

Privacy Policy

Last Updated and Effective: March 1, 2024

Consumer Privacy Disclosure

You are visiting ww.myfundhero.com a website owned and operated by Empire Capital Advance LLC. and its subsidiaries (collectively, "Empire Capital", "us", "we", or "our"). We are committed to maintaining your confidence and trust as it relates to the privacy and usage of your information. Please read below and learn how we collect, protect, share, and use your information as part of our technology platforms.

Empire Capital's commercial financing website is designed for businesses and is not intended for individuals' personal, family or household use. Accordingly, we treat all personal information collected for commercial funding products, including information about any visitors to our commercial funding website, as pertaining to individuals acting as business representatives, rather than in their personal capacity.

Information We Collect

- **Identifying Information:** We collect information that could identify you such as your name, address, telephone number, mobile number, email address, and Social Security Number. We may also collect this type of information from you about others, such as co-business owners.
- **Financial Information:** We collect validating bank accounts (for payments), users account and routing numbers, bank account and cash flow information.
- **Other Information:** We also collect information such as demographic data, data about your online activity, and other information that is not used to identify you.

How We Collect Information

1. **Information provided by you:** We collect information from you when you enter it or otherwise provide it in connection with an inquiry into our Services. This information could be provided via an online form, over the phone, or via other means in which you interact with our Services.
2. **Information from third parties:** Bank account information, users account and routing numbers, bank account and cash flow information, may be collected from credit bureaus, and other financial entities and reporting companies (such as Plaid Which builds and maintains secure connections to more than 11,000 US financial institutions).

3. Information from cookies and other tracking technologies: We use cookies, web beacons, and similar technologies to record your preferences, track the use of our Site and collect information. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. We may combine this automatically collected log information with other information we collect about you. You may choose to set your web browser to refuse cookies, or to alert you when cookies are being sent. If you do so, please note that some parts of our Sites may not function properly.

4. Financial institutions. ECA uses Plaid Inc. (“Plaid”) to gather your data from financial institutions. By using the Service, you grant ECA and Plaid the right, power, and authority to act on your behalf to access and transmit your personal and financial information from your relevant financial institution. You agree to your personal and financial information being transferred, stored, and processed by Plaid in accordance with the Plaid [end user privacy policy](#).

How We Use Information

We may use collected information to:

1. Deliver the products and services you requested
2. Improve customer service
3. Improve our Site
4. Personalize your user experience
5. Communicate with you about products or services that may be of interest to you
6. Manage our business

Who Do We Share Your Information With?

We share your information only with verified lenders who are qualified to underwrite your funding request.

Other Situations: We may also disclose information about you or provided by you at our sole discretion:

1. In response to a subpoena or similar investigative demand, a court order, a request for cooperation from a law enforcement agency, self-regulatory body, or other governmental agency; to establish or exercise our legal rights; to defend against legal claims; or as we reasonably believe is required by law. In such cases, we may raise or waive any legal objection or right available to us.

2. When we believe disclosure is appropriate in order to investigate, prevent, or take action regarding actual or suspected illegal activity or other wrongdoing; to protect and defend the rights, property, or safety of the Empire Capital business, our users, our employees, or others; or to enforce our site's terms and conditions or other agreements or policies.
3. In connection with state and/or federal licensing requirements regarding the reporting of information contained in the financing inquiries we receive from you. You authorize Empire Capital to obtain any and all required information from the entities with whom you have interacted with in connection with Empire Capital in order for Empire Capital to comply with current laws and regulations as well as with any requests from state or federal regulators. This information could include, but is not necessarily limited to, the funding you selected and the terms of the funding you selected.

Cookies and Do Not Track

- We may use cookies and other technologies such as web beacons and pixels to collect information about your online activities over time and across third-party websites or online services or which may allow a third party to track your online activities over time and across different sites when you use the Websites.
- The website may not respond to Do Not Track requests or headers from some or all browsers.

Marketing and Communications

- Communications: You may adjust your communications preferences through your MyFundHero profile. You may also modify your preferences by clicking on an unsubscribe link at the bottom of certain emails sent from Empire Capital.
- Advertising on third party sites: We may use third-party tracking technology. This technology allows targeted advertisements to you from Empire Capital businesses.

Updating and Accessing Your Information

If you have submitted a financing request through us, you can update your information by contacting our Customer Care Department at support@myfundhero.com. How We Protect Your Information

We employ a third-party provider who maintains physical, electronic, and procedural measures designed to safeguard your information from unauthorized access and disclosure. No system can be completely secure. Therefore, although we take steps to secure your information, we cannot guarantee that your information, searches, or other communication will always remain secure.

Changes to this Privacy Policy

Empire Capital has the discretion to update this privacy policy at any time. When we do, we will revise the date at the top of this page. We encourage you to frequently check this page for any changes to stay informed about how we are helping to protect the information we collect. You acknowledge and agree that it is your responsibility to review this privacy policy periodically and become aware of modifications.

Visiting our Website From Outside the United States

The Site is designed to provide services in the United States and is governed by the laws of the United States. We make no representation that the site is governed by or operated in accordance with the laws of any other nation.

Compliance with Children's Online Privacy Protection Rule

Our Services are not intended for individuals under 18 years of age, and we do not knowingly collect personal information from individuals under 18. If we learn we have collected or received personal information from a person under 18 without verification of parental consent, we will delete the information.

Online Tracking Opt-Out Guide

Like many companies online, we use services provided by Google, Facebook and other companies that use tracking technology. These services rely on tracking technologies – such as cookies and web beacons – to collect directly from your device information about your browsing activities, your interactions with websites, and the device you are using to connect to the Internet. There are a number of ways to opt out of having your online activity and device data collected through these services, which we have summarized below:

Blocking cookies in your browser. Most browsers let you remove or reject cookies, including cookies used for interest-based advertising. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. For more information about cookies, including how to see what cookies

have been set on your device and how to manage and delete them, visit www.allaboutcookies.org.

Blocking advertising ID use in your mobile settings. Your mobile device settings may provide functionality to limit use of the advertising ID associated with your mobile device for interest-based advertising purposes.

Using privacy plug-ins or browsers. You can block our websites from setting cookies used for interest-based ads by using a browser with privacy features, like Brave, or installing browser plugins like Privacy Badger, Ghostery or uBlock Origin, and configuring them to block third-party cookies/trackers.

Platform opt-outs. The following advertising partners offer opt-out features that let you opt-out of use of your information for interest-based advertising: Google:

<https://adssettings.google.com>

Facebook: <https://www.facebook.com/about/ads>

Twitter: <https://twitter.com/personalization>

Advertising industry opt-out tools. You can also use these opt-out options to limit use of your information for interest-based advertising by participating companies: Digital

Advertising Alliance: <http://optout.aboutads.info>

Network Advertising Initiative: <http://optout.networkadvertising.org/?c=1>

Note that because these opt-out mechanisms are specific to the device or browser on which they are exercised, you will need to opt out on every browser and device that you use.

How to Contact Us If you have any questions about this privacy policy, the practices of Empire Capital, or your dealings with a www.myfundhero.com, please contact us at: support@myfundhero.com