



Introduction – Terms of Use / Privacy Policy

This Privacy Statement deals with information that a user may provide to **Optimum Payment Solutions, Inc.**, (hereinafter "**Optimum Payments**") and on the **Optimum Payments**' and its Affiliate websites.

For the purposes of this Statement, **Optimum Payments** definition of 'user' encompasses merchants, affiliate members, partners, sales agents, sponsors, customers and cardholders and any other visitor who discloses information to the company. **Optimum Payments** is committed to respecting the privacy of your personal information and wants to promote trust and confidence on the Internet. To that end, **Optimum Payments** hereby outlines the type of information that is collected and tracked on this website and how **Optimum Payments** uses this information in its business operations.

This Privacy Statement describes:

1. The personally identifiable information **Optimum Payments** collects.
2. **Optimum Payments** Zero Spam Policy.
3. How **Optimum Payments** uses the information.
4. With whom **Optimum Payments** may share the information.
5. The safeguards that are in place to prevent loss and/or misuse of the information and to maintain its integrity.
6. How users can update or correct personal information.
7. The notification of changes to our Privacy Policy.

Collection of Information

Optimum Payments collects information from its users in the following methods.

- **Registration**

Optimum Payments collects personally identifiable information on its users through the registration process (merchant account applications, affiliate program application, partners' program application and customer's purchase information) where the applicant is required to give some of the following contact information: company information, product information, technical information, account executive name, telephone number, email address, address.

- **Ordering/Applying**

In order to complete an application form or a customer information request, the user is required to provide **Optimum Payments** with the following information: name, mailing address, email address, phone number, social security number, tax ID number, bank account numbers, driver's license/Gov't ID numbers, etc. This information is used to complete the account application process, to complete the customer's information request and to verify the validity of a request.

- **Tracking**

Users' Internet Protocol (IP) address is automatically received and collected when they visit some **Optimum Payments** websites. **Optimum Payments** also tracks information such as the domain name from which a user visits us, the pages a user requests, and the amount of time that a user spends on the site. From the IP address, **Optimum Payments** can only determine the Internet Service Provider and the geographic location of user's point of connectivity. This information is used in the aggregate for statistical purposes.

Optimum Payments Zero Spam Tolerance Policy

Merchants or any third party working on their behalf shall not use the **Optimum Payments** mail service and or its name to send unsolicited e-mail messages, including, without limitation, bulk commercial advertising or informational announcements ("spam"). In addition, Merchants or any third party working on their behalf shall not (a) send e-mail messages which are excessive and/or intended to harass or annoy others, (b) continue to send e-mail messages or USENET postings to a recipient who has indicated that he/she does not wish to receive them, (c) send e-mail messages with forged header information, or (d) send malicious e-mail messages or USENET postings, including, without limitation, "mail-bombing."

Use of Information

- **Information Collected Through Tracking**

The information that **Optimum Payments** collects is used in the aggregate to obtain demographic information about the entire **Optimum Payments** audience in order to improve service to its customers and merchants, to perform statistical analysis of the collective characteristics and behavior of its users. From this information, **Optimum Payments** can measure overall patron demographics and interests regarding specific areas of the **Optimum Payments** domain and to analyze how and where to apply its resources. **Optimum Payments** also uses the collected aggregate data to inform its sponsors of the number of visitors who have seen and "clicked" on their advertisements. Cookies are used to determine what particular content (e.g. advertising) users view, how long they view it, which content or sites that users link to, and which services members and visitors tend to use.

- **Information Collected Through Registration**

Merchants' personal information is used to set up the merchant's account, to send the merchants updates, or changes to **Optimum Payments** services. **Optimum Payments** may use credit card information to fulfill the merchant account application process. Customers' personal and payment information is used to confirm the customer's identity and to provide information concerning the customer's online

order. All queries are initiated by the customer, through his/her entering of personally identifiable data on www.optimumpayments.com or its Affiliate websites; serving as a customer service site.

Sharing of Information

Optimum Payments uses commercially reasonable precautions to keep all disclosed personal information secure. Information collected through tracking and registration will not be shared or sold to third parties for any purpose except as provided in this Privacy Policy, any contract between **Optimum Payments** and the user and/or without the user's expressed permission.

- **Financial Institutions**
Optimum Payments Merchant applications and credit card transactions are handled by third-party financial institutions that receive the Merchant application, credit card number and other personal information in order to verify the validity of the user and credit card numbers and process the application or transactions.
- **Law Enforcement Investigations**
Optimum Payments may be required to disclose personal information when required by law wherein it believes that such disclosure is necessary to comply with legal proceedings. **Optimum Payments** responds to subpoenas, warrants, or other court orders regarding information that is contained within our access logs concerning any merchant, user, customer or visitor. **Optimum Payments** reserves the right to release information concerning any user who is believed to be in violation of contract, regulations, laws or guidelines, even without a subpoena, warrant, or other court order. **Optimum Payments** cooperates with law enforcement agencies in identifying those who use its services for illegal activities. **Optimum Payments** also reserves the right to report any deemed illegal activity by its users to law enforcement agencies.
- **Clients**
In the event of an inquiry or a dispute by a customer, **Optimum Payments** releases to customers information about the merchant, such as Customer Service Phone Line (if provided by the merchant), merchant's administrative contact information, and merchant's website.
- **Third Party**
Optimum Payments discloses information only to third parties who are business partners that provide intrinsic services (i.e. Merchant service providers, equipment vendors, leasing and credit card companies) and who are required to treat the information with the same degree of care. Please note that **Optimum Payments'** website links to a wide variety of other websites, and **Optimum Payments** is not accountable for their privacy policies or how they treat information about their users. Please note that **Optimum Payments** does not control the acts of its users, merchants, suppliers, etc. All users should be aware that, when they disclose personal information to third parties on or off the **Optimum Payments** websites, the information may be collected and used to send that user unsolicited email. In the event that a customer encounters an **Optimum Payments** merchant who is improperly collecting or using personal information, please contact **Optimum Payments** immediately.

Security

Optimum Payments uses commercially reasonable precautions, such as security software, physical security features and strict policy guidelines to safeguard the privacy of its users' personal information; it is also committed to constantly improving its security measures as new technology is made available. **Optimum Payments** works diligently to protect the safety of customers' online applications, purchases and merchants' sensitive information by using authentication technology (certificates) and encryption technology (SSL). Our secure server software encrypts all personal information, including credit card information, banking and/or social security number, which is transmitted over the Internet to and from **Optimum Payments** websites.

Updating and Correcting Information

If you would like to view the information **Optimum Payments** has collected about you, correct your information or opt not to consent to certain uses of your personal information, please contact your assigned account executive, who will assist you in this process. If you have questions or suggestions, we can be reached at:

Optimum Payments
One Bridge Plaza North, Suite 275
Fort Lee, NJ 07024
USA
Attn: Privacy Officer

Changes to the Privacy Statement

This Statement is subject to change as **Optimum Payments** enhances its services and products, as well as being amended to maintain compliance with the applicable laws and regulations. Users who have a contract with **Optimum Payments** will be notified of any changes and other users will be notified prior to collecting such information, as well as of changes to any other part of the business that **Optimum Payments** deems appropriate for disclosure.

If **Optimum Payments** intends to use personal information in a manner other than is stated at the time of collection, users will be notified and given the opportunity to consent to such a use.

Note

Users of **Optimum Payments** websites must abide by the regulations and laws of their country of origin.