for any access or use of this Website by children. If you are under age 18, you may use our Website only with the direct oversight of a parent or guardian.

### **Disclaimer**

As noted in this Privacy Policy, we take our commitment to protection of your privacy seriously. However, nothing in this Privacy Policy is intended to create or provide any right of action for violation.

### **How to Contact Us**

If you have any questions or concerns about the online Privacy Policy for this Website or its implementation, you may contact us at [*postal address*] or [*email*] for information.

### **Updates and Effective Date**

We reserve the right to make changes to our Privacy Policy from time to time for any reason. Such changes, modifications, additions or deletions shall be effective immediately upon posting, unless otherwise indicated. We have no duty or obligation to inform prior visitors that changes have been made, regardless of the scope and importance of the changes. We encourage you to periodically check back and review this policy so that you always will know what information we collect, how we use it and to whom we disclose it. Your continued use of the Website after such changes are posted will be deemed to constitute your agreement to and acceptance of such changes.

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