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# Privacy Policy

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In this document



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*Effective December 5, 2018*

View the prior version of our privacy policy (last updated November 1, 2017) [here](#).

Mailchimp takes data privacy seriously. This privacy policy explains who we are, how we collect, share and use Personal Information, and how you can exercise your privacy rights.

We recommend that you read this privacy policy in full to ensure you are fully informed. However, to make it easier for you to review the parts of this privacy policy that apply to you, we have divided up the document into sections that are specifically applicable to **Members** (Section 2), **Contacts** (Section 3), and **Visitors** (Section 4). Sections 1 and 5 are applicable to everyone.

If you have any questions or concerns about our use of your Personal Information, then please contact us using the contact details provided at the end of Section 5.



# 1. The Basics

## A. About Us

Mailchimp is an online marketing platform (the "**Services**") operated by The Rocket Science Group LLC, a company headquartered in the State of Georgia in the United States ("**we**," "**us**," "**our**," and "**Mailchimp**").

The Services enable our Members to, among other things, send and manage email campaigns and serve advertisements. We also provide other related services, such as real-time data analytics. Find out more about our Services [here](#).

## B. Key Terms

In this privacy policy, these terms have the following meanings:

"**Contact**" is a person a Member may contact through our Services. In other words, a Contact is anyone on a Member's Distribution List or about whom a Member has given us information. For example, if you

are a Member, a subscriber to your email marketing campaigns would be considered a Contact.

"**Distribution List**" is a list of Contacts a Member may upload or manage on our platform and all associated information related to those Contacts (for example, email addresses).

"**Member**" means any person or entity that is registered with us to use the Services.

"**Personal Information**" means any information that identifies or can be used to identify a Member, a Contact, or a Visitor, directly or indirectly. Examples of Personal Information include, but are not limited to, first and last name, date of birth, email address, gender, occupation, or other demographic information.

"**Website(s)**" means any website(s) we own and operate (such as [www.mailchimp.com](http://www.mailchimp.com)) or any web pages, interactive features, applications, widgets, blogs, social networks, social network "tabs," or other online, mobile, or wireless offerings that post a link to this privacy policy.

"**Visitor**" means any person who visits any of our Websites.

"**you**" and "**your**" means, depending on the context, either a Member, a Contact, or a Visitor.

## 2. Privacy for Members

This section applies to the Personal Information we collect and process from a Member or potential Member through the provision of the Services. If you are not a Member, the [Visitors](#) or [Contacts](#) section of this policy may be more applicable to you and your data. **In this section, "you" and "your" refer to Members and potential Members.**

## A. Information We Collect

The Personal Information that we may collect broadly falls into the following categories:

(i) **Information you provide to us:** In the course of engaging with our Services, you may provide Personal Information about you and your Contacts. Personal Information is often, but not exclusively, provided to us when you sign up for and use the Services, consult with our customer service team, send us an email, integrate the Services with another website or service (for example, when you choose to connect your e-commerce account with Mailchimp), or communicate with us in any other way.

We will let you know prior to collection whether the provision of Personal Information we are collecting is compulsory or if it may be provided on a voluntary basis and the consequences, if any, of not providing the information. By giving us this information, you agree to this information being collected, used and disclosed as described in our [Terms of Use](#) and in this privacy policy.

This information may include:

- **Registration information:** You need a Mailchimp account to use the Services as a Member. When you register for an account,

you will be asked to provide certain basic information, such as your name, email address, username, password, company name, occupation, location, and phone number (for example, if you are using two-factor authentication).

- **Billing and communications information:** If you purchase our Services, you may also need to provide us with payment and billing information, such as your credit card details and billing address. Mailchimp will also maintain a record of your billing transactions and purchases, and any communications and responses.
- **Information we process on your behalf:** In order to send an email campaign or use certain features in your account, you need to upload a Distribution List that provides us information about your Contacts, such as their names and email addresses. We use and process this information to provide the Services in accordance with your instructions.

(ii) **Information we collect automatically:** When you use the Services, we may automatically collect certain information about your device and usage of the Services. We use cookies and other tracking technologies to collect some of this information. Our use of cookies and other tracking technologies is discussed more below, and in more detail in our Cookie Statement [here](#).

This information may include:

- **Device information:** We collect information about the device and applications you use to access the Services, such as your IP address, your operating system, your browser ID, and other information about your system and connection.

- **Log data:** Our web servers keep log files that record data each time a device accesses those servers and those log files contain data about the nature of each access, including originating IP addresses. We may also access metadata and other information associated with files that you upload into our Services.
- **Product usage data:** We collect usage data about you whenever you interact with our Services, which may include the dates and times you access the Services and your browsing activities (such as what portions of the Services are used). We also collect information regarding the performance of the Services, including metrics related to the deliverability of emails and other communications you send through the Services. This information allows us to improve the content and operation of the Services, and facilitate research and analysis of the Services.

(iii) **Information we collect from other sources:** From time to time, we may obtain information about you or your Contacts from third-party sources, such as public databases, social media platforms, third-party data providers and our joint marketing partners. We take steps to ensure that such third parties are legally or contractually permitted to disclose such information to us.

- Examples of the information we receive from other sources include demographic information (such as age and gender), device information (such as IP addresses), location (such as city and state), and online behavioral data (such as information about use of social media websites, page view information and search results and links). We use this information, alone or in combination with other information (including Personal Information) we collect, to enhance our ability to provide relevant marketing and content to you and to develop and

provide you with more relevant products, features, and services.

(iv) **Information from the use of our mobile apps:** When you use our mobile apps, we may collect certain device and usage-related information in addition to information described elsewhere in this privacy policy.

- **Device information:** We may collect information about the type of device and operating system you use. We do not ask for, access, or track any location-based information from your mobile device at any time while downloading or using our mobile apps or Services.
- **Product usage data:** We may use mobile analytics software (such as [Fabric.io](#)) to better understand how people use our application. We may collect information about how often you use the application and other performance data.

## B. Use of Personal Information

We may use the Personal Information we collect through the Services or other sources for a range of reasons, including:

- **To bill and collect money owed to us by you.** This includes sending you emails, invoices, receipts, notices of delinquency, and alerting you if we need a different credit card number. We use third parties for secure credit card transaction processing, and those third parties collect billing information to process your orders and credit card payments. To learn more about the steps we take to safeguard that data, see the "Our Security" section of this privacy policy.

- **To send you system alert messages.** For example, we may inform you about temporary or permanent changes to our Services, such as planned outages, or send you account, security or compliance notifications, such as new features, version updates, releases, abuse warnings, and changes to this privacy policy.
- **To communicate with you about your account and provide customer support.** For example, if you use our mobile apps, we may ask you if you want to receive push notifications about activity in your account. If you have opted in to these push notifications and no longer want to receive them, you may turn them off through your operating system.
- **To enforce compliance with our Terms of Use and applicable law, and to protect the rights and safety of our Members and third parties, as well as our own.** This may include developing tools and algorithms that help us prevent violations. For example, sometimes we review the content of our Members' email campaigns to make sure they comply with our Terms of Use. To improve that process, we have software that helps us find email campaigns that may violate our Terms of Use. Our employees or independent contractors may review those particular email campaigns. This benefits all Members who comply with our Terms of Use because it reduces the amount of spam being sent through our servers and helps us maintain high deliverability. Email was not built for confidential information. Please do not use Mailchimp to send confidential information.
- **To meet legal requirements,** including complying with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms.
- **To provide information to representatives and advisors,** including attorneys and accountants, to help us comply with legal, accounting, or security requirements.

- **To prosecute and defend a court, arbitration, or similar legal proceeding.**
- **To respond to lawful requests by public authorities,** including to meet national security or law enforcement requirements.
- **To provide, support and improve the Services.** For example, this may include sharing your or your Contacts' information with third parties in order to provide and support our Services or to make certain features of the Services available to you. When we share Personal Information with third parties, we take steps to protect your information by requiring these third parties to enter into a contract with us that requires them to use the Personal Information we transfer to them in a manner that is consistent with this privacy policy and applicable privacy laws.
- **To provide suggestions to you.** This includes adding features that compare Members' email campaigns, using data to suggest other publishers your Contacts may be interested in, or using data to suggest products or services that you may be interested in or that may be relevant to you or your Contacts. Some of these suggestions are generated by use of our data analytics projects, which are described below. For more information about our use of cookies and other tracking technologies for this purpose, and instructions about how to opt out of having data collected through the use of cookies, please see our Cookie Statement [here](#).
- **For our data analytics projects.** Our data analytics projects use data from Mailchimp accounts, including Personal Information of Contacts, to provide and improve the Services. We use information like your sending habits and your Contacts' details and purchase history, so we can make more informed predictions, decisions, and products for our Members. If you or your Contact prefers not to share this data, you can alter the security settings on your account (as described [here](#)) to opt out of data analytics projects, or your Contact can opt out of data analytics projects at any time by emailing us at

[personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). For example, we use data from Mailchimp accounts to enable product recommendation, audience segmentation, and predicted demographics features for our Members. We will act as a data controller to process data for our data analytics projects in reliance on our legitimate business interests of improving and enhancing our products and services for our Members. As always, we take the privacy of Personal Information seriously, and will continue to implement appropriate safeguards to protect this Personal Information from misuse or unauthorized disclosure.

- **Combined information.** We may combine Personal Information with other information we collect or obtain about you (such as information we source from our third-party partners) to serve you specifically, such as to deliver a product or service according to your preferences or restrictions, or for advertising or targeting purposes in accordance with this privacy policy. When we combine Personal Information with other information in this way, we treat it as, and apply all of the safeguards in this privacy policy applicable to, Personal Information.
- **To enable your use of the integrations and plugins you choose to connect to your Mailchimp account.** For instance, if you choose to connect a Google integration to your Mailchimp account, we'll ask you to grant us permission to view and/or download, as applicable, your Google Sheets, Google Contacts, Google Analytics and Google Drive. This allows us to configure your integration(s) in accordance with your preferences. For example, if you wanted to use the Google Contacts integration to share the templates in your Mailchimp account with contacts in your Google address book, we would need to access your Google Contacts to share the templates.
- **Other purposes.** To carry out other legitimate business purposes, as well as other lawful purposes about which we will notify you.

## C. Cookies and Tracking Technologies

We and our partners may use various technologies to collect and store information when you use our Services, and this may include using cookies and similar tracking technologies, such as pixels and web beacons. For example, we use web beacons in the emails we send on your behalf. These web beacons track certain behavior such as whether the email sent through the Services was delivered and opened and whether links within the email were clicked. They also allow us to collect information such as the recipient's IP address, browser, email client type and other similar details. We use this information to measure the performance of your email campaigns, and to provide analytics information and enhance the effectiveness of our Services. Reports are also available to us when we send email to you, so we may collect and review that information.

Our use of cookies and other tracking technologies is discussed in more detail in our Cookie Statement [here](#).

## D. Member Distribution Lists

A Distribution List can be created in a number of ways, including by importing Contacts, such as through a CSV or directly from your email client. Your Distribution Lists are stored on a secure Mailchimp server. We do not, under any circumstances, sell your Distribution Lists. If someone on your Distribution List complains or contacts us, we might then contact that person. You may export (download) your Distribution Lists from Mailchimp at any time.

If we detect abusive or illegal behavior related to your Distribution List, we may share your Distribution List or portions of it with affected ISPs or anti-spam organizations to the extent permitted or required by applicable law.

If a Contact chooses to use the Forward to a Friend (FTF) link in an email campaign a Member sends, it will allow the Contact to share the Member's email content with individuals not on the Member's Distribution List. When a Contact forwards an email to a friend, we do not store the Contact's email address or their friend's email address, and no one is added to any Distribution List as a result of the FTF link. The Member who created the email campaign only sees an aggregate number of times their email campaign was forwarded by a Contact and does not have access to the email addresses used to share or receive that forwarded content.

## E. Other Data Protection Rights

You and your Contacts may have the following data protection rights:

- **To access, correct, update or request deletion** of Personal Information. Mailchimp takes reasonable steps to ensure that the data we collect is reliable for its intended use, accurate, complete and up to date. As a Member, you can manage many of your individual account and profile settings within the dashboard provided through the Mailchimp platform, or you may contact us directly by emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). You can also manage information about your Contacts within the dashboard provided through the Mailchimp platform to assist you with responding to requests to access, correct, update or delete information that you receive from your Contacts.

- In addition, individuals who are residents of the EEA can **object to processing** of their Personal Information, ask to **restrict processing** of their Personal Information or **request portability** of their Personal Information. You can exercise these rights by contacting us using the contact details provided in the "Questions and Concerns" section below. If any of your Contacts wishes to exercise any of these rights, they should contact you directly, or contact us as described in the "Privacy for Contacts" section below.
- Similarly, if Personal Information is collected or processed on the basis of consent, the data subject can **withdraw their consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your Personal Information conducted in reliance on lawful processing grounds other than consent. If you receive these requests from Contacts, you can segment your lists within the Mailchimp platform to ensure that you only market to Contacts who have not opted out of receiving such marketing.
- The **right to complain to a data protection authority** about the collection and use of Personal Information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA are available [here](#).

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection law. We may ask you to verify your identity in order to help us respond efficiently to your request. If we receive a request from one of your Contacts, we will either direct the Contact to reach out to you, or, if appropriate, we may respond directly to their request.

### 3. Privacy for Contacts

This section applies to the information we process about our Members' Contacts as a data controller pursuant to our legitimate business interests, as explained in the "Legal Basis for Processing" section below. Our Services are intended for use by our Members. As a result, for much of the Personal Information we collect and process about Contacts through the Services, we act as a processor on behalf of our Members. Mailchimp is not responsible for the privacy or security practices of our Members, which may differ from those set forth in this privacy policy. Please check with individual Members about the policies they have in place. **For purposes of this section, "you" and "your" refer to Contacts.**

## A. Information We Collect

The Personal Information that we may collect or receive about you broadly falls into the following categories:

(i) **Information we receive about Contacts from our Members:** A Member may provide Personal Information about you to us through the Services. For example, when a Member uploads their Distribution List or integrates the Services with another website or service (for example, when a Member chooses to connect their e-commerce account with Mailchimp), or when you sign up for a Member's Distribution List on a Mailchimp signup form, they may provide us with certain contact information or other Personal Information about you such as your name, email address, address or telephone number. You may have the opportunity to update some of this information by electing to update or manage your preferences via an email you receive from a Member.

(ii) **Information we collect automatically:** When you interact with an email campaign that you receive from a Member or browse or purchase from a Member's connected store, we may collect information about your device and interaction with an email. We use cookies and other tracking technologies to collect some of this information. Our use of cookies and other tracking technologies is discussed more below, and in more detail in our [Cookie Statement here](#).

- **Device information:** We collect information about the device and applications you use to access emails sent through our Services, such as your IP address, your operating system, your browser ID, and other information about your system and connection.
- **Product usage data:** We collect usage data about you whenever you interact with emails sent through the Services, which may include dates and times you access emails and your browsing activities (such as what pages are viewed). We also collect information regarding the performance of the Services, including metrics related to the deliverability of emails and other electronic communications our Members send through the Services. This information allows us to improve the content and operation of the Services, and facilitate research and analysis of the Services.

(iii) **Information we collect from other sources:** From time to time, we may obtain information about you from third-party sources, such as social media platforms and third-party data providers. We take steps to ensure that such third parties are legally or contractually permitted to disclose such information to us, and we use this information to provide publicly available social media information about you to Members who have enabled the "Social Profiles" feature in their Mailchimp accounts.

## B. Use of Personal Information

We may use the Personal Information we collect or receive about you for our legitimate business interests, including:

- **To enforce compliance with our Terms of Use and applicable law.** This may include developing tools and algorithms that help us prevent violations.
- **To protect the rights and safety of our Members and third parties, as well as our own.** For example, sometimes we review the content of our Members' email campaigns to make sure they comply with our Terms of Use. To improve that process, we have software that helps us find email campaigns that may violate our Terms of Use. Our employees or independent contractors may review those particular email campaigns, which may include your contact information. This reduces the amount of spam being sent through our servers and helps us maintain high deliverability.
- **To meet legal requirements,** including complying with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms.
- **To provide information to representatives and advisors,** including attorneys and accountants, to help us comply with legal, accounting, or security requirements.
- **To prosecute and defend a court, arbitration, or similar legal proceeding.**
- **To respond to lawful requests by public authorities,** including to meet national security or law enforcement requirements.
- **To provide, support and improve the Services.** For example, this may include sharing your information with third parties in order to provide and support our Services or to make certain features of the Services available to our Members. When we share Personal Information with third parties, we take steps to

protect your information by requiring these third parties to enter into a contract with us that requires them to use the Personal Information we transfer to them in a manner that is consistent with this privacy policy and applicable privacy laws.

- **For our data analytics projects.** Our data analytics projects use data from Mailchimp accounts, including your Personal Information, to provide and improve the Services. We use information, like your purchase history, provided to us by Members, so we can make more informed predictions, decisions, and products for our Members. For example, we use data from Mailchimp accounts to enable product recommendation, audience segmentation, and predicted demographics features for our Members. If you prefer not to share this data, you can opt out of data analytics projects at any time by emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com).
- **Other purposes.** To carry out other legitimate business purposes, as well as other lawful purposes.

## C. Cookies and Tracking Technologies

We and our partners may use various technologies to collect and store information when you interact with a Member's email campaign or connected store, and this may include using cookies and similar tracking technologies, such as pixels and web beacons. For example, we use web beacons in the emails we send on behalf of our Members. When you receive and engage with a Member's campaign, web beacons track certain behavior such as whether the email sent through the Mailchimp platform was delivered and opened and whether links within the email were clicked. They also allow us to collect information such as your IP address, browser, email client type, and other similar details. We use this information to measure the

performance of our Members' email campaigns, and to provide analytics information and enhance the effectiveness of our Services.

Our use of cookies and other tracking technologies is discussed in more detail in our Cookie Statement [here](#).

## D. Legal Basis for Processing

We process Personal Information about you as a data controller as described in this section, where such processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. Our **legitimate interests** typically include: improving, maintaining, providing, and enhancing our technology, products and services; and ensuring the security of the Services and our Website.

## E. Other Data Protection Rights

You may have the following data protection rights:

- To **access, correct, update or request deletion** of your Personal Information. Mailchimp takes reasonable steps to ensure that the data we collect is reliable for its intended use, accurate, complete, and up to date. You may contact us directly at any time about accessing, correcting, updating or deleting your Personal Information, or altering your data, by submitting a request to us [here](#). We will consider your request in accordance with applicable laws.
- In addition, if you are a resident of the EEA, you can **object to processing** of your Personal Information, ask us to **restrict**

**processing** of your Personal Information or **request portability** of your Personal Information. Again, you can exercise these rights by emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com).

- You have the **right to complain to a data protection authority** about our collection and use of your Personal Information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA are available [here](#).

As described above, for much of the Personal Information we collect and process about Contacts through the Services, we act as a processor on behalf of our **Members**. In such cases, if you are a Contact and want to exercise any data protection rights that may be available to you under applicable law or have questions or concerns about how your Personal Information is handled by Mailchimp as a processor on behalf of our individual Members, you should contact the relevant Member that is using the Mailchimp Services, and refer to their separate privacy policies.

If you no longer want to be contacted by one of our Members through our Services, please unsubscribe directly from that Member's newsletter or contact the Member directly to update or delete your data. If you contact us directly, we may remove or update your information within a reasonable time and after providing notice to the Member of your request.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your request.

## 4. Privacy for Visitors

This section applies to Personal Information that we collect and process through our Websites and in the usual course of our business, such as in connection with our recruitment, events, sales and marketing activities. **In this section "you" and "your" refers to Visitors.**

### A. Information We Collect

#### (i) **Information you provide to us on the Websites or otherwise:**

Certain parts of our Websites may ask you to provide Personal Information voluntarily. For example, we may ask you to provide certain Personal Information (such as your name, contact details, company name, profile information) in order to sign up for a free or paid Mailchimp account, apply for a role with Mailchimp, or otherwise submit inquiries to us. We may also collect Personal Information, such as your contact and job details and feedback, when you attend our events, take part in surveys, or through other business or marketing interactions we may have with you. You may choose to provide additional information when you communicate with us or otherwise interact with us, and we will keep copies of any such communications for our records.

The Personal Information that you are asked to provide, and the reasons why you are asked to provide it, will be made clear to you at the point we ask you to provide your Personal Information. We will also let you know prior to collection whether the provision of the Personal Information we are collecting is compulsory or may be provided on a

voluntary basis and the consequences, if any, of not providing the information.

**(ii) Information we collect automatically through the Websites:** When you visit our Websites, we may also collect certain information automatically from your device. In some countries, including countries in the European Economic Area, this information may be considered Personal Information under applicable data protection laws.

Specifically, the information we collect automatically may include your IP address, your operating system, your browser ID, your browsing activity, and other information about your system and connection and how you interact with our Websites and other websites. We may collect this information as a part of log files as well as through the use of cookies or other tracking technologies. Our use of cookies and other tracking technologies is discussed more below, and in more detail in our Cookie Statement [here](#).

## B. Use of Personal Information

We may use the information we collect through our Websites for a range of reasons, including:

- To provide, operate, optimize, and maintain our Websites.
- To send you information for marketing purposes, in accordance with your marketing preferences.
- For recruitment purposes if you have applied for a role with Mailchimp.
- To respond to your online inquiries and requests, and to provide you with information and access to resources or services that you have requested from us.

- To manage our Websites and system administration and security.
- To improve the navigation and content of our Websites.
- To identify any server problems or other IT or network issues.
- To process transactions and to set up online accounts.
- To compile aggregated statistics about site usage and to better understand the preferences of our Visitors.
- To carry out research and development to improve our products and services.
- To customize content and layout of the Websites.
- To carry out other legitimate business purposes, as well as other lawful purposes.

In addition, we may combine Personal Information with other information we collect or obtain about you (such as information we source from our third-party partners) to serve you specifically, such as to deliver a product or service according to your preferences or restrictions, or for advertising or targeting purposes in accordance with this privacy policy. When we combine Personal Information with other information in this way, we treat it as, and apply all of the safeguards in this privacy policy applicable to, Personal Information.

### C. Public Information and Third-Party Websites

- **Blog.** We have public blogs on our Websites. Any information you include in a comment on our blog may be read, collected, and used by anyone. If your Personal Information appears on our blogs and you want it removed, contact us [here](#). If we are unable to remove your information, we will tell you why.

- **Social media platforms and widgets.** Our Websites include social media features, such as the Facebook Like button. These features may collect information about your IP address and which page you are visiting on our Website, and they may set a cookie to make sure the feature functions properly. Social media features and widgets are either hosted by a third party or hosted directly on our Website. We also maintain presences on social media platforms, including Facebook, Twitter, and Instagram. Any information, communications, or materials you submit to us via a social media platform is done at your own risk without any expectation of privacy. We cannot control the actions of other users of these platforms or the actions of the platforms themselves. Your interactions with those features and platforms are governed by the privacy policies of the companies that provide them.
- **Links to third-party websites.** Our Websites include links to other websites, whose privacy practices may be different from ours. If you submit Personal Information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any website you visit.
- **Contests and sweepstakes.** We may, from time to time, offer surveys, contests, sweepstakes, or other promotions on our Websites or through social media (collectively, "**Promotions**"). Participation in our Promotions is completely voluntary. Information requested for entry may include Personal Information such as your name, address, date of birth, phone number, email address, username, and similar details. We use the information you provide to administer our Promotions. We may also, unless prohibited by the Promotion's rules or law, use the information provided to communicate with you, or other people you select, about our Services. We may share this information with our affiliates and other organizations or service providers in line with this privacy policy and the rules posted for our Promotions.

## D. Cookies and Tracking Technologies

We use cookies and similar tracking technologies to collect and use Personal Information about you, including to serve interest-based advertising. For further information about the types of cookies and tracking technologies we use, why, and how you can control them, please see our Cookie Statement [here](#).

## E. Other Data Protection Rights

You have the following data protection rights:

- To **access, correct, update, or request deletion** of your Personal Information. Mailchimp takes reasonable steps to ensure that the data we collect is reliable for its intended use, accurate, complete, and up to date. You may contact us directly at any time about accessing, correcting, updating, or deleting your Personal Information, or altering your data or marketing preferences by emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com). We will consider your request in accordance with applicable laws.
- In addition, if you are a resident of the EEA, you can **object to processing** of your Personal Information, ask us to **restrict processing** of your Personal Information or **request portability** of your Personal Information. Again, you can exercise these rights by emailing us at [personaldatarequests@mailchimp.com](mailto:personaldatarequests@mailchimp.com).
- Similarly, if we have collected and processed your Personal Information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your Personal

Information conducted in reliance on lawful processing grounds other than consent.

- You have the **right to complain to a data protection authority** about our collection and use of your Personal Information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA are available [here](#).

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your request.

## 5. General Information

### A. How We Share Information

We may share and disclose your Personal Information to the following types of third parties for the purposes described in this privacy policy **(for purposes of this section, "you" and "your" refer to Members, Contacts, and Visitors unless otherwise indicated):**

(i) **Our service providers:** Sometimes, we share your information with our third-party service providers, who help us provide and support our Services and other business-related functions.

For example, if it is necessary to provide Members something they have requested (like enable a feature such as Social Profiles), then we may share Members' or Contacts' Personal Information with a service provider for that purpose. Other examples include analyzing data,

hosting data, engaging technical support for our Services, processing payments, and delivering content.

These third-party service providers enter into a contract that requires them to use your Personal Information only for the provision of services to us and in a manner that is consistent with this privacy policy.

In connection with our Services, we use a third-party service provider, Twilio, Inc. We use Twilio's API, which allows us to build features into our Mailchimp application to enable us to communicate with our Members through texting and calling, and their "Authy" product, which we use for two-factor authentication for our application. If you are a Member, Twilio may need to collect and process certain Personal Information about you as a controller to provide such services. To learn more about Twilio's privacy practices, please visit <https://www.twilio.com/legal/privacy>.

(ii) **Advertising partners:** We may partner with third-party advertising networks and exchanges to display advertising on our Websites or to manage and serve our advertising on other sites and may share Personal Information of Members and Visitors with them for this purpose. We do not sell or market to any of our Members' Contacts. We and our third-party partners may use cookies and other tracking technologies, such as pixels and web beacons, to gather information about your activities on our Websites and other sites in order to provide you with targeted advertising based on your browsing activities and interests. For more information about cookies and other tracking technologies, please see our Cookie Statement [here](#).

(iii) **Any competent law enforcement body, regulatory body, government agency, court or other third party** where we believe disclosure is necessary (a) as a matter of applicable law or regulation, (b) to exercise, establish, or defend our legal rights, or (c) to protect your vital interests or those of any other person.

(iv) **A potential buyer (and its agents and advisors)** in the case of a sale, merger, consolidation, liquidation, reorganization, or acquisition. In that event, any acquirer will be subject to our obligations under this privacy policy, including your rights to access and choice. We will notify you of the change either by sending you an email or posting a notice on our Website.

(v) **Any other person with your consent.**

## B. Legal Basis for Processing Personal Information (EEA Persons Only)

If you are from the European Economic Area, our legal basis for collecting and using the Personal Information described above will depend on the Personal Information concerned and the specific context in which we collect it.

However, we will normally collect and use Personal Information from you where the processing is in our **legitimate interests** and not overridden by your data-protection interests or fundamental rights and freedoms. Typically, our legitimate interests include improving, maintaining, providing, and enhancing our technology, products, and services; ensuring the security of the Services and our Websites; and for our marketing activities.

If you are a Member, we may need the Personal Information to **perform a contract** with you. In some limited cases, we may also have a **legal obligation** to collect Personal Information from you.

If we ask you to provide Personal Information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your Personal Information is mandatory or not, as well as of the possible consequences if you do not provide your Personal Information.

Where required by law, we will collect Personal Information only where we have your **consent** to do so.

If you have questions about or need further information concerning the legal basis on which we collect and use your Personal Information, please contact us using the contact details provided in the "Questions and Concerns" section below.

### C. Your Choices and Opt-Outs

Members and Visitors who have opted in to our marketing emails can opt out of receiving marketing emails from us at any time by clicking the "unsubscribe" link at the bottom of our marketing messages.

Also, all opt-out requests can be made by emailing us using the contact details provided in the "Questions and Concerns" section below. Please note that some communications (such as service messages, account notifications, billing information) are considered transactional and necessary for account management, and Members

cannot opt out of these messages unless you cancel your Mailchimp account.

## D. Our Security

We take appropriate and reasonable technical and organizational measures to protect Personal Information from loss, misuse, unauthorized access, disclosure, alteration, and destruction, taking into account the risks involved in the processing and the nature of the Personal Information. For further information about our security practices, please see our Security page [here](#). If you have any questions about the security of your Personal Information, you may contact us at [privacy@mailchimp.com](mailto:privacy@mailchimp.com).

Mailchimp accounts require a username and password to log in. Members must keep their username and password secure, and never disclose it to a third party. Because the information in a Member's Mailchimp account is so sensitive, account passwords are hashed, which means we cannot see a Member's password. We cannot resend forgotten passwords either. We will only provide Members with instructions on how to reset them.

## E. International Transfers

### (i) **We operate in the United States**

Our servers and offices are located in the United States, so your information may be transferred to, stored, or processed in the United States. While the data protection, privacy, and other laws of the United

States might not be as comprehensive as those in your country, we take many steps to protect your privacy, including offering our Members a Data Processing Agreement.

## **(ii) Data transfers from Switzerland or the EU to the United States**

Mailchimp participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework. We are committed to subjecting all Personal Information received from European Union (EU) member countries and Switzerland, respectively, in reliance on each Privacy Shield Framework, to each Framework's applicable Principles. To learn more about the Privacy Shield Frameworks, and to view our certification, visit the U.S. Department of Commerce's Privacy Shield website, [here](#).

A list of Privacy Shield participants is maintained by the Department of Commerce and is available [here](#).

Mailchimp is responsible for the processing of Personal Information we receive under each Privacy Shield Framework and subsequently transfer to a third party acting as an agent on our behalf. We comply with the Privacy Shield Principles for all onward transfers of Personal Information from the EU and Switzerland, including the onward transfer liability provisions.

With respect to Personal Information received or transferred pursuant to the Privacy Shield Frameworks, we are subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, we may be required to disclose Personal Information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third-party dispute resolution provider (free of charge to you) at <https://feedback-form.truste.com/watchdog/request>. Under certain conditions, more fully described on the Privacy Shield website, [here](#), you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted.

Members located in Switzerland and the EU are subject to our [Data Processing Addendum](#), as described in our [Terms of Use](#).

### (iii) **Members located in Australia**

If you are a Member who lives in Australia, this section applies to you. We are subject to the operation of the Privacy Act 1988 ("**Australian Privacy Act**"). Here are the specific points you should be aware of:

- Where we say we assume an obligation about Personal Information, we are also requiring our subcontractors to undertake a similar obligation, where relevant.
- We will not use or disclose Personal Information for the purpose of our direct marketing to you unless you have consented to receive direct marketing; you would reasonably expect us to use your personal details for the marketing; or we believe you may be interested in the material but it is impractical for us to obtain your consent. You may opt out of any marketing materials we send to you through an unsubscribe mechanism or by contacting us directly. If you have requested not to receive further direct marketing messages, we may continue to provide you with messages that are not regarded as "direct marketing" under the Australian Privacy Act, including changes to our terms, system alerts, and other information related to your account.

- Our servers are located in the United States. In addition, we or our subcontractors may use cloud technology to store or process Personal Information, which may result in storage of data outside Australia. It is not practicable for us to specify in advance which country will have jurisdiction over this type of offshore activity. All of our subcontractors, however, are required to comply with the Australian Privacy Act in relation to the transfer or storage of Personal Information overseas.
- If you think the information we hold about you is inaccurate, out of date, incomplete, irrelevant, or misleading, we will take reasonable steps, consistent with our obligations under the Australian Privacy Act, to correct that information upon your request.
- If you are unsatisfied with our response to a privacy matter then you may consult either an independent advisor or contact the Office of the Australian Information Commissioner for additional help. We will provide our full cooperation if you pursue this course of action.

## F. Retention of Data

We retain Personal Information where we have an ongoing legitimate business or legal need to do so. Our retention periods will vary depending on the type of data involved, but, generally, we'll refer to these criteria in order to determine retention period:

- Whether we have a legal or contractual need to retain the data.
- Whether the data is necessary to provide our Services.
- Whether our Members have the ability to access and delete the data within their Mailchimp accounts.
- Whether our Members would reasonably expect that we would retain the data until they remove it or until their Mailchimp

accounts are closed or terminated.

When we have no ongoing legitimate business need to process your Personal Information, we will either delete or anonymize it or, if this is not possible (for example, because your Personal Information has been stored in backup archives), then we will securely store your Personal Information and isolate it from any further processing until deletion is possible.

## G. California Privacy

Under California Law, California residents have the right to request in writing from businesses with whom they have an established business relationship, (a) a list of the categories of Personal Information, such as name, email, and mailing address, and the type of services provided to the customer that a business has disclosed to third parties (including affiliates that are separate legal entities) during the immediately preceding calendar year for the third-parties' direct marketing purposes, and (b) the names and addresses of all such third parties. To request the above information, please contact us through our [contact form](#) or email us at [privacy@mailchimp.com](mailto:privacy@mailchimp.com).

## H. Changes to this Policy

We may change this privacy policy at any time and from time to time. The most recent version of the privacy policy is reflected by the version date located at the top of this privacy policy. All updates and amendments are effective immediately upon notice, which we may give by any means, including, but not limited to, by posting a revised

version of this privacy policy or other notice on the Websites. We encourage you to review this privacy policy often to stay informed of changes that may affect you. Our electronically or otherwise properly stored copies of this privacy policy are each deemed to be the true, complete, valid, authentic, and enforceable copy of the version of this privacy policy that was in effect on each respective date you visited the Website.

## I. Questions & Concerns

If you have any questions or comments, or if you have a concern about the way in which we have handled any privacy matter, please use our [contact form](#) to send us a message. You may also contact us by postal mail or email at:

### **For EEA Residents:**

For the purposes of EU data protection legislation, The Rocket Science Group LLC d/b/a Mailchimp is the controller of your Personal Information. Our Data Protection Officer can be contacted at [dpo@mailchimp.com](mailto:dpo@mailchimp.com).

### **For Non-EEA Residents:**

The Rocket Science Group LLC d/b/a Mailchimp  
Attn. Privacy Officer  
[privacy@mailchimp.com](mailto:privacy@mailchimp.com)  
675 Ponce de Leon Ave NE, Suite 5000  
Atlanta, GA 30308 USA

