

## Clutch! Privacy Policy

**Effective Date: 9/3/2019**

This Privacy Policy explains how we collect, use, process, and disclose your information across the Clutch! Marketplace.

To the extent applicable, terms herein have the same definition as outlined in our [Terms of Use](#). When this policy mentions “Clutch!,” “we,” “us,” or “our,” it refers to Clutch!, LLC.

This Privacy Policy also applies to the Payment Services provided to you by Clutch! pursuant to the [Payments Terms of Service](#) (“**Payments Terms**”).

Please read this Privacy Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, do not download, register with, or use this App.

This App is not intended for children under 18 years of age, and we do not knowingly collection personal information from children under 18. If we learn we have collected or received personal information from a child under 18 without verification of parental consent, we will delete the information. If you believe we might have any information from or about a child under 18; please contact us at [support@imclutch.com](mailto:support@imclutch.com).

### 1. INFORMATION WE COLLECT

There are three general categories of information we collect.

#### 1.1. Information You Give Us.

We collect information you share with us when you use the Clutch! Marketplace.

- **Account Information.** When you sign up for a Clutch! Account, we require certain information such as your name, email address, physical address, phone number, and date of birth.
- **Profile Information.** To use certain features within the Clutch! Marketplace, we may also ask you to complete a profile, which may include your address, and phone number. Certain parts of your profile (like your profile picture, first name, and description) are a part of your public profile page, and will be publicly visible to others.
- **Other Authentication-Related Information.** To help create and maintain a trusted environment, we may collect identification (like a photo of your government-issued ID) or other authentication information.

- **Payment Information.** We collect your financial information (like your bank account or credit card information) when you use the Payment Services to process payments.
- **Communications with Clutch! and other Members.** When you communicate with Clutch! or use the Clutch! Marketplace to communicate with other Members, we collect information about your communication and any information you choose to provide.
- **Other Information.** You may otherwise choose to provide us information when you fill in a form, conduct a search, update or add information to your Clutch! Account, respond to surveys, post to community forums, participate in promotions, or use other features of the Clutch! Marketplace.

## 1.2. Information We Automatically Collect from Your Use of the Clutch! Marketplace.

When you use the Clutch! Marketplace, we collect information about the services you use and how you use them.

- **Usage Information.** We collect information about your interactions with the Clutch! Marketplace, such as the pages or other content you view, your searches for Listings, bookings you have made, and other actions on the Clutch! Marketplace.
- **Location Information.** When you use certain features of the Clutch! Marketplace, we may collect different types of information about your general location (e.g. IP address, zip code) or more specific location information
- **Log Data.** We automatically collect log information when you use the Clutch! Marketplace, even if you have not created an Clutch! Account or logged in. That information includes, among other things: details about how you've used the Clutch! Marketplace (including links to third party applications), IP address, access times, hardware and software information, device information, device event information (e.g., crashes, browser type), and the page you've viewed or engaged with before or after using the Clutch! Marketplace.
- **Transaction Information.** We collect information related to your transactions on the Clutch! Marketplace, including the date and time, amounts charged, and other related transaction details.
- **Cookies and Similar Technologies.** We use cookies and other similar technologies, such as web beacons, pixels, and mobile identifiers. We may also allow our business partners to use these tracking technologies on the Clutch! Marketplace, or engage others to track your behavior on our behalf. While you may disable the usage of cookies through your browser settings, we do not change our practices in response to a "Do Not Track" signal in the HTTP header from your browser or mobile application.

### **1.3. Information We Collect from Third Parties.**

We may collect information that others provide about you when they use the Clutch! Marketplace, or obtain information from other sources and combine that with information we collect through the Clutch! Marketplace.

- **Third Party Services.** If you link, connect, or login to your Clutch! Account with a third party service (e.g., Facebook), the third party service may send us information such as your registration and profile information from that service. This information varies and is controlled by that service or as authorized by you via your privacy settings at that service.
- **Background Information.** To the extent permitted by applicable laws, Clutch! may obtain reports from public records of criminal convictions or sex offender registrations. We may use your information, including your full name and date of birth, to obtain such reports.
- **Other Sources.** To the extent permitted by applicable law, we may receive additional information about you, such as demographic data or fraud detection information, from third party service providers and/or partners, and combine it with information we have about you. For example, we may receive background check results or fraud warnings from service providers like identity verification services for our fraud prevention and risk assessment efforts.

## **2. HOW WE USE INFORMATION WE COLLECT**

We use, store, and process information about you to provide, understand, improve, and develop the Clutch! Marketplace, and to create and maintain a trusted and safer environment.

### **2.1. Provide, Improve, and Develop the Clutch! Marketplace.**

- Allow you to access and use the Clutch! application and enable you to access and use the Clutch! Marketplace.
- Enable you to communicate with other Members.
- Operate, protect, improve and optimize the Clutch! Marketplace and experience, such as by performing analytics and conducting research.
- Personalize or otherwise customize your experience by, among other things, ranking search results or showing ads based on your search, booking history, and preferences.
- Enable you to access and use the Payment Services.
- Provide customer service.

- Send you service or support messages, such as updates, security alerts, and account notifications.

## **2.2. Create and Maintain a Trusted and Safer Environment.**

- Detect and prevent fraud, spam, abuse, security incidents, and other harmful activity.
- Conduct investigations and risk assessments.
- Verify or authenticate information or identifications provided by you.
- Conduct checks against databases and other information sources.
- Comply with our legal obligations.
- Resolve any disputes with any of our users and enforce our agreements with third parties.
- Enforce our [Terms of Service](#), [Payments Terms](#), and other policies.

## **2.3. Provide, Personalize, Measure, and Improve our Advertising and Marketing.**

- Send you promotional messages, marketing, advertising, and other information that may be of interest to you based on your communication preferences (including information about Clutch! or partner campaigns and services).
- Personalize, measure, and improve advertising.
- Administer referral programs, rewards, surveys, sweepstakes, contests, or other promotional activities or events sponsored or managed by Clutch! or its third party business partners.

## **3. SHARING & DISCLOSURE**

### **3.1. With Your Consent.**

We may share your information at your direction, as described in this Privacy Policy, or as described at the time of sharing, such as when you authorize a third party application or website to access your Clutch! Account.

### **3.2. Sharing between Providers and Guests.**

To help facilitate bookings, we may share your information with other Members as follows:

- When you as a Guest submit a booking request, certain information about you is shared with the Provider, including your full name, the full name of any additional Guests, your

cancellation history, and other information you agree to share. When your booking is confirmed, we will disclose additional information to assist with coordinating the trip, like your phone number.

- When you as a Provider have a confirmed booking, certain information is shared with the Guest to coordinate the booking, such as your full name, phone number, and Listing address.

We don't share your billing and payout information with other Members.

### **3.3. Profiles, Listings, and other Public Information.**

The Clutch! Marketplace lets you publish information that is visible to the general public. For example:

- Parts of your public profile page, such as your first name, your description, and city, are publicly visible to others.
- Public Listing pages are publicly visible and include information such as Listing description, calendar availability, the Provider public profile photo, aggregated demand information (like page views over a period of time), and any additional information the Provider chooses to share.
- After completing a booking, Guests and Providers may write reviews and rate each other. Reviews are a part of your public profile page.
- If you submit content in a public forum or social media post or use a similar feature on the Clutch! Marketplace, that content is publicly visible.

Information you share publicly on the Clutch! Marketplace may be indexed through third party search engines. In some cases, you may opt-out of this feature in your Account settings. If you change your settings or your public-facing content, these search engines may not update their databases. We do not control the practices of third party search engines, and they may use caches containing your outdated information.

### **3.4. Payments.**

Clutch! may share your personal information to: (i) provide the Payment Services, (ii) facilitate your use of the Clutch! Marketplace, and (iii) jointly market products or services to you with other financial third parties with whom Clutch! has a formal agreement. You can unsubscribe or opt-out from receiving such marketing communications in your Account settings.

### **3.5. Safety and Compliance with Law.**

Clutch! may disclose your information to courts, law enforcement or governmental authorities, or authorized third parties, if and to the extent we are required to do so by law or if such disclosure is reasonably necessary: (i) to comply with legal process and to respond to claims asserted against Clutch!, (ii) to respond to verified requests relating to a criminal investigation or alleged or suspected illegal activity or any other activity that may expose us, you, or any other of our users to legal liability, (iii) to enforce and administer our Terms of Service or other agreements with Members, (iv) for fraud investigation and prevention, risk assessment, customer support, product development and debugging purposes, or (v) to protect the rights, property or personal safety of Clutch!, its employees, its Members, or members of the public.

We will attempt to notify Members about these requests unless: (i) providing notice is prohibited by the legal process itself, by court order we receive, or by applicable law, or (ii) we believe that providing notice would be futile, ineffective, create a risk of injury or bodily harm to an individual or group, or create or increase a risk of fraud upon Clutch!'s property, its Members and the Platform (collectively, "**Risk Scenarios**"). In instances where we comply with legal requests without notice for these reasons, we will attempt to notify that Member about the request after the fact if we determine in good faith that we are no longer legally prohibited from doing so and that no Risk Scenarios apply.

### **3.6. Widgets.**

We may display parts of the Clutch! Marketplace (e.g., your Listing page) on sites operated by Clutch!'s business partners, using technologies such as widgets or APIs. If your Listings are displayed on a partner's site, information from your public profile page may also be displayed.

### **3.7. Tax Authorities.**

In jurisdictions where we facilitate the Collection and Remittance of Taxes as described in the "Taxes" section of the Terms of Service, Providers and Guests expressly grant us permission, without further notice, to disclose Providers' and Guests' data and other information relating to them or to their transactions, bookings, Taxes to the relevant tax authority, including, but not limited to, the Provider or Guest's name, listing addresses, transaction dates and amounts, tax identification number(s), the amount of taxes received (or due) by Providers from Guests, and contact information.

### **3.8. Aggregated Data.**

We may also share aggregated information (information about our users that we combine together so that it no longer identifies or references an individual user) and non-personally identifiable information for industry and market analysis, demographic profiling, marketing and advertising, and other business purposes.

## **4. OTHER IMPORTANT INFORMATION**

### **4.1. Analyzing your Communications.**

We may review, scan, or analyze your communications on the Clutch! Marketplace for fraud prevention, risk assessment, regulatory compliance, investigation, product development, research, and customer support purposes. For example, as part of our fraud prevention efforts, we scan and analyze messages to mask contact information and references to other websites. In some cases, we may also scan, review, or analyze messages to debug, improve, and expand product offerings. We use automated methods where reasonably possible. However, occasionally we may need to manually review some communications, such as for fraud investigations and customer support, or to assess and improve the functionality of these automated tools. We will not review, scan, or analyze your communications to send third party marketing messages to you, and we will not sell reviews or analyses of these communications.

### **2. Google Maps/Earth.**

Parts of the Clutch! Marketplace use Google Maps/Earth services, including the Google Maps API(s). Use of Google Maps/Earth is subject to [Google Maps/Earth Additional Terms of Use](#) and the [Google Privacy Policy](#).

## **5. THIRD PARTY PARTNERS & INTEGRATIONS**

The Clutch! Marketplace may contain links to third party websites or services, such as third party integrations, cobranded services, or third party-branded services (“**Third Party Partners**”). Clutch! doesn’t own or control these Third Party Partners and when you interact with them, you may be providing information directly to the Third Party Partner, Clutch!, or both. These Third Party Partners will have their own rules about the collection, use, and disclosure of information. We encourage you to review the privacy policies of the other websites you visit.

## **6. YOUR CHOICES**

### **6.1. Access and Update.**

You may review, update, or delete the information in your Clutch! Account by logging into your Clutch! Account and reviewing your Account settings and profile.

### **6.2. Account Cancellation.**

For information on how to cancel your Clutch! Account, visit [www.imclutch.com](http://www.imclutch.com). Note that information that you have shared with others (like Reviews or forum postings) may continue to be publicly visible on the Clutch! Marketplace in association with your first name, even after your Clutch! Account is cancelled.

6.3.

## 7. SECURITY

We are continuously implementing and updating administrative, technical, and physical security measures to help protect your information against unauthorized access, loss, destruction, or alteration. However, the Internet is not a 100% secure environment so we can't guarantee the security of the transmission or storage of your information.

## 8. CHANGES TO THIS PRIVACY POLICY

Clutch! reserves the right to modify this Privacy Policy at any time in accordance with this provision. If we make changes to this Privacy Policy, we will post the revised Privacy Policy on the Clutch! Marketplace and update the "Last Updated" date at the top of this Privacy Policy. We will also provide you with notice of the modification by email at least thirty (30) days before the date they become effective. If you disagree with the revised Privacy Policy, you may cancel your Account. If you do not cancel your Account before the date the revised Privacy Policy becomes effective, your continued access or use of the Clutch! Marketplace will constitute acceptance of the revised Privacy Policy.

## 9. CONTACT

If you have any questions or complaints about this Privacy Policy or Clutch!'s information handling practices, you may contact us at <http://imclutch.com>.