

# Product Privacy Policy

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## Introduction

Clair Inc. (“**Company**” or “**We**” or “**Clair**”) is a company providing financial services to hourly workers including wage advances for free. Clair respects your privacy and is committed to protecting it through our compliance with this policy. This Product Privacy Policy, together with our [Terms of Service](#), explains how the Clair application (the “Mobile App”) collects, uses, discloses, and otherwise processes personal information or personal data when you download, access, or use the Mobile App in connection with our products and services (collectively, the “Services”).

## Scope

Personal information or personal data refers to any data or information which relates to an identified or identifiable natural person, and are subject to applicable data protection laws, such as the EU General Data Protection Regulation 2016/679 (“GDPR”) or the California Consumer Privacy Act (Assembly Bill 375), as amended (“CCPA”).

Clair is the data processor (under GDPR) or service provider (under CCPA) and Clair’s customers are the data controllers (under GDPR) or businesses (under CCPA) with respect to such personal data or personal information. Additionally, please note that in certain instances, Clair may act as an independent controller or business of personal information or personal data with respect to its own processing activities.

Please note that residents of California are afforded certain rights regarding their personal information or personal data. In compliance with the CCPA, personal information or personal data differs from the definition above and refers to “information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device.”

Clair’s processing of personal information in connection with the Services is governed by this Product Privacy Policy and our agreements with each customer (in each case, a “Customer Agreement”). In the event of any conflict between this Product Privacy Policy and the corresponding Customer Agreement, the Customer Agreement will control to the extent permitted by applicable law. Please note that in certain instances, Clair may act as an independent controller or business of personal information or personal data with respect to its own processing activities.

This Product Privacy Policy does not apply to any personal information or data collected by Clair on our websites or through other channels for marketing purposes. Our [website](#), and other third parties have their own privacy policies, which we encourage you to read before providing information on or through them.

Please read this Product Privacy Policy carefully. By continuing to interact with our Services, you are consenting to the practices described in this Privacy Policy. If you do not agree with our policies and practices, your choice is not to use our App. **By accessing, registering, or using this App, you agree to this privacy policy and consenting to the practices described in this policy.** This policy may change from time to

time (see Changes to Our Privacy Policy). Your continued use of this Mobile App after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

## Our Product Privacy Policy Explains:

- Information We Collect About You
- How We Use Your Information
- How We Share Information
- How We Retain and Protect Information
- Accessing and Correcting Your Information
- Persons Under the Age of 18
- Cross-Border Data Transfer
- Data Subject Rights under GDPR & Right to Request to Know or Request to Delete Under CCPA
- Additional Information Regarding European Union, Swiss, and UK Personal Data
- Additional Information Regarding Californian Personal Information
- Changes to the Product Privacy Policy
- Contact Us

## Information We Collect About You

Information provided to us by our customers and their end users in connection with their use of the Services. This may include personal information or personal data that end users provide when they:

- Register for the Services and create an account or profile (such as first and last name, address, email, telephone number), or
- Information provided by customers connected to the Services (such as employment information and/or financial information that may include name, gender, address, email, telephone number, job title, department, photograph, and payroll), or
- Contact customer support or otherwise correspond with the Company by phone, email or other means.

As you navigate through and interact with our Services, we may use automatic data collection technologies to collect Information about you. We collect information about end users' use of the Services as necessary to provide for the Services, including:

- That is about you but individually does not identify you; and/or

- Details of your visits to our Services, including location data and other communication data and the resources that you access and use on the Services.
- Information collected by automated means such as cookies (e.g., essential cookies) and web beacons.
- The equipment you use to access our Services, and usage details.

## How We Use Your Information

We use information and data that we collect about you or that you provide to us in accordance with our Customer Agreements, to provide the Services and for related internal purposes, including:

- To present our Mobile App and its contents to end users and provide access and use of the Services and allow you to participate in the interactive features on our App.;
- To improve the Services and develop new products and services, and provide you with information about the Services such as important notices about your account, security alerts, changes to our Mobile App or any products or services we offer or provide through it and the availability of new features;
- To Respond to inquiries, complaints, and requests for customer support;
- The use of personal information or personal data as we believe necessary to appropriate to (1) comply with applicable law; (2) enforce the terms and conditions that govern the use of the Services; (3) protect our rights, privacy, and safety or property, and/or that of you or others; and (d) protect, investigate and deter against fraudulent, harmful, unauthorized, unethical, or illegal activity; and
- In an aggregated, de-identified and generic manner: to market the Services, survey usage, set benchmarks, feature suggestions, product analytics, new product features or Services.

## How We Share Information

We may share the information or data that we collect, or you provide as described in this privacy policy:

- With Clair's customers, only to the extent necessary as the information pertains to the customer's end users;
- With service providers, and other third parties we use to help us provide, manage and improve the Services and who are bound by contractual obligations to keep personal information and data confidential and use it only for the purposes for which we share it to them;
- With Clair subsidiaries and corporate affiliates; and
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Clair's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information or data held by Clair about our end users is among the assets transferred.

We may also share your personal information or personal data:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request;
- Enforce the terms and conditions that govern the Services; and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Clair, and/or that of you or others; and
- To Protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity, in the event of active or prospective litigation or arbitration, for regulatory compliance efforts and/or audits.

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

## How We Retain and Protect Information

Clair retains personal information or personal data for as long as necessary to (1) provide the Services; (2) comply with legal obligations; and (3) resolve disputes. Clair uses appropriate, commercially reasonable physical, electronic, and procedural safeguards to protect personal information and data from loss, theft, misuse, and unauthorized access, disclosure, alteration, and destruction in accordance with applicable law. We cannot, however, guarantee that any safeguards or security measures will be enough to prevent a security incident or problem. We recommend that our customers take steps to protect against unauthorized access to any devices, networks and applications connected to the Services. Please refer to Our Security & Compliance page for additional information regarding Clair's information security practices.

## Accessing and Correcting Your Information

You can review and change your personal information by logging into the Mobile App and visiting your account profile page.

You may also send us an email at [support@getclair.com](mailto:support@getclair.com) to request access to, correct, or delete any personal information that you have provided to us. We cannot delete your personal information except by also

deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

## Persons Under the Age of 18

Our Mobile App is not intended for persons under 18 years of age. No one under age 18 may provide any information to or on the App. We do not knowingly collect personal information or data from persons under 18. If you are under 18, do not use or provide any information or data on this Mobile App or on or through any of its features. If we learn we have collected or received personal information or data from a person under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a person under 18, please contact us at:

PO Box 1791  
New York, NY, 10159

[support@getclair.com](mailto:support@getclair.com)  
+1 (888) 442-5247

California residents under 18 years of age may have additional rights regarding the collection and sale of their personal information. Please see Your California Privacy Rights for more information.

## Cross-Border Data Transfer

Clair provides its Services primarily from the United States, where we are headquartered. In order to provide the Services, Clair or its sub-processors may transfer personal information or personal data about its end users outside of the country in which end users are located, including to other jurisdictions that may not be subject to equivalent data protection laws. See the Customer Agreements for additional information regarding how Clair and its sub-processors safeguard the personal information they, respectively, transfer across borders.

When transferring personal information or personal data across borders we take steps reasonably necessary to ensure that the information or data is subject to appropriate safeguards, is treated securely and is transferred under an approved data transfer mechanism in compliance with applicable data protection laws.

## **Additional Information Regarding European Union, Swiss, and UK Personal Data**

Clair's legal bases for our collection or processing of personal information is based on one or more of the following:

<b>Bases</b>	<b>Explanation</b>
Consent	The consent provided to us when an end user shared or submitted their personal information with or to us.
Legitimate Interest	For example, we may use your data for fraud and security monitoring to ensure our networks and websites are secure, to administer or conduct our business (for example, record keeping and billing), and to respond to your inquiries and complaints.
Legal Obligation	Our compliance with a legal obligation that we are or may be subject to.
Contract	Our performance of the Customer Agreements with our Customers

## **Data Subject Rights under the General Data Protection Regulation (“GDPR”) & Right to Request to Know or Request to Delete under the California Consumer Protection Act (“CCPA”)**

Clair customers are the data controllers of end users' personal information or personal data. As data controllers, Clair customers are responsible for receiving and responding to requests from end users and other individuals to exercise any rights afforded to them under applicable data protection law. Clair will assist customers in responding to such requests as set forth in the Customer Agreement.

## Additional Information Regarding Californian Personal Information

Clair understands and will comply with the restrictions and the applicable requirements of the CCPA. For the purposes of the CCPA, Clair is a service provider. Clair does not receive any personal information, as defined by the CCPA, from its customers as consideration for the Services. Clair will not collect, retain, share or use personal information except as necessary to provide the Services. We do not, and will not, sell, as defined under CCPA, personal information.

## Changes to Our Privacy Policy

It is our policy to post any changes we make to our privacy policy on this page with a notice that the privacy policy has been updated on the App. If we make material changes to this Product Privacy Statement, we will notify you in a manner that we believe will be reasonably likely to reach you (which may include email, a specific announcement on this page, our website, or on our blog). The date the privacy policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this privacy policy to check for any changes. **Your continued use of our Mobile App following the posting of changes constitutes your acceptance of such changes.**

## Contact Information

If you have any questions or comments about this notice, the ways in which Clair collects and uses your information described here, your choices and rights regarding such use, please do not hesitate to contact us at:

PO Box 1791  
New York, NY, 10159

[support@getclair.com](mailto:support@getclair.com)  
+1 (888) 442-5247