

Notice: We updated our Privacy Notice as of August 29, 2023 to provide information on, among other things, the appointment of Constant Contact's EU and UK Representatives and Constant Contact's participation in the new EU-U.S. Data Privacy Framework.

CONSTANT CONTACT PRIVACY NOTICE

Last Updated: August 29, 2023

ABOUT US

Constant Contact, Inc. (together with its subsidiaries, "Constant Contact", "us" or "we") is a leading provider of email and digital marketing services and lead generation and customer relationship management services to businesses, nonprofits, and other organizations. We refer to the products and services that are

ordered by our customers ("Customers") and provided by or on behalf of us to our Customers pursuant to the Terms of Service [here](#), as the "Services."

Our Services help our Customers provide timely and relevant marketing and communications on a cross-media basis. Our Customers can upload contact lists and use our platform to reach their own customers and others through email and other channels. Personal information and other data submitted by or on behalf of a Customer in connection with the Services, including contact lists (which may include email addresses and other information for a Customer's contacts) and content (including the content of a Customer's campaigns) (collectively, "Customer Data"), belongs to and is controlled by our Customers. Constant Contact acts as a service provider or processor to its Customers, including when we offer to Customers various Services through which our Customers (or their affiliates): (i) create their own applications running on our platforms; (ii) sell or offer their own products and services; (iii) send electronic communications to their contacts through our Services; or (iv) otherwise collect, use, share or process personal information via our Services.

When acting in this capacity, we process Customer Data on behalf of our Customer, and we have no direct relationship with the end-users who use our Customers' services or products or visit our Customers' websites. Constant Contact does not process Customer Data except as provided in our Terms of Service with our Customers, available [here](#).

The Customer Data that we handle on behalf of our Customers is not collected on our websites, but rather through our Customers' independent use of our platform. For example, our Customers may use our platform to encourage their contacts to sign up for their email lists. Emails sent from the Constant Contact platform include single pixel gifs, also known as web beacons, which contain unique identifiers that enable us and Customers to recognize when their contacts have opened an email or clicked certain links. These technologies record each contact's email address, IP address, date, and time associated with each open and click for an email campaign. We use this data at our Customers' direction to create reports for our Customers about how an email campaign performed and what actions their contacts took and to analyze, customize and enhance our Customers' communications and strategies. For more information about how we process Customer Data, please review our [Customer Contact Data Notice](#).

We are not responsible for the privacy or data security practices of our Customers, including with respect to the personal information they collect or upload to our Services. If you are an end user of one of our Customers whose personal information we process and you are seeking to exercise your data rights, you should contact our Customer directly.

INFORMATION COVERED BY THIS PRIVACY NOTICE

This privacy notice and our [Cookie Notice](#) collectively provide details about our practices relating to personal information collected from or about visitors to our websites, our Customers, and others who interact or engage with the Services (collectively, our "Users" or "you"). It describes how your personal information is collected, used and shared by us in the course of the provision of the Services and operating our website and our business.

This privacy notice only applies to our Users' personal information. It does not apply to any of our Customers' contacts' personal information included in the Customer Data.

In addition to this privacy notice, the following addenda related to individuals in certain locations also may apply to your purchase or use of Services where applicable. These addenda are a part of this privacy notice:

- [GDPR Addendum for Users in the European Economic Area & the UK](#)

INFORMATION WE COLLECT FROM YOU

In the course of your visits to our websites and applications, and/or your purchase, registration, or use of the Services, we collect and have collected in the preceding 12 months, the information about you, described below. We collect this information for the purposes described under ["How We Use Your Information"](#).

Category of Personal Information Collected	Examples
Information and Identifiers About You	Name, address, phone number, email address, employer name, job title, or other similar identifiers, information you permit us to see when interacting with us, including through social media, or comments and opinions you provide to us such as when you post on message boards, blogs or complete an online form.
Commercial Information	Services purchased and information relating to your use of our Services.
Financial Information	Payment information, including credit card data that you provide to us (by way of our Services or otherwise) when you purchase Services.

Internet/Network Information	IP address, browser type and version, type of device you use, operating system version, and device identifier, geographic location (such as country, state, latitude and longitude), pages you view, how you got to our Services and any links you click on to leave our Services, when you update your information, communicate with us, or order new Services; metadata and user behavioral metrics about your use of our Services and emails we send to you (including clicks and opens), metadata about how your customers, contacts, and users interact with our websites, your interactions with any videos we offer; issues you encounter requiring our support or assistance.
Tracking Technologies	Cookies, web beacons, pixels, tags, scripts and other similar technologies ("Tracking Technologies"). For more information, see our Cookie Notice .
Our Interactions with You	Information that you may provide during your telephone conversations with us, which we may monitor or record, or in other forms of communication such as email, short message services and/or multi-media services ("Texts") and virtual chatbots and the third party technology used to operate the chatbots.

Inferences	Other members of the Constant Contact corporate family; our partners; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; and legal or regulatory authorities and other relevant third parties for legal reasons.
Survey Information	If you complete optional surveys that we use for research purposes, we shall collect the information provided in the completed survey.

We may combine any information we collect about you with other information we have about you to help us update, expand and analyze our records, identify new customers, and suggest products and services that may be of interest to you.

SOURCES OF INFORMATION

We obtain the categories of personal information listed above from the following sources:

- Directly from you when you provide it to us, for example prior to or during any registration process, when you call or email us, or send us Texts (for support or

otherwise) or when you use our Services, at trade shows, meetings, seminars, webinars, in surveys or at other events; or at other events;

- Automatically from your use of our websites, including your interactions with our chatbots and the third party technology used to operate the chatbots, or from your mobile device;
- From our business partners, service providers, and affiliates;
- From third parties whom you direct to share information with us;
- From your online browsing and usage activity; and
- From public sources, third party data providers, and third party social networking sites, including information that they provide to us if you use your credentials at such social networking sites to log into some of our Services (such as your name and email address to pre-populate our sign-up form), except for Text message opt-in consents.

In addition to the foregoing, we also obtain information that is provided by you on our public forums, including the Constant Contact Community and Constant Contact Marketplace. With your consent, we may also obtain and post testimonials or reviews for inclusion on our websites or elsewhere. Your posts may remain even after you suspend or cancel your account. Reviews and contributions to any of our public communities are considered public and non-confidential by us and are not treated as proprietary information or personal information covered by this privacy notice. To request removal of your personal information on our public forums or on

the public portions of our websites, please send an email to privacy@constantcontact.com. In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

For more information about cookies and other Tracking Technologies, please review our [Cookie Notice](#).

HOW WE USE YOUR INFORMATION

We may collect, use or disclose personal information about you for one or more of the following business and/or commercial purposes:

- To provide the requested Services to you;
- To provide you with useful content;
- To ensure the proper functioning of our Services;
- To offer, operate, evaluate and improve our Services and our business;
- To provide you with requested information or technical support;
- To facilitate your movement through our websites or your use of our Services;
- To do a better job of advertising and marketing our Services (subject to your consent where required by applicable law);

- To advertise and market third-party products and services (subject to your consent where required by applicable law), except that we do not use your Text message opt-in consent to market third-party products and services;
- To diagnose problems with our servers or our Services;
- In connection with our security and compliance programs;
- To comply with law;
- To enforce the terms governing our Services and website;
- To administer our websites;
- To communicate with you, which may include sending you marketing information, product recommendations and other non-transactional communications (e.g., marketing newsletters, telemarketing calls, Texts or push notifications, information about our Services, news or events) about us, our affiliates and partners;
- To target current or prospective Customers with our Services through online advertisements served on third-party sites by third-party vendors, such as Google (subject to your consent where required by applicable law)
- To assist us in offering you a personalized experience or otherwise tailor our Services to you (for example, in order to provide you with specific resources applicable to your industry);
- In connection with sale, merger, acquisition or corporate reorganization; and
- As otherwise described in this privacy notice and any additional policies linked or referenced herein.

We also use the information we receive to produce reports on trends and statistics, such as mobile search trends, email open rates by industry, campaign best practices or the number of users that have been exposed to, or clicked on, our websites or evaluated or purchased our Services.

DISCLOSURE TO THIRD PARTIES BY CATEGORIES OF PERSONAL INFORMATION

We may disclose, and have disclosed in the past 12 months, the categories of personal information to the third parties as described in the below chart. We disclose personal information for the purposes described above in the section titled "HOW WE USE YOUR PERSONAL INFORMATION." We disclose personal information to our service providers and vendors to provide our Services, which include our hosting providers, analytics providers, information technology providers, and other similar providers. If legally required to do so, or if we have a good faith belief that such disclosure is reasonably necessary, we may disclose your personal information to courts of law, public authorities (including to meet national security or law enforcement requirements), and other relevant third parties, such as internet service providers, to conduct an investigation, respond to a third party or law

enforcement subpoena or court order, to bring legal action, and to prevent harm to others. Notwithstanding anything set forth in this privacy notice, we do not share Text message opt-in consents or related mobile telephone numbers with third parties, except with our service providers and vendors to provide our Text Services.

Category of Personal Information Collected	Third Party Disclosures
Information and Identifiers About You	Other members of the Constant Contact corporate family; our partners; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; authorized users within your organization; and legal or regulatory authorities and other relevant third parties for legal reasons.
Commercial Information	Other members of the Constant Contact corporate family; our partners; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; authorized users within your organization; and legal or

	regulatory authorities and other relevant third parties for legal reasons.
Financial Information	Other members of the Constant Contact corporate family; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; authorized users within your organization; and legal or regulatory authorities and other relevant third parties for legal reasons.
Internet/Network Information	Other members of the Constant Contact corporate family; our partners; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; authorized users within your organization; and legal or regulatory authorities and other relevant third parties for legal reasons.
Tracking Technologies	Other members of the Constant Contact corporate family; our partners; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; authorized users within your organization; and legal or

	regulatory authorities and other relevant third parties for legal reasons.
Our Interactions with You	Other members of the Constant Contact corporate family; our partners; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; authorized users within your organization; and legal or regulatory authorities and other relevant third parties for legal reasons.
Inferences	Other members of the Constant Contact corporate family; our partners; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; and legal or regulatory authorities and other relevant third parties for legal reasons.
Survey Information	Other members of the Constant Contact corporate family; our partners; third party service providers and vendors; in connection with a sale, merger, acquisition or corporate reorganization; and legal or regulatory authorities and other relevant third parties for legal reasons.

In addition, we may disclose your personal information as stated in additional policies linked or referenced herein and at your direction. If you are located in a jurisdiction where such disclosures require your permission, we will only do so with your consent. For more details about how we disclose information to our partners, about authorized users of our Services, and for the purchase of domains, please see the below sections.

DISCLOSURE TO PARTNERS

The information we disclose with our partners includes your name, email address and other information enabling our partners to assist you in using our Services. If you are located in a jurisdiction where such disclosure requires your permission, we will only do so with your consent. Please note that if you access our Services through a tool that hides your location, such as through a virtual private network, you may not receive our request for permission because we were not able to identify you as being located in a jurisdiction where your permission is required.

Further, our partners are prohibited from using your contact information for any purpose beyond those set forth above without your consent. We will not provide our partners with your credit card information. If you are working with a partner, such as

a Constant Contact Solution Provider, and would like that partner to have full access to your account, including the ability to send emails on your behalf, we will provide access to just that partner upon your request or consent.

In the event we collect information from you in connection with an offer that is jointly presented by us and a partner, we will let you know who is collecting the information and whose privacy notice applies, as well as any options you may have regarding use of your information.

DISCLOSURE TO YOUR ORGANIZATION & AUTHORIZED USERS

If you created an account with an email address assigned to you as an employee, contractor, or member of an organization, we may provide that organization with certain limited information about your account, including your email address or the organization name you provided us with, upon the organization's request. All users authorized by an organization to have access to an account can view personal information stored in the account. A primary account holder can view personal information saved in sub-accounts to which they have authorized access. We share information about authorized users only for legitimate purposes consistent with this privacy notice, including servicing the account and marketing Services to you.

SALE AND SHARING OF PERSONAL INFORMATION

When you interact with our websites, we may use, or authorize third-party partners and service providers to use cookies, web beacons and similar technologies to improve your experience with us. The Tracking Technologies described in our Cookie Notice can collect personal information about you that can be used by us and our authorized third-party partners and service providers. Our sharing of your personal information in this way may constitute "selling", "sharing", or using for "targeted advertising" under applicable U.S. state privacy laws. The term "sale" is broadly defined by the CCPA and includes sharing personal information for monetary or other valuable consideration.

To the extent this is considered "selling" or "sharing", in the preceding 12 months, we have sold or shared the following categories of personal information for the purpose of showing you ads about Constant Contact's services:

- Identifiers
- Internet or other similar network activity

Because our only potential "sale" or "share" of your personal information occurs as a result of the use of cookies, if you'd like to opt out of the sale of your personal

information, please click [Cookie Settings](#) to update your cookie preferences. For more information, please refer to our [Cookie Notice](#).

SECURITY

The transmission of information via the internet, email or Texts is not completely secure. Although we will do our best to protect your personal information, we cannot guarantee the security of your information transmitted through the Services or over email; any transmission is at your own risk. Once we have received your information, we will take appropriate technical and organizational measures to safeguard your personal information against loss, theft and unauthorized use, access or modification.

When we collect financial account information, such as credit card numbers, we protect its transmission through the use of encryption such as the Transport Layer Security (TLS) protocol.

CHOICE/OPT-OUT MARKETING COMMUNICATIONS FROM US EMAIL

You always have the opportunity to opt out of our marketing communications with you or change your preferences by following a link in the footer of all non-transactional email messages from us or by emailing us at optout@constantcontact.com. Some communications from us are considered transactional or service communications (for example, important account notifications and billing information). You agree to receive these transactional and service communications as a condition of the Services that we provide to you. You must cancel your accounts for all Services if you do not wish to receive any transactional or service communications from us. To cancel your account, please contact customer support. You may still receive marketing communications from us even after you cancel your account unless you also opt-out of our marketing communications, as described above.

PHONE

If you do not want to receive marketing calls by phone, you may contact customer support and indicate your preference to us. Note that we may use automated dialing technology to place marketing calls. In the event we do use such technology for marketing calls, we will do so with your consent as required to comply with applicable law. You do not need to agree to receive automated marketing phone

calls or texts from us in order to use the Services.

TEXTS

We may send you marketing communications via Texts. If you do not want to receive marketing Texts from us, you can opt out at any time by replying STOP.

COOKIES

For information about how to manage and opt out from cookies, please visit our [Cookie Notice](#).

RETENTION OF PERSONAL INFORMATION

We retain your personal information to provide Services to you and as otherwise necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We will retain your personal information for no more than seven years following the later of (i) the date on which you terminate your use of the Services or (ii) May 25, 2018, unless we are otherwise required by law or regulation to retain your personal information for longer.

YOUR RIGHTS

You have certain rights relating to your personal information subject to local data protection laws. In certain circumstances, you have the following rights:

The Right to Know	<p>The right to request any or all of the following information relating to your personal information we have collected and disclosed in the last 12 months, upon our verification of your identity:</p> <ul style="list-style-type: none">• The categories of personal information we have collected about you;• The categories of sources of the personal information we have collected about you;• Our business purpose for collecting that personal information;• The categories of third parties with whom we disclose that personal information; and
--------------------------	---

	<ul style="list-style-type: none">• The specific pieces of personal information we have collected about you.
The Right to Request Deletion	The right to request the deletion of personal information we have collected from you.
The Right to Correct	The right to correct inaccurate personal information that we maintain about you.
The Right to Opt Out of Targeted Advertising or the Sale or Sharing of Personal Information	The right to direct us not to sell or share personal information for targeted advertising about you to third parties now or in the future. Here, the only "sale" or "sharing" that may take place is through our use of cookies which you can opt out as directed by our Cookie Notice .
The Right to Non-Discrimination	The right not to receive discriminatory treatment for exercising these rights.
The Right to Appeal	You may have the right to appeal a decision we may make related to your request.
"Shine the Light"	California Civil Code Section 1798.83 permits you to request information regarding the disclosure of your personal

information to a third party for the third party's direct marketing purposes.

Please note the above rights are subject to certain exceptions.

If you are a resident of the EEA or the UK, please review the [GDPR Addendum](#) for more information about your privacy rights under GDPR, UK GDPR, or Swiss DPA.

HOW TO EXERCISE YOUR RIGHTS

To exercise any rights you may have as described above, please submit a request to us by:

- Submitting a data access request [here](#).
- Sending an email to privacy@constantcontact.com.
- Calling our [Customer Support](#) team or our Legal and Compliance team at 781-462-1490.

To the extent you have a right to appeal a decision we've made about your personal information, please submit an appeal request via email at

privacy@constantcontact.com.

Only you, or a person or entity that you authorize to act on your behalf, may make a verifiable request related to your personal information. We may not be able to fulfill your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. We will need to verify your identity before processing your request. In order to verify your identity, we will generally require the matching of sufficient information you provide us to the information we maintain about you in our systems. If you are using an authorized agent, please note that you will be required to verify your identity and provide written confirmation that you have authorized the agent to make a request on your behalf. For requests to access or delete, we may require you to verify your identity directly with us, and directly confirm with us that you provided the authorized agent permission to submit the request. We will respond to most requests within forty-five (45) days, or otherwise request an additional forty-five (45) day period within which to respond.

THIRD PARTY LINKS AND INFORMATION COLLECTION AND USE BY OUR USERS

Some of our Services provide links to other websites. Because we do not control the information policies or practices of these third party sites, you should review their privacy policies to learn about how they collect and use personal information.

Single Sign-On. You may also log in to some of our Services using sign-in services such as Facebook Connect or an Open ID provider. These services will authenticate your identity and provide you with the option to share certain personal information with us, such as your name and email address to pre-populate our sign up form. For example, if you take advantage of certain of our social media features, such as the Facebook Like button, and widgets, such as the "Share This" button or interactive mini-programs that run on our site, the applicable social networking sites may collect your IP address, which page you are visiting on our websites, and may set a cookie to enable it to function properly.

INFORMATION FROM THIRD PARTIES

To manage the information we receive about you from a social networking site or other third party (for example, if you link your Constant Contact and Facebook accounts), you will need to follow the instructions from that party for updating your information and changing your privacy settings, where available. The information we collect is covered by this privacy notice and the information the third party collects is subject to such third party's privacy practices. Privacy choices you have

made on any third party site will not apply to our use of the information we have collected directly through our Services.

REFER A FRIEND

If you choose to use our referral service to tell a friend about our Services, we will ask you for your friend's email address. We will automatically send your friend a one-time email inviting them to visit our websites. We retain this information for the sole purpose of sending this one-time email and tracking the success of our referral program. Such referrals may not be permissible in all situations or in all jurisdictions. You acknowledge and agree that you are solely responsible for compliance with any applicable laws in this regard including, if applicable, seeking consent from your friend. Your friend may contact us at privacy@constantcontact.com to request that we remove this information from our database.

DATA TRANSFERS AND PRIVACY FRAMEWORKS

Constant Contact participates in and has certified its compliance with the EU-U.S. Data Privacy Framework, the UK Extension to the EU-U.S. Data Privacy Framework and the Swiss-U.S. Data Privacy Framework (collectively, the "Privacy Frameworks").

For more information about international data transfers or our participation in Privacy Frameworks or, please review the Data Transfers section in this [GDPR Addendum](#).



MINORS

Our Services are not directed to persons under 18. We do not knowingly collect personal information from minors under 18. If you are a parent or guardian of such a child and become aware that your child has provided personal information to us, please contact us as described in this privacy notice and we will take reasonable steps immediately to remove any such information.

NOTIFICATION OF CHANGES

We reserve the right to modify this privacy notice at any time, so please review it frequently. If we decide to change this privacy notice in any material way, we will notify you here, by email, or by means of a notice on our websites. In all cases, your

continued use of any Services constitutes acceptance to any such changes.

GDPR AND UK GDPR REPRESENTATIVES

We have appointed IT Governance Europe Limited to act as our EU representative and GRCI Law Limited to act as our UK representative. If you wish to exercise your rights under the EU or UK General Data Protection Regulation, or have any queries in relation to your rights or general privacy matters, please email our EU representative at eurep@itgovernance.eu or our UK representative at ukrep@grcilaw.com. Please ensure to include our company name in any correspondence you send to our representatives.

CONTACT US AND COMPLAINTS

If you have any questions about this privacy notice or our data handling practices, or you wish to make a complaint, you may contact us at privacy@constantcontact.com or by regular mail at:

Legal and Compliance
Constant Contact, Inc.
1601 Trapelo Road
Waltham, MA 02451

U.S.A.

© Constant Contact, Inc. 1996-2024

[Terms of Service](#) [Acceptable Use Policy](#) [Anti-Spam](#) [Privacy Center](#) [Vulnerability Disclosure](#)

[Do Not Sell or Share My Personal Information](#)