

# Privacy Policy

## PRIVACY POLICY OF SHORTSTACK.COM

This Privacy Policy of ShortStack.com (the "Policy") is hereby made effective as of October 1, 2012, by Pancake Laboratories, Inc., a Nevada corporation ("Pancake" or "We"), and, without waiving or otherwise releasing any right or obligation under any prior privacy policy or similar document or agreement of ShortStack.com ("ShortStack"), hereby amend and restate any such prior privacy policy.

By using or accessing ShortStack, you thereby (i) agree and acknowledge that you have read and understood this Policy, and (ii) acknowledge and consent to the learning, collection and use of your Personal Information (as hereinafter defined) as described in this Policy. If you do not agree with any portion of this Policy, you are prohibited from using or accessing ShortStack.

## General

When you open an account with ShortStack and use the ShortStack application, you will provide certain information to Pancake and, during your use of ShortStack, Pancake will learn, collect and use certain additional information about you for various purposes, as more fully set forth in this Policy. Even though Pancake will learn, collect and use information about you, Pancake will not lease, sell, share or otherwise provide your Personal Information (as hereinafter defined) to any third party without your consent, except as provided herein.

## What Information We Learn, Collect and Use

Beginning when you register for ShortStack, Pancake will learn, collect and use certain personal data and information about you and, as you use ShortStack will continue to learn, collect and use additional personal data and information (all such personal data and information is collectively referred to herein as, "Personal Information"). By providing Pancake with this information, you consent to this information being collected, used, disclosed, transferred to the United States and stored by Pancake, as described in our Terms and Conditions and in this Policy.

*Information Collected Upon Registration.* In order to become a user of ShortStack, you must provide us with Personal Information, including, without limitation, name, email address, and, for any subscription account, billing and credit card information. Without providing Personal Information, you can not create a ShortStack account. At the time of registration or when you choose to use certain ShortStack services, Pancake may collect certain other Personal Information from you including, without limitation, demographic information, such as location,

age or gender. Pancake may request or collect Personal Information from you during any registration process which Pancake may use to provide or improve ShortStack or may use as is otherwise provided herein. Pancake may store Personal Information, and it may be included in databases owned and maintained by Pancake's affiliates, agents or service providers.

*Information Collected While Using ShortStack.* When you use and interact with ShortStack, Pancake also receives and stores additional Personal Information, which information may or may not be personally identifying information. Such information includes, without limitation, your internet protocol address, browser types, domain name, and other statistical data involving your use of ShortStack and/or our services. Such information is collected passively using various technologies or may be provided by you through communications with ShortStack or Pancake.

*Information Collected By Pancake's Use of "Cookies."* A cookie is a piece of information that ShortStack gives to your computer when you access ShortStack. Cookies are used by Pancake to track your usage of ShortStack, trends on the usage of ShortStack and to improve ShortStack and analyze and assess changes to, successes and failures of ShortStack and portions thereof.

For security purposes and to ensure the availability of ShortStack, Pancake also uses software programs to monitor network traffic, to identify unauthorized attempts to upload or change information, or otherwise cause damage to ShortStack or Pancake.

Based on how the internet operates, when you visit ShortStack we automatically receive the uniform resource locator of the prior webpage that you were on and of the webpage where you go after ShortStack. Pancake also receives the internet protocol address of your computer, the type of operating system and web browser you are using, your location, date and time of your access, pages viewed on ShortStack and other information related to your visit to Shortstack.

Learn more about our [Cookie Policy here](#).

*Information Provided Voluntarily When Interacting with Support.* Pancake also collects information when you interact with ShortStack's customer service in order to assist you and to improve the operation of ShortStack. This includes any interactions with our team via our support site, chat support, email, our support forum and documentation, and our blog. Information shared with support may include personal information, such as your name, email address, credit card information (eg. name on credit card, last four digits of credit card number or expiration date), an entrant or subscriber's name/email address, etc.

*Information You Collect In ShortStack Lists and display in ShortStack Campaigns and Emails.* Upon the creation of a collection of data within your ShortStack lists, the uploading of a new list to

ShortStack, the upload of a list to ShortStack, or the creation of an email, Pancake has access to the data on those lists, and the information in those emails and on those campaigns.

*Campaign and Email Analytics Information.* When you use ShortStack to send emails, we track information about who has opened the emails and clicked the links. This is done through the use of a tracking pixel that is automatically inserted into the emails that are sent. Specifically, we collect what email addresses have opened the email, when they opened it, how many times they opened it, what link(s) they clicked on, when they clicked on the link, and how many times they clicked the links. This information is used to allow you (the ShortStack user) to evaluate performance of the emails you send.

## How We Use Your Personal Information

Pancake uses your Personal Information in connection with the operation, development and improvement of ShortStack, the operation and billing of your ShortStack account, and for other uses consistent with this Policy. Pancake may use your Personal Information for any internal purpose, including, without limitation the development and operation of ShortStack and the development of additional services and products by Pancake or its affiliates, and to communicate with you regarding ShortStack, your account, updates to our services (such as temporary outages or permanent changes), product releases, or other services or products offered by Pancake. Regarding billing and payment, Personal Information you provide to Pancake will be used to send billing-related notices via email. When contacting Pancake for customer support, in order to answer your questions, Pancake may use your personal information, such as email address, name and billing information; and other account-related data. Please be aware that you are responsible for the payment of any fees or costs incurred by you in connection with receipt of communications from Pancake, including data, internet, cellular carrier or other similar fees.

Pancake recognizes the importance of the privacy of its users and does not share or otherwise provide Personal Information to third parties, except as provided herein. Pancake will not disclose or provide your Personal Information to any third party except:

- as otherwise described in this Policy;
- as otherwise required by law or to comply with legal process, including, but not limited to, civil and criminal subpoenas, court orders or other compulsory disclosures;
- as reasonably necessary to respond to claims of a violation of the rights of third parties, whether or not the third party is a user, individual, entity or government agency;
- for any internal purpose of Pancake, including, without limitation, to manage your ShortStack account, subscription and other billing purposes, to respond to your inquiries, to allow outside vendors to perform services required by ShortStack, and to otherwise manage and operate ShortStack and develop new services and products;
- as reasonably necessary to enforce the Terms and Conditions of Service and Use of ShortStack.com (the "Terms and Conditions");

- as reasonably necessary to detect, prevent and address fraud and other illegal activity and to prevent death or imminent bodily harm; or as reasonably necessary to protect the rights and property of Pancake or its officers, directors, shareholders, employees or agents.
- Pancake may provide aggregated anonymous data about the usage of ShortStack to third parties for purposes that we deem, in our sole discretion, to be appropriate, including, without limitation, to prospective advertisers or investors.

Pancake may provide aggregated anonymous data about the usage of ShortStack to third parties for purposes that we deem, in our sole discretion, to be appropriate, including, without limitation, to prospective advertisers or investors.

You acknowledge that any information that you provide to ShortStack to develop your Facebook page will be publicly displayed on your Facebook page when you elect to post and display such information there.

Pancake may post, email and use any testimonials that you have provided about ShortStack, and Pancake may post and email examples of content you have created through ShortStack, in connection with the marketing and promotion of ShortStack. Testimonials and other marketing, promotions and advertisements may include obfuscated Personal Information (such as first name and general location) that you have provided to Pancake. Furthermore, Personal Information you provide to Pancake may be used to send you information, advertisements and promotional material via email. You are able to unsubscribe from these emails via the “unsubscribe” link at the bottom of each email communication.

Pancake does not sell your Personal Information or the information you collect when using our platform. Pancake may disclose your Personal Information to a third party as part of a sale of the assets of Pancake, as the result of a change in control of the company, or in connection with an investment in Pancake by a third party. Any third party to which Pancake transfers or sells Pancake’s assets will have the right to continue to use your Personal Information.

Under the General Data Protection Regulation (GDPR), ShortStack is required to provide notifications when updating our subprocessors to those who indicate they would like to receive notifications. [Sign up here](#) to receive subprocessor notifications.

## User Collected Information

Among other functions of ShortStack, you may create a webpage that collects certain information from customers and other persons that visit your webpage. Should you create any webpage or form that collects personal information or other information related to any person or party visiting that page (“User Collected Information”) or import a list of User Collected Information to ShortStack that was compiled outside of ShortStack, you represent and warrant to Pancake that any and all User Collected Information has been collected in accordance with any applicable laws, rules or regulation and not in violation of any privacy or similar rights of

such persons or parties. As a part of ShortStack, Pancake may store such User Collected Information, but asserts, and you hereby agree and acknowledge, that Pancake has no right, title or interest in or to such information, has not participated or been involved in any such collection, and has no responsibility or obligation with respect to the legal compliance of your collection practices with respect to such information. Pancake will retain User Collected Information we process for our users until the ShortStack user deletes the User Collected Information, deletes their account, as long as necessary to execute ShortStack-related services. However, Pancake may disclose any User Collected Information in the same manner, and under the same circumstances, as any Personal Information may be disclosed. You hereby indemnify and hold harmless Pancake, and all of its officers, directors, shareholders, employees and agents, with respect to any claim, suit or liability (including attorney's fees and related costs), arising from your User Collected Information.

*Your Lists.* Lists can be created on your ShortStack account for email marketing, contests, and other reasons. The data can be collected through ShortStack forms, data imports of lists you have collected elsewhere, data imported via ShortStack Feeds or the Import Likes/Comments features. Your ShortStack lists are stored on secure Pancake servers. Only authorized Pancake employees may access your lists. Pancake employees will not access your lists, except in the event that you contact us for support purposes, or someone on your list contacts us. In the event someone on your lists contacts us, we will make an attempt to contact you, in addition to contacting that individual. On all of our paid plans, you can export/download your list at any time. On our Free Plan, you can reach out to [contact@shortstacklab.com](mailto:contact@shortstacklab.com) for a one-time export of your list. Pancake will only use and disclose data on your lists for reasons discussed in this Policy. If abusive or illegal behavior is found in relation to your list, then we may share your lists or portions of the list with anti-spam organizations or affected ISPs.

*If you are subscribed to the list of a ShortStack user.* If you are subscribed to the list of a ShortStack user and you wish to update your personal information or you wish to no longer receive emails from them or remove your information from their list, please unsubscribe from the user's list by clicking the "Unsubscribe" link at the bottom of an email they sent to you or contact the ShortStack user directly with your request. If you request for this information to be deleted by contacting Pancake via email at [contact@shortstacklab.com](mailto:contact@shortstacklab.com), we will first reach out to the ShortStack user with notice of your request and a request that they remove your information within a reasonable time. Failing such action by the ShortStack user, Pancake will remove or update your personal information within a reasonable time. Similarly, you may request access to the information held by a specific ShortStack user on you through Pancake by emailing [contact@shortstacklab.com](mailto:contact@shortstacklab.com).

## Your Personal Information Rights

*Accuracy And Access Of Your Personal Information.* You have a right to access, modify, correct and request that Pancake internally delete any Personal Information provided to or obtained by ShortStack or Pancake. If you update, modify or correct any Personal Information, we may keep

copies of your Personal Information prior to such update, modification or correction for uses provided for in this Policy. You may update, modify or correct your Personal Information via your account Preferences. Alternatively, you may contact [contact@shortstacklab.com](mailto:contact@shortstacklab.com) for updates, modifications and corrections to your Personal Information, or to request access to your Personal Information.

*Retention Of Your Personal Information.* You may request internal deletion of your Personal Information at any time by contacting Pancake in the manner provided on ShortStack. Pancake will endeavor to respond to your request in a timely manner. Please note that Personal Information you have published on Facebook may remain available even if you request that such information be internally deleted by Pancake. Once a request to delete a ShortStack user's Personal Information is received, it will be removed from our servers within 60 days. You may delete your account within the Preferences section of your ShortStack account. Alternatively, you may contact [contact@shortstacklab.com](mailto:contact@shortstacklab.com) to delete your account.

*European Union (EU) General Data Protection Regulation ("GDPR").* For our users living or doing business in the EU, Pancake is subject to the GDPR.

*California Consumer Privacy Act ("CCPA").* For our users living or doing business in California, Pancake is subject to the CCPA.

*Nevada Privacy Law.* For our users living or doing business in Nevada, Pancake is subject to the Nevada Privacy Law.

*Canadian Personal Information Protection and Electronic Documents Act ("PIPEDA").* For our users living or doing business in Canada, Pancake is subject to PIPEDA.

*Australian Privacy Act of 1988 ("Australian Privacy Act").* For our users living or doing business in Australia, Pancake is subject to the Australian Privacy Act.

## California Consumer Privacy Act

For our users living or doing business in California, Pancake is subject to the California Consumer Privacy Act ("CCPA").

*Pancake Does Not Sell Your Personal Information.* Pancake does not sell or lease your Personal Information or any Personal Information you collect while using our services to any third party.

*Right to Learn About Personal Information Collected.* The CCPA gives California residents the right to learn more about the types of data Pancake collects. To learn more, please visit the [What Information We Learn, Collect and Use](#) section above. Pancake collects this information to further the business purposes described in section [How We Use Your Personal Information](#). Users living or doing business in California have the right to request their Personal Information collected in the last 12 months. This can be done by contacting [contact@shortstacklab.com](mailto:contact@shortstacklab.com).

*Cookie Policy.* Pancake does use cookies on our website. You can learn more about our [Cookie Policy here](#).

*Accuracy and Access To Your Personal Information.* As per the CCPA, if you believe that Personal Information Pancake holds about you is inaccurate, you may modify or correct your Personal Information via your account Preferences or by contacting Pancake at [contact@shortstacklab.com](mailto:contact@shortstacklab.com).

*Deleting Your Personal Information.* The CCPA gives California residents and those doing business in California the right to delete Personal Information collected by Pancake. You may delete your account within the account Preference section of your ShortStack account. Alternatively, you may contact [contact@shortstacklab.com](mailto:contact@shortstacklab.com) to request the deletion of your Personal Information. Please note, if your Personal Information is scheduled for deletion, but you wish to exercise your right to receive your Personal Information collected within the last 12 months, then you must make this request within 7 days of requesting your account be deleted.

## Australian Privacy Act of 1988

For our users living or doing business in Australia, Pancake is subject to the Australian Privacy Act of 1988 ("Australian Privacy Act").

*Pancake's Use of Personal Information for Direct Marketing.* Pancake will not use your Personal Information for the purpose of direct marketing unless you have consented to its use; you can reasonably expect to receive direct marketing from our team; or we believe you to be interested in receiving the marketing emails despite not having obtained your consent. You may opt out of email marketing materials through an unsubscribe mechanism in the email or by contacting us directly at [theteam@shortstacklab.com](mailto:theteam@shortstacklab.com). However, opting out of direct marketing messages will not prevent you from receiving non-marketing system emails, such as system alerts and account-related messages.

*Server Location.* Our servers are located in the United States. You can learn more about our [data security and privacy practices in our FAQs](#).

*Accuracy And Access Of Your Personal Information.* As per the Australian Privacy Act, if you believe that Personal Information Pancake holds about you is inaccurate, you may update, modify or correct your Personal Information via your account Preferences or contact [contact@shortstacklab.com](mailto:contact@shortstacklab.com) to update, modify or correct your Personal Information.

## GDPR Data Processing Addendum

Pancake Laboratories Inc. provides a data processing addendum, which customers can [view and download here](#).

## Data Protection and Security

*Protection of Your Personal Information.* Any Personal Information that you provide to Pancake will be protected in a commercially reasonable manner.

*Notice of Breach of Security.* In the event of a security breach that affects you or the individuals on your ShortStack lists, Pancake will notify you as soon as possible on both the nature of the breach and the actions taken to address it.

*Data protection officer.* Pancake has appointed a data protection officer, who can be reached at [contact@shortstacklab.com](mailto:contact@shortstacklab.com).

*Platform Security.* Check out our [Security FAQs](#) page for more specific information on platform security.

## Transmission and Storage of Data

Pancake Laboratories, Inc respects individual privacy and values the confidence of its customers, employees, consumers, business partners and others. The EU-U.S. and Swiss-U.S. Privacy Shield Frameworks are the agreed upon systems between the U.S. Department of Commerce and the European Commission and Swiss Administration for handling transatlantic data flows. Included in the EU-U.S. and Swiss-U.S. Privacy Shields are vigorous standards that must be met by companies handling Europeans' personal data, along with tough enforcement of these standards. U.S. companies, such as Pancake, importing personal data from European countries are required to commit to robust obligations on how personal data is processed and individual rights are guaranteed. Pancake pledges its commitment to meeting the standards put in place by the EU-U.S. and Swiss-U.S. Privacy Shields. Companies who publish their commitments to the EU-U.S. and Swiss-U.S. Privacy Shields will be under the scrutiny of the Department of Commerce, as the act of publishing a commitment makes it enforceable under U.S. law by the U.S. Federal Trade Commission. In addition, any company handling human resources data from Europe has to commit to comply with decisions by European DPAs.

Under the GDPR, you (the ShortStack customer) are considered a Data Controller, while ShortStack is the Data Processor. ShortStack's EU-U.S. and Swiss-U.S. Privacy Shields' certification and a completed and signed DPA will allow you, the Data Controller, to legally transfer personal data you collect via ShortStack from within the EU and Switzerland to the U.S. (where ShortStack's servers are located). To stay compliant with the GDPR, you should download, review, complete and sign our DPA, then send it back to us at [contact@shortstacklab.com](mailto:contact@shortstacklab.com).

[View our Data Processing Addendum.](#)



## Privacy Shield

Pancake Laboratories Inc. complies with the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks as set forth by the U.S. Department of Commerce and the European Commission and Swiss Administration regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States, respectively. Pancake Laboratories Inc. has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

Pancake Laboratories Inc. complies with the Privacy Shield Principles for all onward transfers of personal information from the EU and Switzerland, including the onward transfer liability provisions. In compliance with the EU-U.S. and Swiss-U.S. Privacy Shields, Pancake Laboratories Inc. shall not be held liable for third-party service providers processing personal information in violation of Privacy Shield Principles, unless it is proven that Pancake Laboratories Inc. is solely responsible for the third-party service providers' action in violation of the Principles.

With respect to personal information received or transferred pursuant to the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, Pancake Laboratories Inc. is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, Pancake Laboratories Inc. may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

In compliance with the Privacy Shield Principles, Pancake Laboratories Inc. commits to resolve complaints about our collection or use of your personal information. Individuals in the European Union and Switzerland with inquiries or complaints regarding our Privacy Shield policy should first contact Pancake Laboratories Inc. at: [contact@shortstacklab.com](mailto:contact@shortstacklab.com).

Pancake Laboratories Inc. has further committed to refer unresolved Privacy Shield compliance complaints to American Arbitration Association, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please contact or visit [www.adr.org](http://www.adr.org) for more information or to file a complaint. The services of dispute resolutions are provided at no cost to you. Each individual has, [under certain conditions outlined on the Privacy Shield website](#), the possibility to invoke binding arbitration for complaints regarding Privacy Shield compliance not resolved by any of the other Privacy Shield mechanisms. The following link to the Privacy Shield Annex I contains additional information: <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

To opt-out of the disclosure of personal information to third-parties, please email [contact@shortstacklab.com](mailto:contact@shortstacklab.com). Furthermore, if you wish to opt-out of the use of your personal

information for purposes different from those for which the personal information was originally collected or subsequently authorized, please email [contact@shortstacklab.com](mailto:contact@shortstacklab.com).

In addition to our Privacy Shield certification, Pancake Laboratories Inc. provides a data processing addendum, which customers can view and [download here](#).

## YouTube

Pulling in YouTube videos via ShortStack's Video Widget uses YouTube's API services. When using YouTube in conjunction with the ShortStack Video Widget, Pancake will cache/store the desired YouTube videos' URLs. The URLs can be refreshed at any time, with a maximum of 30 days between refreshes. Beyond YouTube video URLs, no other information is collected or stored from YouTube. Visit the Google Privacy Policy for more information:

<http://www.google.com/policies/privacy>

## Miscellaneous

Pancake reserves the right to amend, restate or otherwise modify this Policy at any time without notice to you. As a user of ShortStack you are required, and hereby agree, to review the Policy frequently. Should Pancake elect to amend, restate or otherwise modify this Policy in a material manner, Pancake will post a notice of such material amendment, restatement or modification on ShortStack so that you may review the changes to the Policy. If you object to any such changes to the Policy, you may, as your sole right and remedy, close your ShortStack account. By continuing to use ShortStack after such notice has been posted on ShortStack.com, you thereby consent to any such changes to the Policy and agree to be bound by the then current version of this Policy.

In the event that the terms of this Policy conflict with or are inconsistent with any provision of the Terms and Conditions, the Terms and Conditions shall govern.

Any claim under this Policy or otherwise related to ShortStack or Pancake shall be governed by the laws of the State of Nevada without regard to its conflict of law provisions, and shall be exclusively resolved by a state or federal court located in Washoe County, Nevada. You agree to submit to the personal jurisdiction of the courts located within Washoe County, Nevada, for the purpose of litigating all such claims.

If any provision of this Policy is found by a court of competent jurisdiction or arbitrator to be illegal, void, or unenforceable, the unenforceable provision will be modified so as to render it enforceable and effective to the maximum extent possible in order to effect the intention of the provision; and if a court or arbitrator finds the modified provision invalid, illegal, void or unenforceable, the validity, legality and enforceability of the remaining provisions of this Policy will not be affected in any way.

## Contact for Personal Information Requests and Questions

Any questions or comments on this Policy or the privacy practices of Pancake or ShortStack should be directed to [contact@shortstacklab.com](mailto:contact@shortstacklab.com). If you wish to update, access or delete any of your Personal Information held by Pancake or a ShortStack user, please email [contact@shortstacklab.com](mailto:contact@shortstacklab.com).