

Privacy Policy for NoNighter LLC ("NoNighter")

Effective Date: February 1, 2025

1. Introduction

NoNighter LLC ("NoNighter") is committed to protecting your data privacy rights and ensuring the security of your personal information. This Privacy Policy describes how we collect, use, and safeguard your information when you use our services. By using our service, you consent to the collection and use of personal information in accordance with this Privacy Policy. If you do not agree with our policies, please do not use our services.

2. Applicability

This Privacy Policy applies to the personal information collected by NoNighter when you use our services, visit our website, or otherwise interact with us. This Policy does not apply to any third-party websites, applications, or services that are not under our control.

3. Role as Data Controller and Data Processor

Depending on the context in which we collect and process your information, NoNighter may act as either a data controller or a data processor:

- **Data Controller:** When we determine the purposes and means of processing personal data, such as when you register an account or communicate with us directly.
- **Data Processor:** When we process data on behalf of our clients, such as data entered into our services by users in the course of their business operations.

When NoNighter is a processor on another controller's behalf, NoNighter's processing is governed by terms outlined in a specific data processing agreement with the responsible data controller.

4. Information We Collect

NoNighter may collect the following types of information:

- **Personal Information:**
 - Name, email address, company name, job title, and other identifying details provided during registration or support inquiries.
- **Billing Information:**
 - Payment details, billing address, and related financial information when you purchase our services.
- **Usage Data:**
 - Information about your use of our services, such as accessed features, interaction with tools, and timestamps.
- **User Data:**
 - The services may process data entered by users but do not store or transmit this data externally unless explicitly authorized by the user.
- **Cookies and Tracking Technologies:**
 - When you visit our website or use our services, we may use cookies and other tracking technologies to collect information about your interactions, improve user experience, and analyze service usage. You can control your cookie preferences through your browser settings.

5. How We Use Your Information

We use the collected information to:

- Provide, maintain, and improve our services.
- Process payments and manage billing.
- Communicate with clients and suppliers
- Respond to support requests and inquiries.
- Ensure security and prevent unauthorized access.
- Whenever legally permissible, market and advertise our products and services
- Comply with legal obligations.
- Conduct analytics to improve the functionality and user experience of our services.

We may also disclose your personal information to third parties in relation to a potential or actual sale of our company, its assets, or those of any affiliated company, where user's personal information in our possession may be included among the transferred assets.

6. Legal Bases for Processing Personal Data

For individuals in jurisdictions that require a legal bases for data processing, including the European Economic Area (EEA), the United Kingdom, and other relevant regions, we rely on the following legal bases to process your personal data:

- Performance of a contract: We may process your personal information when we believe it is necessary to fulfill our contractual obligations to you, including providing our Services or at your request prior to entering into a contract with you.
- Compliance with legal obligations: We may process your information where we believe it is necessary for compliance with our legal obligations, such as to cooperate with a law enforcement body or regulatory agency, exercise or defend our legal rights, or disclose your information as evidence in litigation in which we are involved.
- Vital interests: We may process your information where we believe it is necessary to protect your vital interests or the vital interests of a third party, such as situations involving potential threats to the safety of any person.
- Consent, where applicable: We may process your information if you have given us permission (i.e., consent) to use your personal information for a specific purpose. You can withdraw your consent at any time.

7. Privacy Rights

Depending on your geographic location, you have specific legal rights regarding your personal information:

- Access and Correction: You may request access to your personal information and request corrections if it is inaccurate or incomplete.
- Deletion: You may request that we delete your personal data, subject to certain exceptions under applicable law.
- Objection and Restriction: You may object to certain processing activities or request a restriction on processing under specific circumstances.

- **Data Portability:** You may request to receive a copy of your data in a structured, commonly used format.
- **Withdrawal of Consent:** Where we rely on consent, you may withdraw that consent at any time without affecting the lawfulness of processing based on consent before its withdrawal.

To exercise any of these rights, please contact us at privacy@nonighter.com.

8. Data Security

We implement appropriate technical and organizational measures to protect your information from unauthorized access, disclosure, alteration, or destruction. Users are responsible for ensuring their internal security policies are followed when using our services.

9. Data Sharing

We do not sell, rent, or lease your personal or user data to third parties. Data may be shared with:

- Service providers assisting with support, maintenance, billing, and legal compliance.
- Legal authorities if required by law.

10. International Data Transfers

Your information may be transferred to and processed in countries outside of your country of residence, including the United States, where data protection laws may differ. We ensure appropriate safeguards are in place to protect your information.

11. Data Retention

We retain personal information only as long as necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required by law.

12. European Union (EU), European Economic Area (EEA), and United Kingdom Users:

We comply with the General Data Protection Regulation (GDPR) and the UK Data Protection Act. Users have the rights described in Section 7 above. Please contact us at privacy@nonighter.com to exercise your rights.

13. Canada Residents:

If you are located in Canada, we may handle your information if you have explicitly authorized us to do so (i.e., express consent) for a particular purpose or in cases where your consent can be reasonably assumed (i.e., implied consent). You have the right to revoke your consent at any time. In certain exceptional circumstances, applicable law may allow us to process your information without your consent, such as in the following situations:

- If collection is clearly in the interests of an individual and consent cannot be obtained in a timely way
- For investigations and fraud detection and prevention
- For business transactions provided certain conditions are met
- If it is contained in a witness statement and the collection is necessary to assess, process, or settle an insurance claim
- For identifying injured, ill, or deceased persons and communicating with next of kin

- If we have reasonable grounds to believe an individual has been, is, or may be a victim of financial abuse
- If it is reasonable to expect collection and use with consent would compromise the availability or accuracy of the information, and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of Canada or a province
- If disclosure is required to comply with a subpoena, warrant, court order, or rules of the court relating to the production of records
- If it was produced by an individual in the course of their employment, business, or profession and the collection is consistent with the purposes for which the information was produced
- If the collection is solely for journalistic, artistic, or literary purposes
- If the information is publicly available and is specified by the regulations

14. California Residents:

We comply with the California Consumer Privacy Act (CCPA). California residents have the right to know what personal information is collected, request deletion, and opt-out of data sales (though we do not sell data). Contact us at privacy@nonighter.com to exercise your rights.

15. Microsoft Store Compliance

Our services adhere to Microsoft Store Policies, including data protection requirements outlined [here](#).

16. Third-Party Links

Our services may contain links to third-party websites. We are not responsible for the privacy practices of these external sites. We encourage you to review their privacy policies before sharing personal information.

17. Children's Privacy

Our services are not intended for individuals under 18 years of age. We do not knowingly collect personal information from minors.

18. Updates to This Policy

We may update this Privacy Policy from time to time. We will notify users of material changes by updating the "Effective Date" at the top of this page.

19. Contact Us

For questions about this Privacy Policy or data practices, please contact us at privacy@nonighter.com.