

Simplenight Privacy Policy

Effective Date: May 1, 2023
Last Updated Date: May 1, 2023

This Privacy Policy is incorporated by this reference into the Simplenight Inc. Terms of Service located at <http://www.simplenight.com/terms-of-service> (“**TOS**”). The terms “**Simplenight**,” “**we**,” and “**us**” include Simplenight Inc. and its affiliates and/or subsidiaries. All other terms not defined in this Privacy Policy will have the meanings set forth in the TOS. This Privacy Policy explains how SIMPLENIGHT may:

- collect,
- use, and
- disclose

information we obtain through the Service. As used in this Privacy Policy, “**Personal Information**” means information that alone or when in combination with other information may be used to readily identify, contact, or locate you, such as your name, address, email address, or phone number. We do not consider Personal Information to include information that has been aggregated and/or de-identified so that it does not allow a third party to easily identify a specific individual.

THE SERVICE COLLECTS YOUR INFORMATION

We collect Personal Information when you voluntarily submit this information through the Service. We also collect information, such as anonymous usage statistics, by using cookies, server logs, and other similar technology as you use the Service.

Voluntary Submission. We collect Personal Information that is voluntarily submitted to Simplenight through the Service. For example, we collect your name, email address, credit card number and billing address when you purchase Inventory through the Service. We also collect certain information, including your name and email address, when you contact Simplenight through its website.

Demographic Information. We may collect certain demographic information from you in order to facilitate your purchase of Inventory through the Service. This information may include, for example, your age.

Location Information. We may obtain information about your physical location, such as by use of GPS and other geolocation features in your mobile device, or by inference from other information we collect (for example, your IP address indicates the general geographic region from which you are connecting to the Internet). If you do not want this information collected by us, you can disable location services on your mobile device.

Cookies, Automatic Data Collection, and Related Technologies. The Service collects and stores information that is generated automatically as you use it, including your preferences and anonymous usage statistics.

When you visit the Service, we and our third-party service providers receive and record information on our server logs from your browser, including your IP address, and from cookies and similar technology. Cookies are small text files containing a string of alphanumeric characters. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be used by your browser on subsequent visits to the Service. Please review your web browser “Help” file to learn the proper way to modify your cookie settings. Please note that if you delete, or choose not to accept, cookies from the Service, you may not be able to utilize the features of the Service to their fullest potential.

By using the Service, you are authorizing us to gather, parse, and retain data related to the provision of the Service.

HOW SIMPLENIGHT USES YOUR INFORMATION

We use Personal Information to

- facilitate and improve our Service; and
- communicate with you.

We may use de-identified and aggregated information for any lawful purpose, including for marketing purposes.

Internal and Service-Related Usage. We use information, including Personal Information, for internal and Service-related purposes and may provide it to third parties to allow us to operate, maintain, enhance and provide all features of the Service.

Improve the Service. We use the information that we collect on the Service to understand and analyze the usage trends and preferences of our users, to improve the Service, and to develop new services, features, and functionality.

Communications. We may send email to the email address you provide to us (i) for customer service-related purposes, or (ii) to send you confirmations for purchases of Inventory made through the Service. We also may communicate with you through any other means that you select when you purchase any Inventory through the Service.

Transactions. Simplenight uses information collected from the Service to facilitate the purchase and sale of Inventory through the Service.

Aggregate Data. We may de-identify and aggregate information collected through the Service and use it for any lawful purpose.

SIMPLENIGHT MAY DISCLOSE YOUR INFORMATION

We may share your information:

- with our third-party service providers;
- to comply with legal obligations;
- to protect and defend our rights and property; and
- with your permission.

We do not rent, sell, or share Personal Information about you with other people or nonaffiliated companies for their direct marketing purposes, unless we have your permission.

We Use Vendors and Service Providers. We may share any information we receive with vendors and service providers retained in connection with the provision of the Service.

Transactions. We share information with Suppliers and Channels as necessary to facilitate the purchase and sale of Inventory through the Service.

Marketing. We do not rent, sell, or share Personal Information about you with other people or nonaffiliated companies for their direct marketing purposes, unless we have your permission. We also do not run advertisements through the Service.

As Required By Law and Similar Disclosures. We may access, preserve, and disclose your Personal Information or other account information if we believe doing so is required or appropriate to (i) comply with law enforcement requests and legal process, such as a court order or subpoena; (ii) respond to your requests; or (iii) protect your, our or others' rights, property, or safety.

Merger, Sale, or Other Asset Transfers. If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy or liquidation where the business will not continue as a going concern, receivership, sale of Simplenight assets, or transition of the Service to another provider, then your information may be sold or transferred as part of such a transaction as permitted by law and/or contract. The use of your Personal Information following any of these events should be governed by the provisions of this Privacy Policy in effect at the time the applicable Personal Information was collected.

Consent. We may also disclose your Personal Information with your permission.

SECURITY OF YOUR INFORMATION

We take steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, the Internet cannot be guaranteed to be 100% secure, and we

cannot ensure or warrant the security of any information you provide to us. We do not accept liability for unintentional access, use or disclosure.

THIRD PARTY PRIVACY PRACTICES

This Privacy Policy does not address, and we are not responsible for, the privacy practices of any third party, including Suppliers and Channels, in connection with your use of the Service. Suppliers and Channels may have privacy practices that differ from ours, so you should carefully review their privacy policies in connection with your use of the Service.

CHILDREN'S PRIVACY

We do not knowingly collect information from children under 13 and we do not want it. We will take steps to delete it if we learn we have collected it.

We do not knowingly collect, maintain, or use Personal Information from children under 13 years of age, and no part of the Service is directed to children under the age of 13. If you learn that your child has provided us with Personal Information without your consent, then you may alert us at legal@simplenight.com. If we learn that we have collected any Personal Information from children under 13, then we will promptly take steps to delete such information and terminate the child's account.

INTERNATIONAL USERS

By using the Service, you will transfer data to the United States.

By choosing to visit the Service or otherwise provide information to us, you agree that any dispute over privacy or the terms contained in this Privacy Policy will be governed by the laws of the State of New York and the adjudication of any disputes arising in connection with Simplenight or the Service will be in accordance with the TOS located here <http://www.simplenight.com/terms-of-service>.

If you are visiting the Service from the European Union or other regions with laws governing data collection and use, then please note that you are agreeing to the transfer of your information to the United States and processing globally. By providing your information to the Service, you consent to any transfer and processing in accordance with this Policy.

UPDATE YOUR INFORMATION OR POSE A QUESTION OR SUGGESTION

If you would like to update or correct any information that you have provided to us through your use of the Service or otherwise, or if you have suggestions for improving this Privacy Policy, then please send an e-mail to legal@simplenight.com.

CHANGES TO OUR PRIVACY POLICY AND PRACTICES

We may revise this Privacy Policy, so please review it periodically.

Posting of Revised Privacy Policy. We will post any adjustments to the Privacy Policy on this web page, and the revised version will be effective when it is posted. If you are concerned about how your information is used, then bookmark this page and read this Privacy Policy periodically.

New Uses of Personal Information. From time to time, we may desire to use Personal Information for uses not previously disclosed in our Privacy Policy. If our practices change regarding previously collected Personal Information in a way that would be materially less restrictive than stated in the version of this Privacy Policy in effect at the time we collected the information, then we will make reasonable efforts to provide notice and obtain consent to any such uses as may be required by law.

Contact Information

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