



Drake Software Privacy Policy

Last Updated 3/13/2023

This Privacy Policy describes the types of information Drake Software (“Drake”, “we”, “us” or “our”) may collect from you or that you may provide on its websites. It applies to: www.drakesoftware.com, kb.drakesoftware.com, support.drakesoftware.com, onlineefdb.drakesoftware.com, Drake Portals (a.k.a. securefilepro.com), cloud.drakezero.com (including Web1040 and Drake Zero), and www.DrakeETC.com (collectively referred to as the “Sites”) as well as to the associated products and services offered by Drake.

This Privacy Policy covers Drake’s practices for collecting, using, maintaining, protecting and disclosing information you provide through Sites, products and services. By using our Sites, products, and services, you agree to the collection and use of information in accordance with this Privacy Policy.

Children’s Privacy

Our Sites, products, and services are not targeted at children of any age, and we do not collect information from children under age 16. If we learn we have collected or received Personal Information from a child under 16 without verification of parental consent, we will delete that information.

Information We Collect

Our Sites, products, and services collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“Personal Information”). We may collect the following categories of Personal Information from you:

Category	Examples	How We Collect
Identifiers.	A real name, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers. Business Identifiers include business name, email, physical address, phone number, professional registration numbers, and role or title.	We collect this information from users who set up an account and who provide this information through use of our Sites, products, and services.
Personal Information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, address, telephone number, passport number, driver’s license or state identification card number, bank account number, credit card number, debit card number, or any other financial information. Some Personal Information included in this category may overlap with other categories.	We collect this information from users who set up an account and who provide this information through use of our Sites, products, and services.
Protected classification characteristics under California or federal law.	Age (40 years or older).	We collect this information from users who set up an account and who provide this information through use of our Sites, products, and services.
Sensitive Personal Information.	A Social Security number, driver’s license number, state identification number.	We collect this information from users who set up an account and use our Sites, products, and services.

Category	Examples	How We Collect
Commercial information.	Records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	We collect this information through use of third-party cookies from visitors to the Site and from users who set up an account and use our Sites, products, and services.
Internet or other similar network activity.	Information on a consumer's interaction with a website, application, or advertisement.	We collect this information through use of third-party cookies from visitors to the Site and from users who set up an account and who provide this information through use of our Sites, products, and services.
Geolocation data.	Physical location.	We collect this information from visitors to the Site, users who set up an account and who provide this information through use of our Sites, products, and services.

The above chart also includes the Sensitive Personal Information we collect and the purpose for which it is collected.

We do not collect the following types of Sensitive Personal Information: Personal Information that reveals a consumer's racial or ethnic origin, religious or philosophical beliefs, or union membership; biometric information for the purpose of uniquely identifying a consumer; information concerning a consumer's health; concerning a consumer's sex life or sexual orientation, or precise geolocation (location within a radius of 1,850 feet).

Personal Information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from applicable state privacy laws, such as information regulated under federal laws, including Personal Information covered by certain sector-specific privacy laws, such as the Fair Credit Reporting Act (FCRA) and the Gramm-Leach-Bliley Act (GLBA).

Drake obtains the categories of Personal Information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase, when you set up an account for our services, or when you contact us directly.
- Indirectly from you. For example, Drake uses cookies (See Use of Cookies) and other third-party technology to collect data automatically.

Your Privacy Rights

Drake complies with applicable state and federal privacy laws with respect to your Personal Information. Our privacy practices comply with the California Consumer Privacy Act of 2018 and California Privacy Rights Act of 2020 (collectively, as amended, "CCPA") and other applicable state and federal privacy laws.

Use of Personal Information

We may use or disclose the Personal Information we collect in the categories above for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to ask a question about our products or services, we will use that Personal Information to respond to your inquiry. If you provide your Personal Information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To provide, support, personalize, and develop our Sites, products, and services.
- To create, maintain, customize, and secure your account with us.

- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your experience and to deliver content, product and service offerings relevant to your interests, including targeted offers and ads through our Sites, products, and services, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our Sites, products, and services, databases and other technology assets, and business.
- For research, analysis, and product development, including to develop and improve our Sites, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your Personal Information.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Drake's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by Drake about users of our Sites, products, and services is among the assets transferred.

Drake will not collect additional categories of Personal Information or use the Personal Information we collected for materially different, unrelated, or incompatible purposes as explained in this Privacy Policy without providing you notice.

Sharing Personal Information

Drake shares Personal Information in the following ways:

- To service providers for business purposes (see above on Use of Personal Information).
- To affiliates to assist in providing and maintaining our Sites (see above on Use of Personal Information).
- To third parties for marketing or advertising purposes (see above on Use of Personal Information).
- To public authorities or law enforcement when required by court order, subpoena, or when we believe in good faith that the disclosure is necessary to protect our rights, your safety, or your security.

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Drake has disclosed the following categories of Personal Information of certain users of our Sites, products, and services for a business purpose to our affiliates and service providers:

- Identifiers
- California Customer Records Personal Information categories
- Protected classification characteristics under California or federal law
- Commercial information
- Internet or other similar network activity
- Geolocation data
- Sensitive Personal Information

Information Sold to or Shared with Third Parties

Drake does not sell Personal Information for monetary value, however the CCPA defines "sale" broadly to include any transfer of Personal Information to a third party for monetary or other valuable consideration, including the sharing of Personal Information with third parties for cross-context behavioral advertising purposes. In the preceding twelve (12) months, Drake has disclosed some parts of the following categories of Personal Information to third parties for cross-context behavioral advertising of Drake products:

- Identifiers

- Commercial information
- Internet or other similar network activity

You may opt-out of the sale or sharing of your Personal Information to third parties for cross-context behavioral advertising by following the opt-out instructions (see below on Opt-Out of Sale or Sharing of Personal Information with Third Parties Request Rights).

Other Sharing of Personal Information

In the preceding twelve (12) months, Drake has shared the following categories of Personal Information of certain users of our Sites, products, and services to our affiliates, third party service providers and data aggregators for marketing and advertising purposes:

- Identifiers
- Commercial information
- Internet or other similar network activity
- Geolocation data

Retention

Drake retains data as long as it is needed for business, tax, or legal purposes. We set our retention periods based on the type of personal information collected, how long the personal information is needed to complete the business purpose and provide our Sites, products, and services and whether the business is subject to contractual or legal obligations, such as ongoing litigation, mandatory data retention laws or government orders to preserve data relevant to an investigation. When we no longer need to retain data, we destroy it or make it unreadable or indecipherable.

Your Choices

Access to Specific Information and Data Portability Rights

In accordance with applicable state laws, you may request certain information about our collection and use of your Personal Information over the past 12 months by clicking [here](#). Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of Personal Information we collected about you.
- The categories of sources for the Personal Information we collected about you.
- Our business or commercial purpose for collecting or sharing that Personal Information.
- The categories of third parties with whom we share that Personal Information.
- The specific pieces of Personal Information we collected about you (also called a data portability request).
- If we sold or disclosed your Personal Information for a business purpose, two lists disclosing:
 - sales, identifying the Personal Information categories that each category of recipient purchased; and
 - disclosures for a business purpose, identifying the Personal Information categories that each category of recipient obtained.

Deletion Request Rights

You may request that Drake delete your Personal Information that we collected from you and retained, subject to certain exceptions, by clicking [here](#). Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.

- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Correction Request Rights

You may request that Drake correct certain inaccurate Personal Information we have about you by clicking [here](#). Once we receive and confirm your verifiable request, we will ask you to provide documentation supporting the accuracy of the Personal Information that is the subject of your request. Please note this is subject to certain restrictions. For example, a request to correct information that has been entered on a tax return and transmitted to the IRS would be denied due to IRS regulations requiring that an amended return be filed for correction. For example, a request to correct information that has been entered on a tax return and transmitted to the IRS would be denied due to IRS regulations requiring that an amended return be filed for correction.

Opt-Out of Sale or Sharing of Personal Information with Third Parties Request Rights

You have the right to direct us to not share or sell your Personal Information with third-party marketers or advertisers (the "right to opt-out"). You may request to opt-out by clicking [here](#). This opt-out will only apply to cross-context behavioral advertising and will not opt you out of marketing emails or general advertisements that are sent by or on behalf of Drake (to opt-out of marketing emails, see below on Email Choice/Opt-Out).

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize the sharing of your information for cross-context behavioral advertising. However, you may change your mind and opt-in to sharing such information by making your request [here](#).

You do not need to create an account with us to exercise your opt-out rights. We will only use Personal Information provided in an opt-out request to review and comply with the request.

Limitation on Use of Sensitive Personal Information Rights

We do not use or disclose Sensitive Personal Information for purposes to which the right to limit use and disclosure applies under California law.

Requirements for Making a Request

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

As part of this process, government identification may be required. As noted above, you may designate an authorized agent to make a request on your behalf. To designate an authorized agent, you must provide a valid power of attorney, your valid government issued identification, and the authorized agent's valid government issued identification.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you.

Making a verifiable consumer request does not require you to create an account with us. However, we do consider requests made through your password protected account sufficiently verified when the request relates to Personal Information associated with that specific account.

We will only use Personal Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format

We endeavor to respond to a verifiable consumer request as soon as possible in accordance with applicable law.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response using the contact information you have provided electronically.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request. For data portability requests, we will select a format to provide your Personal Information that is readily usable and should allow you to transmit the information from one entity to another entity.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Email Choice/Opt-Out

You may choose to stop receiving our newsletter or marketing emails by following the unsubscribe instructions included in these emails or by changing your account settings. If you choose to stop receiving our newsletter or marketing emails, we will continue to send you necessary service and transactional communications.

Security

We take the protection of your data seriously. Drake maintains reasonable and appropriate administrative, technical, and physical safeguards that are designed to protect your Personal Information from loss, misuse, unauthorized access, disclosure, alteration or destruction. All data collected through our Sites, products, and services is protected by a secure server. In addition, we use Transport Layer Security (TLS) encryption to secure the transmission of data, including credit card information, from the internet to our systems. TLS encryption is working when you see either the symbol of an unbroken key or closed lock (depending on your browser) on the bottom of your browser window.

Drake also takes the following security measures:

- All data is maintained and backed-up on a regular schedule to provide adequate redundancy and ensure that the integrity of information is never jeopardized.
- All of our employees are subject to strict guidelines regarding confidentiality. We require all of our employees to complete security awareness training annually and sign a non-disclosure agreement regarding the protection of customer data. Additionally, we limit internal access to your data to those employees with a business reason for using such data.
- We make every commercially reasonable effort to be fully compliant with the rules under sections 6713 and 7216 of the Internal Revenue Code.

The safety and security of your information also depends on you. Where you have chosen a username and password to access your account and certain parts of our Sites, products, and services, you are responsible for keeping this password confidential. If you believe your password has been compromised, please contact us at support@drakesoftware.com.

No method of transmission over the Internet, or method of electronic storage, is 100% secure. Although we do our best to protect your Personal Information, we cannot guarantee the security of information transmitted to our Site.

Cookies and Other Tracking Technologies

We use cookies or similar technologies to analyze trends, administer the Site, track users' movements on our Sites, products, and services and other third-party sites, and to gather demographic information about our user base as a whole. We may receive reports based on the use of these technologies on an individual as well as aggregated basis.

We use cookies for remembering user settings. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use the Site, but your ability to use some features or areas of our Sites, products, and services may be limited.

As is true of most websites, we gather certain information automatically and store it in log files. 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. We do this to improve our Sites, products, and services.

You may opt-out of cookies that are not related to our Site performance by interacting with the Cookie Banner on our Site, under the Manage Consent Preferences heading.

In addition, you may opt-out of interest-based ads by visiting the following consumer choice mechanisms:

- Digital Advertising Alliance (DAA)'s self-regulatory opt-out page (<http://optout.aboutads.info/>) and mobile application-based "AppChoices" download page (<https://youradchoices.com/appchoices>)
- Network Advertising Initiative (NAI)'s self-regulatory opt-out page (<http://optout.networkadvertising.org/>)

Please note this does not opt you out of being served ads. You will continue to receive generic ads.

Links to Other Websites

Our Sites, products, and services include links to third-party websites whose privacy practices may differ from those of Drake. If you submit Personal Information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any website you visit.

Social Media Features

Our Sites, products, and services include social media features, such as the Facebook "Like" button. These features may collect your IP address, which page you are visiting on our Site, and may set a cookie to enable the feature to function properly. Social media features and related widgets are either hosted by a third party or hosted directly on our Site. Your interactions with these social media features are governed by the privacy policy of the company providing the service.

Do Not Track Signals

Certain web browsers allow users to opt-out of tracking by websites and online services by enabling an opt-out preference signal such as [Do Not Track](#) ("DNT") or [Global Privacy Control](#) ("GPC"). If you choose to enable an opt-out request preference signal on your browser, the Sites are optimized to recognize this opt-out preference, and you will need to enable this feature in each browser you use.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights or rights granted to you under other applicable law. Unless permitted by applicable law, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

No Financial Incentive

We do not offer any financial incentives or price or service differences in an attempt to influence a consumer's decision whether or not to exercise a right afforded to the consumer under California law.

California "Shine the Light" Law

A California resident with whom Drake has an established relationship has the right to request certain information with respect to any Personal Information Drake may have shared with third parties for their direct marketing purposes. Alternatively, we may provide a cost-free means to opt out of such sharing. We have opted to provide you with a cost-free means to opt out of such sharing. If you do not want Drake to disclose your Personal Information to other companies for their marketing purposes, please request that [here](#) by selecting the "Do not Sell My Personal Information" button, or contact us at privacy@drakesoftware.com.

Geographic Restrictions

Drake is headquartered in Franklin, North Carolina in the United States. Our Sites are hosted and administrated in the United States or hosted with cloud service providers who are headquartered in the United States. Drake's target users are in the United States. Drake does not currently intend to offer goods or services to individuals residing in the United Kingdom, Switzerland or European Economic Area ("EEA") and the Sites are not intended for use inside the United Kingdom, Switzerland or EEA.

If you are located outside of the United States, be aware that information you provide to us or that we obtain as a result of your use of the Sites may be processed in, transferred to, and stored in the United States and will be subject to United States law. The privacy and data protection laws of the United States may be different from the laws of your country of residence.

Notice of Changes

We may update this Privacy Policy to reflect changes to our information practices. If we make material changes to our Privacy Policy, we will notify you through your account or by email (sent to the e-mail address specified in your account) or by means of a notice on our Sites, products, and services. We encourage you to periodically review this page for the latest information on our privacy practices.

Accessibility

Drake is committed to making our Privacy Policy accessible to individuals with disabilities. If you use assistive technology (such as a Braille reader, a screen reader, text-enlargement programs, etc.) and the format of the Privacy Policy interferes with your ability to access any information in the Privacy Policy, please contact us at privacy@drakesoftware.com. Please indicate the nature of your accessibility problem, the preferred format you would like to receive the Privacy Policy, and your contact information so that we may respond in a manner that is helpful for you.

Contact Information

If you have questions or comments regarding this Privacy Policy, contact us by writing or emailing at the address below:

Address: Drake Software
235 East Palmer St.
Franklin, NC (USA) 28734
Attn: Legal

Email: privacy@drakesoftware.com