

LEGAL DISCLAIMER

This sample template (“Template”) relates solely to the use of the SMS Services, or to data collection and use of personal information gathered through the SMS Services, and is for informational purposes only. This Template does not constitute in any way advertising or a solicitation of legal services or legal advice. By using the Template, you acknowledge and agree to this legal disclaimer. You agree that you have read the Template with care and will modify, delete and/or add information as necessary to ensure the Template accurately reflects your business practices. You are encouraged to consult independent legal advice before relying on this Template, and to make sure that you comply with all applicable laws. In addition, your use of, access to or transmission of materials and information provided by Constant Contact or any of the links contained herein is not intended to create, and receipt thereof does not constitute formation of, an attorney-client relationship between Constant Contact, Inc. or any of its affiliates, and you. The Template may not reflect the most current legal developments; accordingly, the Template is not promised or guaranteed to be compliant with law, correct or complete. As privacy and other applicable laws are constantly evolving, you should regularly review your terms of service and privacy policy to ensure that they are compliant with updated laws and regulations and that they accurately reflect your current business practices.

WE DISCLAIM, AND YOU HEREBY AGREE TO THIS DISCLAIMER AND TO ASSUME, ALL RESPONSIBILITY AND LIABILITY CONNECTED IN ANY WAY TO ANY USE OR NON-USE OF, OR RELIANCE ON, THIS TEMPLATE.

SMS PRIVACY POLICY

This SMS Privacy Policy (this “Privacy Policy”) describes how we at [insert your business name] (“[insert your business name]”, “we”, or “us”) collect, use and disclose your personal information in connection with your use of the services to receive short message services and/or multi-media services for marketing and non-marketing purposes from us through the Constant Contact, Inc. platform (“SMS Services”). This Privacy Policy is strictly limited to the SMS Services described herein and does not relate to the collection or use of personal information through any of our other services. In addition, it has no effect on and is unrelated to any other privacy policy(ies), if any, that may govern the relationship between you and us in other contexts. Please read this Privacy Policy carefully. By enrolling in, using or accessing any of the SMS Services, you agree to the collection, use, and disclosure of your information as described in this Privacy Policy. If you do not agree to this Privacy Policy, please do not use or access any of the SMS Services. This Privacy Policy is incorporated into our Terms of Service covering SMS Services.

INFORMATION COLLECTED ABOUT YOU [DRAFTING NOTE: Use this section to describe the types of information you collect about identifiable individuals and how you collect it (e.g., directly from the user through online tracking technologies or from other sources such as advertising partners or other third parties).]

Personal information we collect about you through your use of the SMS Services may include [first name, last name, mobile number, address, email address, job title, and birthday].

We may use cookies or similar technologies on our website [insert your website address] or websites associated with the SMS Services to automatically collect your interactions with any URL links included in the Messages.

USE OF PERSONAL INFORMATION FOR SMS SERVICES [DRAFTING NOTE: Use this section to describe how you use each type of personal information described in the collection section above.]

We use your personal information to provide you with [our products and services] and other relevant information. We may also use this information to market [our products and services] to you, including by the SMS Services subject to your consent.

We may also use information collected from you and information collected from your device to send you abandoned cart reminders if you added items to your shopping cart but did not complete check out.

DISCLOSURE OF PERSONAL INFORMATION [DRAFTING NOTE: Use this section to describe the third parties to whom you provide the personal information you collect. If you sell, rent, or lease personal information, we recommend consulting with your legal counsel about your obligations.]

We may use third-party service providers [insert advertising partners] to assist us with providing and marketing [our products and services] to you, and we may disclose your information with such third parties for these purposes.

* Notwithstanding anything set forth in this Privacy Policy, we do not share text message opt-in consents or related mobile telephone numbers with third parties, except with our service providers [insert advertising partners] and vendors to provide the SMS Services.

* Please review [Constant Contact's Customer Data Notice](#) for information about how they use your information.

We may also share your personal information if necessary to comply with [any applicable law or regulation, to respond to a subpoena, search warrant] or other lawful request for information we receive, in the event of [a merger or sale of our company], or to otherwise protect our rights or property.

OPTING OUT [DRAFTING NOTE: If you provide information to advertising partners for targeted or cross-context behavioral advertising, this may be deemed a sale of information under the California Consumer Privacy Act and other privacy legislation, and we recommend consulting with your legal counsel about your obligations.]

If you wish to stop receiving text messages from us, reply STOP, QUIT, CANCEL, OPT-OUT, or UNSUBSCRIBE to any text message sent from us.

ELIGIBILITY

To receive SMS Services, you must be 18 years of age or older.

CHANGES TO THIS PRIVACY POLICY

We may update this Privacy Policy at any time, including to reflect changes to our practices or for other operational, legal, or regulatory reasons. Please review it frequently. By continuing to use the SMS Services after any such changes have been made, you accept and agree to the updates to the Privacy Policy.

CONTACT INFORMATION

If you have any questions about this Privacy Policy or our privacy practices, please contact us at [\[insert your email address\]](#).