

PRIVACY POLICY

The purpose of the First Merchant Services Privacy Policy Statement is to advise you of the personally identifiable information we might collect from your access and usage of this website, the uses to which we might put that information, and how we might disclose that information, and how you can correct or update that information.

BY USING WEBSITE, YOU ACKNOWLEDGE THAT YOU HAVE READ AND UNDERSTAND THIS PRIVACY POLICY AND AGREE THAT ANY INFORMATION YOU SEND TO US WILL BE SUBJECT TO THE TERMS OF THIS POLICY. THIS POLICY ONLY APPLIES TO INFORMATION COLLECTED THROUGH FIRST MERCHANT SERVICES'S WEBSITE. IT DOES NOT APPLY TO ANY INFORMATION COLLECTED THROUGH OTHER METHODS OR SOURCES, INCLUDING BUT NOT LIMITED TO SITES OWNED OR OPERATED BY OUR AFFILIATES, VENDORS, OR PARTNERS.

1. First Merchant Services does not collect personally identifiable information about you except when you specifically provide such information on a voluntary basis as part of the application process. Upon registration, the personally identifiable information about you that we may collect could include your email address, name, address, and phone number, date of birth, driver's license number, social security number, or other similarly personal information of which you voluntarily advise us.

2. First Merchant Services employs cookies to allow users to navigate more easily through the site. Cookies are small text or data files that are stored on your computer in order to identify your computer to the site so we recognize repeat users. The information stored in the cookie is only used for general statistical tracking and does not give us access to your computer or any personal information about you. We may use this general data to assist us in improving our web site and services offered. If you prefer not to allow us to use cookie technology, you should have the ability to disable cookies through your browser's features (see its help menu). However, to take full advantage of the programs or services offered by First Merchant Services, we recommend that you set your browser to allow cookies or to entrust this website.

3. The user should be aware that if you request information from First Merchant Services through our on-line contact forms, we ask for and store the business-related information you provide (such as name, e-mail address, corporate profile, etc.) to assist us in responding to your request. This information is used for business contacts only and is stored on a secured network.

4. Unless you voluntarily provide personally identifiable information to First Merchant Services, we will collect only anonymous or aggregate information such as visits per page, demographics of site visitors, etc.

5. First Merchant Services utilizes industry standard security measures to ensure the security of all personal data you submit directly to us. Any data that is stored on First Merchant

Services servers and within our control is treated as proprietary and confidential and is not available to the public. We routinely evaluate our data security practices to identify security threats or opportunities for improvement. However, we cannot warrant or guarantee the security of our servers as no security measure is considered impenetrable, nor can we guarantee that information you transmit to First Merchant Services will not be intercepted.

6. Your personal information may be shared with our employees, contractors, consultants, affiliates and financial institutions through which First Merchant Services provides the credit card processing and related services that match your business profile and assist us with establishing, maintaining and managing our relationship with you. If your personal information is shared with third parties, we will only provide the information they need to deliver the service. Such third parties are bound by our contractual requirements to ensure personal information is safeguarded and are prohibited from using your information for any other purpose. By submitting your information to us, you are also authorizing these businesses to have access to this information.

7. We may release personally identifiable information about you if we have reasonable cause to believe that such release is required by law; if we determine such disclosure is legally advisable, that such release is necessary to protect our rights and property; that such release is necessary to protect any fraudulent, abusive or unlawful use of the site. We may collect, use or disclose your personal information without your knowledge or consent where we are permitted or required by applicable law or regulatory requirements to do so.

8. You may change, update or remove your personally identifiable information at any time by accessing the "My Login" page or by contacting us at 1-888-334-5210. Notwithstanding same, you are advised that archived or residual information, including personally identifiable information, will remain within our databases, logs, backup media and other records and will not be permanently removed even upon cancellation of your account. If you have reason to believe that your personal information has been used in violation of this Privacy Policy or without your authorization, you should contact First Merchant Services at the number above or e-mail at legal@firstmerchantservices.com

9. As you navigate throughout our sites, you may click to sites for our different divisions and/or subsidiaries. Please be advised that these sites may have their own privacy statements or policies. In such case, this policy will not apply if other sites have separate policies.

10. We reserve the right to change, modify, add or remove provisions, terms or conditions of this Privacy Policy at any time; however, such changes will not go into effect until we have notified you of the changes by placing a notice on our site 30 days before they take effect and provided you an opportunity to delete your user account. Continued usage of any of the interactive or subscription features of the site after a change in this Privacy Policy will be construed as your acceptance of such changes.

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