



Privacy Policy and Cookie Statement

Effective: November 18, 2021

This Privacy Policy describes the privacy practices of Pop, Inc. ("Pop", "we" or "us") in operating www.wordfly.com ("Website") and the "WordFly" service, an online system for creating, delivering, and tracking digital communication campaigns (collectively, WordFly and the Website shall be referred to as the "Service"). Please read this policy carefully. It summarizes the various ways we collect and use personal information provided to us through your use of the Service, however you access and/or use it, whether via personal computer, mobile device, or otherwise.

By accessing the Service, you accept the practices described in this Privacy Policy. If you do not agree to the terms of this Privacy Policy, please do not use the Service. This Privacy Policy applies to: (a) our clients who have contracted with Pop to access and use WordFly, including each of their authorized users (collectively, "Clients"); and (b) our Clients' customers who receive communications from the Client through WordFly ("Subscribers"). Subscribers and Clients, including each of their authorized users, are referred to collectively as "users" or "you".

Clients can contact us at support@wordfly.com. All others with questions or complaints regarding this Privacy Policy or our privacy practices can contact us as described at the end of this document. 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) at <https://feedback-form.truste.com/watchdog/request>.

Types of information we gather and how we use it

Information provided to us

We collect information from you when you register as a new user of WordFly or email customer support, such as email address, first and last name, job title, and phone number. We may also collect information from you when you: (1) sign up to receive email newsletters from us through the Website or elsewhere; (2) request additional information, customer service, or other assistance; and (3) participate on social media accounts involving our properties.

By providing us with this information, you consent to your information being collected, used, disclosed, and stored by us in accordance with this Privacy Policy.

Pop collects information under the direction of its Clients; in these circumstances, Pop has no direct relationship with the individuals whose personal data it processes. We work with our Clients to help them provide notice to their Subscribers concerning the purpose for which personal information is collected.



Information we collect when you interact with WordFly

When you interact with the Website or open communications you receive through WordFly from Clients, our servers may keep an activity log that does not identify you individually. Generally, we collect the following categories of Information through the Service:

- We, and third parties acting on our behalf, collect and store certain information about your computer, or other device that you use to access the Website by storing strings of code called “Cookies” on your computer or using similar tracking tags such as beacons, tags, and scripts. This information may include IP address, browser type, browser language, and other transactional information. We and third parties may use this information to analyze trends, administer the site, track users’ movements around the Website, and gather demographic information about our user base. We may receive reports based on the use of these technologies on an individual and aggregated basis.
- We also use cookies to remember users’ settings (e.g. language preference) and for authentication purposes. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use the Service, but your ability to use some features or areas of our site may be limited.
- We gather certain other information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, reading history of the pages you view and/or clickstream data. We use this information to provide you a more customized experience.

We may combine this automatically collected log information with other information we collect or receive about you. We do this to improve the Service, including with respect to analytics and Website functionality.

Information related to campaigns

Any email addresses, mobile phone numbers, and supplemental Subscriber data that is imported by Clients into WordFly for use in a campaign is stored in WordFly. Any data collected from published surveys, forms, landing pages, RSVPs, or other data collection techniques are stored in WordFly. We also store all information that is used in campaigns that Clients have sent or are going to send. After the campaign is sent, we store who opened, clicked, bounced, and shared the campaign. Pop stores all the data Clients collect when publishing surveys, forms, landing pages, and RSVPs through WordFly. Pop has no control over the content or data requested in survey or other form building tools. Pop uses the information it collects to provide its Service to Clients.

Benchmark reporting for Clients



If a Client chooses to opt-in to the Benchmark Reporting datashare program, we will take data created through the Client's use of WordFly, remove all identifiable information about such use, and then combine that data with the data from other organizations in comparable industries and offer benchmark reports in an aggregate form. This data includes the Client's industry, industry category, region, open rates, click rates, and bounce rates from the Client's campaigns.

Information used to communicate with Client Users

- **Account Maintenance.** We use your email address to uniquely identify you when you log in and to communicate with you about your account. You will receive an email from us when you are added as a new user. If you forget your password, we will email you instructions for how to reset your password.
- **System Alerts.** You may be sent brief system alerts to let you know about planned updates to the system that may affect your account.
- **WordFly User News.** We send a monthly email announcing new features, learning opportunities, and information about how to use WordFly. From time to time we will also promote other Pop product offerings. You can unsubscribe at any time by clicking the unsubscribe link in the email.
- **Client Support.** We use the email address you provide to us to communicate with you about support issues and feedback about WordFly.
- **Billing.** If you are the billing contact for your organization, we will send you invoices, receipts, and notices of delinquency related to your account via email.

Information Sharing

We will share your personal information with third parties only in the ways that are described in this privacy policy. If you do not want us to share your personal information with these companies, you may contact us via our contact form.

To service providers

We may provide your personal information to companies that provide services to help us with our business activities such as customer support. These companies are authorized to use your personal information only as necessary to provide these services to us.

We may transfer personal information to companies that help us provide the Service. These companies include providers of the following services:

- Payment processing



- Customer service
- Fulfilling subscription services
- Cloud computing infrastructure

Social Media Features and Widgets

The Website includes social media features and widgets, such as the Facebook Like button. These features may collect your IP address, which page you are visiting on our Website, and may set a cookie to enable the feature to function properly. In addition, we may receive personal information about you and your contacts that has been made available to us by the company that provides the social features. You should make sure you are comfortable with your personal information the third party social networking services may make available to us by visiting those services' privacy policies and/or modifying your privacy settings directly with those services. We treat personal information that we receive through third party social networking services in the same ways as all of your personal information we receive through our Service.

Client's Subscriber Data and Lists

Except as disclosed in this Privacy Policy, we do not contact, share, rent or disclose our Client's Subscriber data and lists. Client's Subscriber data and lists belong to the Client. They can be exported at any time from WordFly by the Client. We will only contact a Subscriber on a Client's list:

- In response to a complaint;
- If a subscriber has contacted us directly;
- If required by law;
- With the Client's prior consent to do so.

We may use Subscriber Data and Lists to support and improve the Service, including adding features and providing benchmarking and other comparison information by analyzing aggregated and non-personally identifiable data.

Information from other sources

For reporting purposes, we may use a Subscriber's email address to obtain additional information that appears to be related to the email address, such as a name and whether the Subscriber participates in social media websites. This information may be obtained by searching the Internet directly or through one or more services.

How we secure your data in WordFly



What we do

- WordFly requires an account name, username, and password to log in.
- Your password and security question answer are encrypted. We cannot see your passwords. We can only enable a process for you to reset them. If you forget your password, you will need to reset it in WordFly by answering your security question correctly.
- Any data that WordFly sends or receives is electronically encrypted using secure socket layer technology (SSL) when sending over network resources.
- In addition, we follow generally accepted standards to protect the personal information submitted to us, both during transmission and once we receive it.
- No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security.

Client security responsibilities as a user

- Click the Sign Out link in the upper-right corner of WordFly when you are finished using WordFly to prevent unauthorized access from your computer.
- Clients must remove users when they no longer work for the Client.
- Maintain the confidentiality of any account name and password provided to you. You are solely responsible for uses of any account provided to you, whether or not authorized by you.
- Immediately notify us of any unauthorized use of your account.
- Immediately notify us if you believe a survey or form is being used maliciously
- Use the Secure Upload link provided inside WordFly if you need to send sensitive data, such as Subscriber lists, for troubleshooting purposes.
- Do not use surveys or other form tools to request sensitive personal identifying information like social security number, credit card numbers, drivers license, bank account information, or similar information.
- If you as a Client have any questions about the security of personal information in WordFly, you can contact us at support@wordfly.com.

Other Disclosures



To meet legal requirements

In certain situations, we may be required to disclose information collected from or about you or Subscriber data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements; if required to provide such information by a court, administrative or governmental order, or subpoena or other legal process; or if required to provide information to people helping us comply with legal and other requirements such as attorneys and accountants.

To detect, investigate, and prevent activities that may be illegal or violate the WordFly Acceptable Use Policy

From time to time, we may look at the content of email campaigns sent through WordFly to gauge compliance with our Acceptable Use Policy. Nevertheless, we do not make any representations, warranties, covenants or guarantees that: (1) the Website or WordFly, or any portion thereof, will be monitored for accuracy, legality or unacceptable use, (2) apparent statements of fact will be authenticated, or (3) we will take any specific action (or any action at all) in the event of a challenge or dispute regarding compliance or non-compliance with applicable law or the Acceptable Use Policy. We generally do not pre-screen content sent by our Clients using WordFly, so you may be exposed to content you do not agree with or that violates our Acceptable Use Policy.

To transfer information in the event that we change our ownership or corporate organization while providing WordFly

As a result, please be aware that in such event we may transfer some or all of the information we have collected from or about you to a company acquiring all or part of our assets or to another company with which we have merged. In such event, such information may be subject to a different privacy policy, which will be made available to you.

Links to Other Web Sites

Our Website includes links to other sites whose privacy practices may differ from those described in this Privacy Policy. 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.

Publicity and Testimonials

As per the WordFly Terms of Use, Clients agree that Pop may use the name and logo of Client and publicly available information (such as email templates) for our public relations and marketing efforts. For example, we display personal testimonials of satisfied Clients on our website in addition to other endorsements. With the Client's consent, we may post the testimonial along with the Client's name. If a Client wishes to update or remove a testimonial, contact us at support@wordfly.com.



Blog

Our Website offers publicly accessible blogs or community forums. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. To request removal of your personal information from our blog or community forum, contact us as described below under “Contact Us”. 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.

Opt-out of Communications

Pop (WordFly) Client Subscribers

Pop has no direct relationship with the individuals whose personal data it processes. If you are a Subscriber of one of our Clients and would no longer like to be contacted by the Client, please contact the Client that you interacted with directly.

Subscribers in certain jurisdictions have the right to opt-out of (a) disclosures of their personal data to third parties not identified at the time of collection or subsequently authorized, and (b) uses of personal data for purposes materially different from those disclosed at the time of collection or subsequently authorized. If you are a Subscriber with such rights and you are unable to contact our Client directly, you can contact us for assistance in processing your opt-out and/or personal data usage request at support@wordfly.com

Pop (WordFly) Clients

If you are a Client and would like to stop receiving our newsletter or marketing emails, follow the unsubscribe instructions included in these emails or you can contact us at support@wordfly.com. If you would like to inquire about personal data usage, you can also contact us at support@wordfly.com

Notice of changes

Pop may modify the provisions of this Privacy Policy from time to time. Any changes will be posted to the Website. The new provisions will be effective as soon as they are posted. Your continued use of WordFly following posting of the changes will mean that you accept those changes. If we make any material changes, we will send a notification of the changes to all Clients to the email address provided to us when they registered prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

California Privacy



WordFly

The California Consumer Privacy Act (“CCPA”) provides consumers with specific rights regarding their personal information. You have the right to request that businesses subject to the CCPA (which may include our Clients with whom you have a relationship) disclose certain information to you about their collection and use of your personal information over the past 12 months. In addition, you have the right to ask such businesses to delete personal information collected from you, subject to certain exceptions. If the business sells personal information, you have a right to opt-out of that sale. Finally, a business cannot discriminate against you for exercising a CCPA right.

When offering WordFly services to our Clients, Pop acts as a “service provider” under the CCPA and our receipt and collection of any consumer personal information is completed on behalf of our Clients in order for us to provide the Service. Please direct any requests for access or deletion of your personal information under the CCPA to the Client with whom you have a direct relationship.

Website

When using our Website separate from WordFly, you may come directly to us to exercise your rights under CCPA as described in this section. Note that this may require us to confirm your identity by asking you to verify certain information you previously provided, or other methods as practicable.

Right to Know and Access Information: You may access information we maintain about you from your use of our Website by contacting us as described below. If we grant your request, we will provide you with a copy of the personal information we maintain about you in the ordinary course of business. This may include what personal information we collect, use, or disclose about you. We may not fulfill some or all of your request to access as permitted by applicable law.

Deletion of Information: You may request that we delete your personal information collected via the Website. Depending on the scope of your request, we may refrain from granting your request, as permitted by applicable law. For example, we may be legally required to retain your information in our business records. You may submit a deletion request by contacting us as described below.

Authorized Agent: California residents may use an authorized agent on their behalf to exercise a privacy right discussed immediately above. If you are an authorized agent acting on behalf of a California resident to communicate with us or to exercise a privacy right discussed immediately above, you must be able to demonstrate that you have the requisite authorization to act on behalf of the resident and have sufficient access to their laptop, desktop, or mobile device to exercise these rights digitally. If you are an authorized agent trying to exercise rights on behalf of a Pop user, please contact us as described below with supporting verification information, which includes a valid Power of Attorney in the State of California, proof that you have access to the consumer’s interface, and proof of your own identity.



To Exercise Your Rights

To exercise the rights described immediately above with respect to our Website, or if you have any questions or concerns regarding your California rights or this Privacy Policy, please contact us by postal mail, email, or telephone as follows:

Pop, Inc.

Attention: WordFly Privacy Department

1326 5th Ave, Suite 800

Seattle, WA 98101, USA

Email: support@wordfly.com

Phone: 1-844-359-7570

Please note that your exercise of the above rights is subject to certain exemptions to safeguard the public interest (e.g., the prevention or detection of crime) and our interests (e.g., the maintenance of legal privilege). We will try to comply with your request as soon as reasonably practicable. Requests to exercise these rights may be granted in whole, in part, or not at all, depending on the scope and nature of the request and applicable law. Where required by applicable law, we will notify you if we reject your request and notify you of any reasons we are unable to honor your request.

Non-discrimination: We shall not discriminate or otherwise penalize anyone for exercising their rights under this Privacy Policy. We won't charge you different prices or provide you a different quality of services. If we ever offer a financial incentive or product enhancement that is contingent upon you providing your personal information, we will not do so unless the benefits to you are reasonably related to the value of the personal information that you provide to us.

Categories of personal information we collect

- Online identifier, Internet Protocol address,
- Personal information limited to your name under subdivision (e) of California Business and Professions Code Section 1798.80
- Internet or other electronic network activity information related to your use of our website.
- If you choose to schedule a call with Pop, we will collect identifiers such as a real name, work email, phone number.
- If you choose to send us an inquiry regarding our Service, we will collect your professional or employment related information, such as your job title, institution name.



Categories of sources from which the personal information is collected

We collect the **personal information** directly from you.

Business or commercial purpose for collecting or selling personal information

We collect your **personal information** to operate the website, respond to your requests and for the following business purposes:

- Maintaining or servicing the website and providing customer service.
- Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity.
- Debugging to identify and repair errors that impair existing intended functionality.
- Sending you marketing communications.
- Providing WordFly on behalf of our Clients.

Categories of third parties with whom we share personal information

We may share your **personal information** – specifically your IP address, device ID or similar online identifier, with certain third parties, such as social networks and service providers.

Specific pieces of personal information we have collected

Internet Protocol address, device ID

- Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with our website.
- If you choose to provide it: first and last name, work email, phone number



Information for users in Europe and elsewhere outside of the United States

Pop operates its Service in the United States. If you use our Service from outside of the United States, you understand and agree that we may collect, process, and store your personal data 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, this does not change our commitment to safeguard your privacy. Where required, we will implement Standard Contractual Clauses with third parties or rely on such other transfer mechanism to ensure that the transfer of your personal information is lawful. We offer our Clients a Data Processing Addendum available [here](#).

Purposes of processing and legal bases for processing

We process personal data consistent with our disclosures in this Privacy Policy. We process personal data on the following legal bases: (1) with your consent; (2) as necessary to perform our agreement to provide Service; and (3) as necessary for our legitimate interests in providing the Service where those interests do not override your fundamental rights and freedoms related to data privacy.

Privacy Shield

Although Pop no longer relies on the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks to legitimize transfers of Personal Information from the EU/Switzerland to the U.S., Pop remains registered with the U.S. Department of Commerce, and we adhere to the principles underlying the Privacy Shield (the "Principles"). The United States Federal Trade Commission (FTC) has jurisdiction over our compliance with the Privacy Shield and we are subject to the FTC's investigatory and enforcement powers. Information regarding the Privacy Shield program and evidence of our certification can be found at [Privacy Shield Home](#). This site also provides Pop Clients the option to invoke binding arbitration through the Privacy Shield Panel if we are not able to resolve your complaint through our existing Data Protection Agreements or with the Federal Data Protection and Information Commissioner. Additional information on the arbitration process is available on the Privacy Shield website at [Privacy Shield Home](#).

Right to lodge a complaint

Users that reside in the UK, EEA or Switzerland have the right to lodge a complaint about our data collection and processing actions with the supervisory authority concerned. Contact details for data protection authorities are available [here](#). UK contact details can be found [here](#).

Your Rights



You are entitled to the rights under Chapter III of the EU General Data Protection Regulation or Section 2 of the Swiss Federal Act on Data Protection with respect to the processing of your personal data, which include the right to access and rectify your personal data and to request erasure of your personal data. To exercise these rights, contact via our contact form or at the address below.

Contact Us

Please note that for personal information about you that we have obtained or received for processing on behalf our Clients, which determined the means and purposes of processing, all such requests should be made to that Client. We will honor and support any instructions they provide us with respect to your personal information.

Pop respects your control over your information and, upon request, we will confirm whether we hold or are processing information that we have collected from you. You also have the right to amend or update inaccurate or incomplete personal information, request deletion of your personal information, or request that we no longer use it. Under certain circumstances we will not be able to fulfill your request, such as if it interferes with our regulatory obligations, affects legal matters, we cannot verify your identity, or it involves disproportionate cost or effort, but in any event we will respond to your request within a reasonable timeframe and provide you an explanation. In order to make such a request of us, please contact us below. We'd be happy to answer questions you might have about our Privacy Policy. Please contact us via postal mail or email us via our [contact form](#).

Pop, Inc.

support@wordfly.com

Attention: WordFly Privacy Department

1326 5th Ave, Suite 800

Seattle, WA 98101, USA

Phone: 1-844-359-7570