



not forgotten™

SHARE YOUR STORY

PRIVACY POLICY

NotForgotten Privacy Policy

Last modified: August 5, 2019

I. Introduction

A. Use of Our Websites and Services

NotForgotten Library Depository, LLC and its affiliates (“NotForgotten,” “we” or “us”) respects your privacy and has created this privacy policy so that you know what information we collect from and about you and how that information may be used by us and by third parties. **Because the mission of NotForgotten is to allow our customers to create videos and personal records to be accessed by future generations as well as the public, large portions of the information you share with us *will not remain private*.** Currently, the NotForgotten websites (our “Websites”) include the following domains:

- Our primary site: www.not-forgotten.com
- The site with our publicly-available videos: collection.not-forgotten.com
- Our library records OCLC site: libraryrecords.not-forgotten.com
- Our blockchain records site: blockchain.not-forgotten.com
- Marketing brochure site: brochure.not-forgotten.com

We urge all people who are considering using our services to read our Terms & Conditions carefully so that you understand how our services work. The Terms & Conditions describe how users can create videos and record information (for example in GEDCOM files and Personal Archive Records) to allow people to find information about you in the future. If you do not want to save your personal information for others to access, please do not visit our Websites and do not use our services. If you do sign up for our services, it is especially important that you read Section II.F of the Terms & Conditions so that you understand how and when videos will become publicly available to the public at large.

In addition, as stated in our Terms & Conditions, our Websites and our services are not intended for visitors or customers under the age of 18. If you are under the age of 18 or if you do not want NotForgotten to have access to your information, please do not visit our Websites and do not use our services. By using our Websites and/or our services, you agree to this privacy policy.

B. Revisions to NotForgotten Privacy Policy

We reserve the right to change the terms of this privacy policy at any time. When we do make changes, we will post the revised privacy policy to our Websites, and the “last modified date” will be updated. We will inform you of any material changes by email or by another means such as a pop-up notice on one of our Websites announcing that the Privacy Policy has changed. Your continued use of our Websites and/or our services after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

II. How Is Information About You Collected?

A. Direct Interactions With Us

Most of the information we collect about you comes from information you share with us when you visit one of our Websites or when you use our services.

Information about you will also be collected when you interact with NotForgotten's customer service department (e.g., if you send us correspondence we may keep a record of those interactions or store some of your information), and/or if you purchase a NotForgotten video plan we will collect the customary range of information associated with online purchases (e.g., credit card details, billing address, email, and phone number).

B. Interactions with Third Parties

In some instances, we may receive information about you from third parties. For example, if someone purchases a NotForgotten plan for you from a third party such as Amazon, we will receive information about you from that third party service provider. If at any time you believe NotForgotten has collected information about you, you can email us at privacy@not-forgotten.com to ask us what information we have on file about you and to update or delete those records to the extent they continue to be in our possession (and in accordance with Section VI below). For a list of other rights you may have under applicable law, [please click here](#).ⁱ

C. Automated Technologies

1. As you use our services and interact with our Websites, we may automatically collect certain technical data about your equipment and browsing activity. For example, we may collect details of your visits to our Websites, including information about your IP address, operating system, internet connection, and browser type. We collect this information by using cookies, server logs and other similar technologies, some of which are described below:

- Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Websites. Unless you have adjusted your browser

setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Websites. We use our own and sometimes third party cookies to enable you to navigate around our Websites, use their features, and to allow us to perform analytics, remember your preferences, provide services that you have requested and produce content and advertisements tailored to your interests, both on our Websites as well as other sites.

- Flash Cookies. Certain features of our Websites may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Websites. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- Web Beacons. Pages of our Websites and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit NotForgotten to count users who have visited those pages or opened an email and for other related website statistics.
- Applications. Through mobile and desktop applications you download from our Websites, which provide dedicated non-browser-based interaction between you and our Websites.

2. If you use our video creation mobile-enabled services, we will receive information about your use of our services from your mobile device while you use our services. Video creation in itself will also require additional information collection, such as metadata information to be sent with your videos when you submit your video.

3. We use third party website analytic services, including Google Analytics to gather information about how you and others use our Websites, and to facilitate use of the websites. For example, we will know how many users access a specific page and which links they clicked on. We may use this aggregated information to understand and optimize how our Websites are used and the information regarding your activity on the websites to assess content and other needs so that we may offer services to meet such needs.

D. Third parties or publicly available sources. We may receive personal information about you from various third parties and public sources as set out below:

- Technical data from analytics providers, advertising network and search information providers based inside or outside the EU.
- Contact, financial and transaction data from providers of technical, payment and delivery services based inside or outside the EU.
- Identity and contact data from data brokers or aggregators based inside or outside the EU.
- Identity and contact data from publicly available sources based inside or outside the EU.

III. Information We Collect About You

A. We collect several types of information from and about users of our Websites and services, including:

1. Personal Information. In connection with the services that we offer, we may receive (from you or someone who buys a gift for you) certain personal information about you, such as your name, your address, your contact information, your date of birth, and payment information. When creating your video, you will, of course, also be free to provide additional personal information as part of your "video archive." In addition, our services allow NotForgotten customers to upload information about their families into a GEDCOM file. This genealogical information is used, for example, to allow people to find and discover your video at a future point in time. Please read Section II.G of our Terms & Conditions for more information.
2. Technical Data. As described in Section II.C above, we may collect certain technical data about your equipment and browsing activity on our Websites.
3. Additional Data. In the event that you create an online profile to engage with online features of our Websites, we will collect information associated with that profile as well as your online activity related to that profile. In addition, as our business grows and develops marketing initiatives such as newsletters we may collect information about your preferences and habits in connection therewith.

4. Aggregated Data. We may also collect aggregated data (such as statistical and demographic data) about people who visit our Websites and use our services.

B. Information Collected by Third Parties. Like many websites, our Websites include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect data about you. We do not control these third-party websites and are not responsible for their use of your information.

IV. How We Use Your Information

A. We use information that we collect about you or that you provide to us for a broad range of purposes, including:

1. Providing the NotForgotten services, including helping you to create, archive and share your video and making your video and information about you discoverable by others (see our Terms & Conditions to learn more). We process your personal data to perform our contract with you for the use of our Websites and services and to fulfill our obligations under our Terms & Conditions; where we have not entered into a contract with you, we base the processing of your personal data on our legitimate interest to operate and administer our websites and to provide you with content you access and request (e.g., to download content from our websites).
2. Promoting the security of our Websites and services: We process your personal data by tracking use of our Websites and services, creating aggregated, non-personal data, verifying accounts and activity, investigating suspicious activity and enforcing our terms and policies, to the extent this is necessary for our legitimate interest in promoting the safety and security of the services, systems and applications and in protecting our rights and the rights of others.
3. Contacting you with questions and possibly surveys to allow us to develop and enhance our products and services. We process your personal data for this purpose in connection

with our legitimate interest in developing and improving our products and services.

4. Offering you products and services we think may be of interest to you. *Please note: We will never sell your personal information to a third party.* We process your personal data for this purpose in connection with our legitimate interest in making the experience of our customers as robust as possible.
5. Fulfilling our obligations and enforcing our rights with respect to the NotForgotten products and services. We process your personal data for this purpose to perform our contract with you.
6. Notifying you about changes to our Websites, our policies and/or our products and services. We process your personal data for this purpose to perform our contract with you.
7. Displaying personalized advertisements and content: We process your personal data to conduct marketing research, advertise to you, provide personalized information about us on and off our Websites and to provide other personalized content based upon your activities and interests to the extent it is necessary for our legitimate interest in advertising our Websites / services or, where necessary, to the extent you have provided your prior consent.
8. Complying with legal obligations: We process your personal data when cooperating with public and government authorities, courts or regulators in accordance with our legal obligations under applicable laws to the extent this requires the processing or disclosure of personal data to protect our rights or is necessary for our legitimate interest in protecting against misuse or abuse of our Websites, protecting personal property or safety, pursuing remedies available to us and limiting our damages, complying with judicial proceedings, court orders or legal processes or to respond to lawful requests.

B. Our Right to Share Your Information With Third Parties. We will never sell your personal data to a third party, but we will share your information with third parties as described below. We may disclose aggregated information about our users, and information that does not identify any individual,

without restriction. In addition, we may disclose personal information that we collect about you:

1. To our subsidiaries and affiliates.
2. To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them. Service providers who will receive your personal information include:
 - Vendors that help NotForgotten create, edit, host and transcribe your video.
 - Vendors that help NotForgotten attach metadata to your video.
 - Vendors that help us process gift orders (if someone purchases a NotForgotten plan for you).
 - Vendors that make your video available online, in accordance with the Terms & Conditions.
 - Vendors that store your video in long-term storage and in the cloud.
 - Vendors that help us create the blockchain contract, Worldcat record, and GEDCOM file related to your video (as described in our Terms & Conditions).
 - Vendors that assist NotForgotten with payment processing, marketing, implementing security protocols and fraud prevention.
 - Vendors that help us provide our services in other ways, such as shipping your video to you.
3. To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of NotForgotten's assets.
4. To third parties to market their products or services to you if you have consented to these disclosures. We contractually require these third parties to keep personal information

confidential and use it only for the purposes for which we disclose it to them.

5. For any other purpose disclosed by us when you provide the information.
6. With your consent.

We may also disclose your personal information:

7. To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
8. To enforce or apply our Terms & Conditions and other agreements, including for billing and collection purposes.
9. If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of NotForgotten, our customers, or others.

V. Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- A. Tracking Technologies and Advertising. You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- B. Disclosure of Your Information for Third-Party Advertising. If you do not want us to share your personal information with unaffiliated or non-agent third parties for promotional purposes, you can opt-out by checking the relevant box located on the form on which we collect your data. You can also always opt-out by logging into the websites and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email stating your request to privacy@not-forgotten.com.
- C. Promotional Offers from NotForgotten. If you do not wish to have your information used by NotForgotten to promote our own or third parties' products or

services, you can opt-out by checking the relevant box located on the form on which we collect your data or at any other time by logging into the websites and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email stating your request to privacy@not-forgotten.com. If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions.

VI. Accessing and Correcting / Deleting Your Information

- A. At any time, you can email NotForgotten at privacy@not-forgotten.com to ask us to delete information you have uploaded into your NotForgotten account, such as data about your family, your personal data and your video. (Please note: To delete this information, we may need to close your account.) You may also send us an email at privacy@not-forgotten.com to request that we correct personal information that you have provided to us, though we may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect. For a list of other rights you may have under applicable law, please [click here](#).

Please note that because NotForgotten's mission is to create perpetual records related to our customers that will be discoverable by future generations, NotForgotten will not have the ability to remove information about customers from third party sites and storage locations that receive information in connection with your videos and personal records. For example, you will not be able to delete your Blockchain, Worldcat, Gedcom or Iron Mountain records by contacting NotForgotten (since those records and files will be stored by third parties); we will only be able to delete the information pertaining to those records contained within our own system.

- C. Customers who wish to undertake this project will need to contact each vendor involved in the process of storing and hosting the videos in question as well as those vendors who have created the records described above (e.g, the GEDCOM files, the blockchain contract, etc.) For example, for

a fee, you can request Ethereum to remove the blockchain content relating to your transaction.

VII. Your California Privacy Rights

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our App that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to Privacy@not-forgotten.com

VIII. Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. Please contact us by sending an email to Support@not-forgotten.com if you would like more information. The safety and security of your information also depends on you, however. Where we have given you (or where you have chosen) a password for access to portions of our Websites, you are responsible for keeping this password confidential. Unfortunately, the transmission of information via the internet is not completely secure.

Any transmission of personal information is at your own risk, and we are not responsible for circumvention of any privacy settings or security measures contained on our Websites.

IX. Contacting Us to Update Your Information or For Other Purposes

To ask questions about this privacy policy and/or our privacy practices, please contact us by sending an email to Privacy@not-forgotten.com. You may also reach us at:

NotForgotten Operations, LLC
525 Michelle Mews
Princeton, NJ 08542

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us by sending us an email at: Admin@not-forgotten.com or Support@not-forgotten.com

ⁱ A. Your rights relating to your personal data: You have certain rights relating to your Personal data, subject to local data protection laws. Depending on the applicable laws and, in particular, if you are located in the EU, these rights may include the right:

1. To access your Personal data held by us (right to access);
2. To rectify inaccurate Personal data and, taking into account the purpose of processing the Personal data, ensure it is complete (right to rectification);
3. To erase/delete your Personal data, to the extent permitted by applicable data protection laws (right to erasure; right to be forgotten);
4. To restrict our processing of your Personal data, to the extent permitted by law (right to restriction of processing);
5. To transfer your Personal data to another controller, to the extent possible (right to data portability);

6. To object to any processing of your Personal data carried out on the basis of our legitimate interests (right to object). Where we process your Personal data for direct marketing purposes or share it with third parties for their own direct marketing purposes, you can exercise your right to object at any time to such processing without having to provide any specific reason for such objection;
7. Not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects ("Automated Decision-Making"). Automated Decision-Making currently does not take place on our websites or in our services; and
8. To the extent we base the collection, processing and sharing of your Personal data on your consent, to withdraw your consent at any time, without affecting the lawfulness of the processing based on such consent before its withdrawal.

B. How to exercise your rights: To exercise your rights, please contact us by using the information in Section IX of our privacy policy