

BrainMerchant Privacy Policy

Effective Date: October 19, 2026

1. Who We Are and What This Privacy Policy Covers

This Privacy Policy is issued by My Happy IT Inc., a Nevada corporation doing business as BrainMerchant (“BrainMerchant,” “we,” “us,” or “our”), a payment gateway company that provides credit card processing and ACH transaction services to software platforms.

This Privacy Policy describes how we collect, use, disclose, and otherwise process personal information when you visit brainmerchant.com or any other website, subdomain, or online property we operate that links to this Privacy Policy (collectively, the “Site”), when you contact us through the Site, by email, by telephone, or through social media or other channels, when you attend our events or webinars or interact with our content elsewhere, and when we communicate with you as a current or prospective customer, business partner, vendor, or other business contact. “Personal information” means information that identifies, relates to, or could reasonably be linked with an identifiable individual or household. It does not include aggregated, de-identified, or publicly available information.

What this Privacy Policy does not cover. This Privacy Policy does not apply to:

- **Our payment processing services.** Personal information we process when payments are initiated through, or settled by, our payment gateway (including names, payment card data, bank account and routing numbers, transaction amounts, and related authorization records) is processed on behalf of the software platforms and merchants that use our services. That information is governed by our written agreements with those customers, by applicable payment network and NACHA rules, and by applicable financial privacy laws, not by this Privacy Policy. If you paid or were paid through a software platform that uses our services, that platform or business is responsible for its own privacy notice and is your point of contact for questions about your information.
- **Third parties.** Websites, applications, networks, banks, processors, and other services operated by third parties, including any site we link to from the Site. Each has its own privacy practices, which we do not control and are not responsible for. A link does not mean that we endorse or are affiliated with the linked party.
- **Personnel.** Information about our job applicants, employees, and contractors, which is addressed in separate notices where required.

If you provide us with information about another person, such as a colleague’s contact details, you represent that you are authorized to do so and that we may process that information as described in this Privacy Policy. Most of the personal information we process relates to individuals acting in their professional capacity on behalf of a business, and we process it on that basis.

2. Personal Information We Collect

Information you provide to us. When you submit our contact form, email us, call us, request information about our services, speak or meet with our personnel, attend an event or webinar, interact with us on social media, or enter into or perform an agreement with us, you may provide:

- **Identifiers and contact information**, such as your name, email address, telephone number, company name, job title, postal address, social media handle, and the business you represent.
- **Business and inquiry information**, such as the subject of your inquiry, a description of your software platform and the customers it serves, how your customers pay or are paid today, expected payment volumes and sizes, your current payment provider, and anything else you choose to include in a message to us.
- **Commercial and contractual information**, such as the services you request, negotiate, or purchase from us, billing contacts, and records of our communications and agreements with you or the business you represent.
- **Communications and recordings**, such as the content of emails, chat messages, telephone calls, and video meetings with us. Where permitted by law, and with any notice or consent the law requires at the time, we may record, transcribe, and summarize calls and meetings, including through automated or AI-assisted note-taking tools.
- **Any other information you choose to provide**, including information in attachments, meeting notes, or correspondence.

Do not send us payment card numbers, card security codes, bank account or routing numbers, passwords, government identification numbers, or other sensitive information through the contact form or by email. If you do, we may delete that information without acting on it.

Information we collect automatically. When you visit the Site, open or interact with our emails, or interact with our content, we and our service providers may automatically collect information about your device and your use of the Site and our communications, including your Internet Protocol (IP) address, browser type and version, operating system, device identifiers, language settings, referring and exit pages, the pages you view, the links you click, the dates and times of your visits, whether you open an email or click a link in it, approximate location derived from your IP address, and other usage and diagnostic data. We collect this information through server logs, cookies, pixels, and similar technologies described in Section 5.

Information we receive from other sources. We may receive personal information about you from other sources and combine it with information we already hold. These sources may include the business you represent and its personnel; business partners, referral sources, resellers, and integration partners; publicly available sources such as company websites, professional networking sites, business registries, and trade publications; business information, data enrichment, and lead-generation providers; marketing and event partners; and banks, payment processors, and other participants in the payment system in connection with evaluating or servicing a business relationship.

Sensitive information. The Site is not designed to collect sensitive personal information, such as government identification numbers, precise geolocation, financial account credentials, health information, or information revealing racial or ethnic origin, religious beliefs, or sexual orientation, and we ask that you not provide it through the Site. Due diligence that we or our banking and processing partners perform in connection with a customer relationship is conducted under the written agreements that govern our payment processing services.

3. How We Use Personal Information

We use personal information for the following business and commercial purposes, and for other purposes that are compatible with the context in which the information was collected or that we disclose to you at the time of collection:

- **Responding to you and providing our services.** To respond to your inquiries and requests; schedule and conduct sales conversations; evaluate whether and how our services fit your platform; prepare proposals and agreements; onboard and support customers; process payments to and from us for our own services; and otherwise perform or enter into a contract with you or the business you represent.
- **Operating, maintaining, and improving the Site and our business.** To operate, secure, host, monitor, troubleshoot, and improve the Site and our services; understand how visitors use the Site; measure the performance of our content; train our personnel and improve the quality of our communications; and research, develop, and test new content, features, and offerings.
- **Marketing and communications.** To send you information about our services, industry developments, guides, and events that we believe may interest you or the business you represent, by email, telephone, text message (where you have consented as applicable law requires), postal mail, and other channels; personalize our communications and content; identify and reach businesses that may benefit from our services; and measure the effectiveness of our marketing. You may opt out of marketing communications as described in Section 10.
- **Security, fraud prevention, and integrity.** To detect, investigate, and prevent fraudulent, unauthorized, malicious, or illegal activity; protect the rights, property, safety, and security of BrainMerchant, our customers, our partners, and others; verify identity and authority; debug and repair errors; and enforce our agreements, terms, and policies.
- **Legal and compliance.** To comply with applicable laws, regulations, payment network rules, Nacha rules, and legal process; respond to lawful requests from government, regulatory, and law enforcement authorities and from our banking and processing partners; establish, exercise, or defend legal claims; perform audits and due diligence; and meet our record-keeping obligations.
- **Business operations.** To manage our business, including finance, accounting, planning, reporting, insurance, and the evaluation or completion of corporate transactions.

Automated and AI-assisted tools. We may use software tools, including tools that incorporate artificial intelligence or machine learning and that are provided by our service providers, to help us transcribe and summarize communications, draft and organize responses, classify and route inquiries, analyze Site usage and marketing performance, and detect security threats. Where we use these tools, we require the providers to use personal information only to provide their services to us. We do not use these tools to make decisions that produce legal or similarly significant effects about you without human involvement.

We may aggregate or de-identify personal information so that it no longer reasonably identifies you. We may use and disclose aggregated or de-identified information for any lawful purpose. We maintain and use de-identified information only in de-identified form, do not attempt to re-identify it except as permitted by law to test whether our de-identification processes are effective, and contractually require any recipient of de-identified information to comply with the same commitments.

4. How We Disclose Personal Information

We may disclose personal information to the following categories of recipients for the purposes described in Section 3:

- **Service providers and contractors.** Companies and individuals that perform services on our behalf and under our instructions, such as website hosting and content management, data storage and backup, email and communications delivery, telephony and video conferencing, customer relationship management, sales and marketing automation, analytics, data enrichment, artificial-intelligence and productivity tools, security and fraud prevention, information technology support, professional services, and marketing support. These providers may use personal information only as necessary to provide their services to us.
- **Banking, processing, and payment network participants.** Acquiring banks, originating depository financial institutions, payment processors, payment networks, and other participants in the payment system, where necessary to evaluate, establish, service, or administer a business relationship with you or the business you represent, to meet their and our compliance obligations, or to prevent fraud.
- **Referral, reseller, and integration partners.** If a referral partner, reseller, software vendor, or integration partner introduced you to us, or if you ask us to work with one in connection with your platform, we may share your contact information and the status of our discussions or relationship with that partner so that it can support the relationship.
- **Professional advisors.** Lawyers, accountants, auditors, insurers, bankers, and other advisors in connection with the services they provide to us.
- **Affiliates.** Any parent, subsidiary, or other company under common ownership or control with us, now or in the future, for purposes consistent with this Privacy Policy.
- **Business transfers.** Actual or prospective purchasers, investors, lenders, successors, and their advisors in connection with any merger, acquisition, financing, reorganization, divestiture,

dissolution, bankruptcy, or sale or transfer of all or part of our business or assets, including during due diligence for any such transaction. Personal information may be transferred as part of any such transaction, and the recipient may use it consistent with this Privacy Policy.

- **Legal, regulatory, and protective disclosures.** Courts, regulators, law enforcement, government authorities, payment networks, and other parties when we believe disclosure is required or permitted by law, regulation, legal process, or payment network or NACHA rules; to enforce our agreements and policies; to respond to claims; or to protect the rights, property, safety, or security of BrainMerchant, our customers, our personnel, or others.
- **At your direction or with your consent.** Any other recipient when you ask us to make the disclosure or otherwise consent to it, including the business you represent and any party you ask us to work with.

We may disclose information that does not reasonably identify you, such as aggregated Site traffic statistics, to any party for any lawful purpose. As of the Effective Date, we do not sell personal information, and we do not disclose personal information to third parties for those third parties' own direct marketing purposes. Section 6 describes our practices regarding sales, sharing, and targeted advertising.

5. Cookies and Similar Technologies

We and our service providers may use cookies, web beacons, pixels, tags, scripts, software development kits, local storage, device identifiers, server logs, and similar technologies ("Tracking Technologies") on the Site and in our emails. Cookies are small text files placed on your browser or device. Some Tracking Technologies expire when you close your browser; others remain until they expire or you delete them.

We may use Tracking Technologies to:

- operate the Site, deliver pages and content, remember your settings, protect our forms against spam and automated abuse, and detect, investigate, and prevent fraud and security incidents;
- remember the choices you make, such as language or display preferences;
- understand how visitors reach and use the Site, which pages are viewed, how long visitors stay, how the Site performs, where it may be improved, and how effective our marketing is, including through third-party analytics services that may collect your IP address, device and browser information, and your interactions with the Site on our behalf; and
- measure whether our emails are opened and which links in them are clicked, so that we can understand which content is useful and manage our communications.

Advertising technologies. As of the Effective Date, we do not use third-party advertising cookies, pixels, or tags on the Site, and we do not permit third parties to collect information about your activity on the Site, or across other websites over time, for their own purposes. We may in the future use advertising and conversion-measurement technologies offered by advertising, search, or professional networking platforms to measure and improve our marketing. If we do, we will update this Privacy Policy and

Section 6 before doing so and will provide the choices and opt-out mechanisms that applicable law requires.

Your controls. Most browsers let you block or delete cookies through their settings, and some let you block other Tracking Technologies. If you block cookies, some parts of the Site may not work properly. Some analytics providers offer their own opt-out tools, which we will describe on the Site where we use those providers. The Site does not currently respond to browser “Do Not Track” signals, because there is no common industry standard for them; Section 6 describes how we treat opt-out preference signals.

6. Sale, Sharing, Targeted Advertising, and Opt-Out Preference Signals

As of the Effective Date, we do not sell personal information, share personal information for cross-context behavioral advertising, or process personal information for targeted advertising, as those terms are defined under applicable state privacy laws, and we do not knowingly sell or share the personal information of anyone under 16 years of age. Because there is currently no sale, sharing, or targeted advertising to opt out of, an opt-out preference signal such as the Global Privacy Control does not currently change how we process your information. If our practices change, we will update this Privacy Policy before doing so and will provide any opt-out mechanism that applicable law requires, including a “Your Privacy Choices” or “Do Not Sell or Share My Personal Information” link and recognition of opt-out preference signals.

7. Retention of Personal Information

We retain personal information for as long as reasonably necessary to fulfill the purposes for which it was collected and other compatible purposes, and thereafter as necessary to meet our legal, regulatory, accounting, and reporting obligations, resolve disputes, enforce our agreements, and protect our legal rights. We determine retention periods using the following criteria: the nature and sensitivity of the information; the purposes for which we process it; whether you or the business you represent has an ongoing or prospective relationship with us, and the duration of that relationship and of any agreement; record-keeping periods required by law, payment network rules, Nacha rules, or our banking and processing partners; applicable statutes of limitation; and any actual or anticipated dispute, investigation, audit, or legal hold. When personal information is no longer needed, we delete it, de-identify it, or isolate it from further processing until deletion is possible. Residual copies may remain in routine backup systems for a limited period before being overwritten.

8. Security

We maintain reasonable administrative, technical, and physical safeguards appropriate to the nature of the personal information we hold and the risks of processing it, and we require service providers that handle personal information on our behalf to do the same. No method of transmitting or storing information is completely secure, and we do not guarantee the security of personal information. Information you send through the Site or by email is transmitted at your own risk, which is why we ask that you not send us payment card numbers, bank account details, passwords, or other sensitive

information through those channels. You are responsible for the security of your own devices, networks, and email accounts, and for keeping confidential any credentials we may issue to you in connection with a business relationship.

9. Children

The Site and our services are intended for businesses and for adults acting on behalf of businesses. The Site is not directed to children, and we do not knowingly collect personal information from anyone under 18 years of age. If you are under 18, do not use the Site or send us personal information. If we learn that we have collected personal information from a child in violation of applicable law, we will take reasonable steps to delete it.

10. Your Choices and Privacy Rights

Marketing communications. You may opt out of marketing emails at any time by using the unsubscribe link in those emails or by contacting us as described in Section 12. After you opt out, we may still send you non-promotional communications, such as responses to your inquiries, messages about an existing or proposed business relationship, and notices required by law or our agreements. If you provide a telephone number, we may call or text you about your inquiry or our business relationship, as described in our Website Terms and Conditions; we will send marketing calls or text messages only with your separate consent, and you may ask us to stop at any time, including by replying STOP to a text message.

Privacy rights under state law. Depending on where you reside and whether a particular law applies to us and to your information, you may have the right, subject to legal exceptions and limitations, to:

- confirm whether we process your personal information and access it, including the categories of information collected, the sources, the purposes, and the categories of recipients;
- correct inaccurate personal information;
- delete personal information we collected from you;
- receive a copy of personal information you provided to us in a portable format;
- opt out of the sale of personal information, the sharing of personal information for cross-context behavioral advertising, the processing of personal information for targeted advertising, and profiling in furtherance of decisions that produce legal or similarly significant effects (we do not currently engage in any of these activities);
- limit the use and disclosure of sensitive personal information (we do not use or disclose sensitive personal information for purposes that give rise to this right); and
- not receive discriminatory treatment for exercising these rights.

Many state privacy laws do not apply to information about individuals acting in a commercial or employment context, to businesses below certain size or processing thresholds, or to financial institutions and information subject to the Gramm-Leach-Bliley Act. We honor requests to the extent

required by the law that applies to you. Where no law requires us to honor a request, we may consider it but may decline it.

How to submit a request; verification. To exercise a right, contact us using the information in Section 12 and tell us which right you are exercising and the state in which you reside. Before responding to a request to access, correct, or delete personal information, we will verify your identity to a degree of certainty appropriate to the sensitivity of the information, typically by matching the information you provide to information we already hold; we may ask for additional information for that purpose and will use it only to verify and record your request. We may deny, in whole or in part, a request we cannot verify, a request that is manifestly unfounded, excessive, or repetitive, or a request to which a legal exception applies, and we will tell you why. Where the law permits, you may designate an authorized agent to submit a request on your behalf; we may require proof of the agent's authority and may require you to verify your identity directly with us.

Timing and appeals. We will respond within the time required by applicable law, generally within 45 days of receipt, and may extend that period once where the law permits and an extension is reasonably necessary, in which case we will tell you why. If we decline to act on your request and applicable law gives you the right to appeal, you may appeal by contacting us as described in Section 12 and stating that you are submitting an appeal. If we deny your appeal, we will tell you how to contact the attorney general or privacy regulator of your state where the law requires.

Information processed through our payment services. If your personal information was processed through our payment gateway because you paid, or were paid, through a software platform or business that uses our services, we process that information as a service provider to that customer. Direct any request concerning that information to the platform or business you dealt with. If we receive such a request directly, we may refer it to that customer or respond as the law and our agreements permit.

11. Additional Disclosures for Certain Jurisdictions

California residents. This part supplements the rest of this Privacy Policy and applies to the extent the California Consumer Privacy Act, as amended (the "CCPA"), applies to us and to information about you. It also serves as our notice at collection. In the preceding 12 months we have collected, and we may collect, the categories of personal information listed below, from the sources, for the purposes (Section 3), and with disclosure to the categories of recipients (Section 4) shown. We retain each category according to the criteria in Section 7.

Category	Examples we may collect	Sources	Purposes (Section 3)	Disclosed for business purposes to (Section 4)
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Category	Examples we may collect	Sources	Purposes (Section 3)	Disclosed for business purposes to (Section 4)
Identifiers	Name, email address, telephone number, company name, postal address, IP address, cookie and device identifiers	You; your device and browser; the business you represent; public and business information sources; partners	All purposes listed	Service providers; banking and processing partners; referral and integration partners; professional advisors; affiliates; business-transfer parties; legal recipients
Customer records (Cal. Civ. Code § 1798.80(e))	Name, contact details, company, business billing information	You; the business you represent	Responding and providing services; legal and compliance; business operations	Service providers; banking and processing partners; professional advisors; legal recipients
Commercial information	Services inquired about or purchased, inquiry details, communications and agreement records, call and meeting recordings or transcripts	You; the business you represent; partners	Responding and providing services; marketing; operating and improving our business; legal and compliance; business operations	Service providers; banking and processing partners; referral and integration partners; professional advisors; business-transfer parties; legal recipients
Internet or other electronic network activity	Pages viewed, links clicked, referring pages, browser and device information, interactions with our emails	Your device and browser; our service providers	Operating and improving the Site; marketing; security	Service providers, including analytics providers (Section 5)
Geolocation data (approximate only)	City or region derived from IP address	Your device and browser	Operating and improving the Site; security; legal and compliance	Service providers
Audio or visual information	Recordings and transcripts of telephone or video calls with us, where made	You	Responding and providing services; operating and improving our business; legal and compliance	Service providers; professional advisors; legal recipients
Professional or employment-related information	Job title, employer, role in evaluating or purchasing services	You; the business you represent; public and business information sources	Responding and providing services; marketing	Service providers; banking and processing partners; referral and integration partners; professional advisors
Inferences	Interest in particular services drawn from the information above	Derived by us	Marketing; improving the Site	Service providers

We do not intentionally collect sensitive personal information through the Site, and we do not use or disclose sensitive personal information for the purpose of inferring characteristics about consumers or for any purpose other than those permitted by the CCPA regulations. In the preceding 12 months we have not sold or shared personal information, as those terms are defined under the CCPA. We do not offer financial incentives in exchange for personal information. We do not disclose personal information to third parties for those third parties' direct marketing purposes; California residents may request information about any such disclosures under California Civil Code § 1798.83 by contacting us as

described in Section 12. Our rights, request, verification, and appeal procedures are described in Section 10.

Residents of other U.S. states. Residents of other states with comprehensive privacy laws may have the rights described in Section 10 to the extent those laws apply to us and to their information. Most of those laws do not cover information about individuals acting in a commercial or employment context, businesses below specified processing thresholds, or financial institutions and information subject to the Gramm-Leach-Bliley Act. Nevada residents may submit a verified request directing us not to sell their covered information by contacting us as described in Section 12; we do not sell covered information as defined under Nevada law.

Visitors outside the United States. The Site is operated from the United States, is intended for businesses and individuals located in the United States, and is governed by U.S. law. Our ACH services are available only for U.S. bank accounts. If you access the Site from outside the United States, you do so on your own initiative, and your information will be transferred to, stored, and processed in the United States, where privacy laws may differ from those of your jurisdiction. We do not represent that the Site or our services comply with the privacy laws of other countries, and we do not market our services to individuals or businesses outside the United States.

12. How to Contact Us

If you have questions about this Privacy Policy or our privacy practices, or wish to exercise any of the rights or choices described above, contact us at:

My Happy IT Inc., doing business as BrainMerchant

Attention: Privacy

Email: info@brainmerchant.com

Contact form: <https://brainmerchant.com/contact/>

Postal address: 1805 N Carson Street, Suite X-120, Carson City, Nevada 89701

Do not include payment card numbers, bank account or routing numbers, passwords, or other sensitive information in your message.

13. Changes to This Privacy Policy

We may update this Privacy Policy at any time to reflect changes in our practices, technology, legal requirements, or business, and we update it at least as often as applicable law requires. When we do, we will post the updated Privacy Policy on the Site and revise the Effective Date at the top. If a change materially affects how we use personal information we have already collected, we will provide any additional notice, and obtain any consent, that applicable law requires, which may be a notice on the Site or an email to an address we have on file. Your continued use of the Site after an updated Privacy Policy takes effect means that you have been notified of it.