Privacy Policy

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Introduction

Thank you for using filepace.com and all related apps and services (the “**Services**”). This Privacy Policy explains how we collect, use, disclose, and process your personal data when you use the Services.

Who’s Who

All references to “you” and similar words mean the individual using the Services. If you are using the Services on behalf of a business entity, then “you” means both you and that business entity. All references to "us," "we," "our," and similar words mean FilePace LLC, a Colorado limited liability company.

Acceptance

By using the Services, you agree to this Privacy Policy. If you are using the Services on behalf of a business entity, then you represent that you are authorized to bind that business entity, and you agree to this Privacy Policy on behalf of both you and that business entity.

If you do not agree to this Privacy Policy, then you may not use the Services.

Information We Collect

We collect the following categories of personal data when you use the Services. We do not intentionally collect sensitive personal data (information which is more sensitive or private than the types of information described below, such as Social Security numbers or other government-issued ID numbers, financial account or payment card numbers, or health information), and you should not submit any to us.

Personal data you or a third party provides to us:

- **Identity and Contact Information**. Your name, business or brokerage name, address, email address, phone number, information you submit through our sign-up and contact forms, and similar information.
- **Account Information**. Usernames, passwords, security questions, and similar information.
- **Transaction Information**. Information about the real estate transactions you manage through the Services, including property addresses and related details (such as tax records, square footage, list price, and contract price), key dates, milestones, deadlines, notes, and contact information for your clients, buyers, sellers, and third parties such as mortgage brokers. This information may include personal data about people who have no direct relationship with us. You represent that you have the authority to give us that personal data and to allow us to use it as described in this Privacy Policy. Those people may contact us about their personal data using the contact information below.

Personal data we receive automatically:

- **Device and Technical Information**. Information about the device and software you use to access the Services, including your IP address, location information, operating system name and version, browser name and version, internet service provider, and similar information.

- **Usage and Activity Information**. Information about how you use the Services, including dates and times of access, pages you view, links you click, search queries, navigation paths, browsing history, performance stats, usage logs, errors (and associated features and application states), and similar information.
- **Cookies and Tracking Technologies**. Cookies, cookie-equivalent technology, web beacons, pixel tags, and similar information (some of which may be stored data on your device and controlled by you).

Content you provide to us:

- **Your Content**. If you submit content to the Services, such as dates, notes, and transaction details ("Your Content," as defined in our Terms of Service), any personal data contained in Your Content is collected and treated as personal data under this Privacy Policy.

How We Use Your Information

Aggregated & Anonymous Data

We may aggregate or de-identify your personal data to create anonymous data, which is not personal in nature, and which does not identify you as a specific individual or business ("**Anonymous Data**"). We will take reasonable measures to ensure that Anonymous Data cannot reasonably be linked to you, and we will not attempt to re-identify Anonymous Data. We own all Anonymous Data, and we may use, disclose, publish, share, license, and sell Anonymous Data for any purpose not prohibited by applicable law, without your consent, without notice to you, and without any obligation or compensation to you.

Anonymous Data may include metrics and statistics about the Services and their use, such as the number of users and accounts, frequency and duration of use, the number and types of transactions managed through the Services, transaction volume and value, growth and retention rates, feature adoption, and similar metrics, in each case aggregated or de-identified so that they do not identify you or any other individual. We may use and disclose these metrics at our discretion, including in marketing and promotional materials, press releases, and investor communications, and to actual or prospective investors, lenders, acquirers, and their advisors.

Personal Data

We may use your personal data as follows:

- **Provision and Customization of Services**. We may use your personal data to provide the Services to you for their intended purposes, as well as to customize and/or enhance your use of the Services.
- **Sharing with Transaction Participants**. Within the Services, we make Your Content, including Transaction Information, visible only to the participants in the transaction it relates to, meaning the agent for that transaction and the clients and other people the agent invites to view it. We do not make Your Content visible to other agents or other users of the Services. This does not limit our other uses and disclosures of personal data and Anonymous Data described in this Privacy Policy.
- **Sharing with Affiliates & Third Parties**. We may share your personal data with our affiliates, our service providers who help us operate the Services (including independent contractors, such as software developers, who access personal data to build and maintain the Services), and other third parties to accomplish the purposes outlined in this Privacy Policy and in our Terms of Service.
- **Communications**. To send communications to you, including marketing communications (unless you opt-out).

- **Per our Terms of Service**. We may use your personal data as provided in our Terms of Service and the other agreements and policies referenced in those terms.
- **Retention**: We may store and retain your personal data for purposes of using it as described in this Privacy Policy.
- **Compliance with Law & Legal Processes**. We may use and share your personal data: (a) to comply with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms, (b) to respond to lawful requests by public authorities, including to meet national security or law enforcement requirements, (c) to prosecute and defend a court, arbitration, or similar legal proceeding, (d) with our representatives and advisors, including attorneys and accountants, and (e) if we have a good faith belief that disclosure is necessary to enforce our Terms of Service or any agreements or policies referenced in those terms or to investigate or prevent illegal or immoral actions.
- **Business Transfers**. We may share your personal data, subject to appropriate confidentiality obligations, with actual or prospective acquirers, investors, lenders, and their advisors in connection with any actual or proposed merger, acquisition, financing, reorganization, sale of all or part of our assets or equity, bankruptcy, or similar transaction, including during due diligence. If such a transaction occurs, your personal data may be among the assets transferred, and the acquirer or successor may use it as described in this Privacy Policy.

Data Retention & Deletion

We may retain your personal data for as long as reasonably necessary for the purposes described in this Privacy Policy and our Terms of Service. We have no obligation to retain your personal data and may delete it at any time without notice to you.

You may request that we delete your personal data from the Services, but we are not required to delete your personal data except as required by applicable law.

International Data Transfers

We are based in the United States, and we may store and process your personal data in the United States or in other countries. If you access the Services from outside the United States, then you understand that your personal data will be transferred to, and processed in, a country that may have different data protection laws than your country.

Cookies & Tracking Data

You may restrict our ability to use cookies and certain other types of data files by adjusting the settings on your device or browser. However, please note that if you create such restrictions, then all or parts of the Services may not operate as intended (or at all).

Third Party Account Information

The only way for you to control what information third-party platforms share with us is to adjust your settings in those platforms. We disclaim all liability resulting from those platforms' unauthorized disclosure to us of any information which you requested the platforms not share with us.

Feedback

If you share ideas, suggestions, or other feedback with us regarding the Services, then you grant us a perpetual, irrevocable, worldwide, royalty-free license to use that feedback for any purpose, without any obligation or compensation to you.

Public Data

We may collect property records, tax records, listing details, and similar information from public databases and other public sources ("**Public Data**"). If we independently obtain information from public sources that is the same as or similar to information you submit, we may use the information we obtained as Public Data. However, we will not use the information you submit to supplement, identify, or link to Public Data, except to provide the Services to you. We may use Public Data for any purpose not prohibited by applicable law.

Miscellaneous

Children's Privacy

The Services are not directed to children under the age of 13, and we do not knowingly collect personal data from children under 13. If you believe that a child has provided us with personal data without parental or guardian consent, then please contact us using the contact information below, and we will take steps to delete that information.

Security

We use reasonable efforts to protect your personal data. However, the internet is not a completely secure environment, and we cannot guarantee the security of any information you transmit to us through the internet. You are responsible for maintaining the security of your account credentials.

Amending This Privacy Policy

We may amend this Privacy Policy at any time. Non-material amendments take effect once we post the updated Privacy Policy on the Services. If we make a material amendment, then we will give you at least 30 days' notice before the amendment takes effect, by posting the updated Privacy Policy on the Services or by sending you notice, including by email. Your continued use of the Services after an amendment takes effect means you accept the amended Privacy Policy.

Contact

Unless otherwise required by this Privacy Policy or by law, if you have any questions or comments about this Privacy Policy, how we collect and use your information, or your choices and rights regarding the same, then you may contact us at info@filepace.com.