

Hosted SMS Service Privacy Policy

1. Introduction

Think Simplicity, Inc. (“we,” “our,” or “us”) provides an application that allows our clients (“Clients”) to communicate with their customers (“End Users”) via SMS. This SMS Privacy Policy outlines how we collect, use, and protect the personal information of our Clients and End Users in connection with the use of our SMS services. By using our services, both Clients and End Users agree to the terms outlined in this policy.

2. Roles and Responsibilities

2.1 Service Provider Think Simplicity, Inc.

We act as a **service provider** or **data processor**. Our responsibility is to facilitate the SMS service on behalf of our Clients. We do not control the personal information that is sent to or collected via the SMS service; this is managed by our Clients.

2.2 Clients

Our Clients act as **data controllers**, meaning they are responsible for determining the purpose and legal basis for processing the personal information of their End Users (e.g., phone numbers). It is the responsibility of the Clients to ensure that they have obtained proper consent from their End Users to send SMS communications.

2.3 End Users

End Users are the individuals who receive SMS communications from our Clients. End Users should contact the Client directly with any concerns regarding their data or the messages they receive.

3. Information We Collect

We may collect and process the following information:

- **Client Information:** Contact details, account information, and usage data related to our application.
- **End User Information** (provided by Clients): Phone numbers and message content sent to End Users.
- **Message Metadata:** Information related to SMS delivery, such as timestamps, status updates (delivered, failed), and response data.

4. How We Use the Information

We use the information we collect to:

- **Facilitate SMS Communications:** Deliver and manage SMS communications on behalf of our Clients.
- **Monitor and Improve Services:** Analyze performance metrics such as delivery rates, message volume, and response times to improve our SMS services.
- **Compliance and Security:** Ensure compliance with applicable laws, including message opt-in/opt-out requirements, and implement security measures to protect personal data.

5. Clients' Use of End User Information

Our Clients are responsible for ensuring that:

- They have obtained the necessary consent from End Users before sending SMS messages.
- They provide their own privacy policies that outline how they collect, use, and protect End User data.
- End Users can easily opt out of receiving messages by replying "STOP" or through other mechanisms offered by the Client.

6. Opt-Out for End Users

End Users can opt out of receiving SMS messages by:

- **Replying STOP:** End Users can opt out of further SMS communications by replying “STOP” to any message received.
- **Contacting the Client:** End Users should reach out directly to the Client for more information or assistance with opting out.

We rely on our Clients to ensure that End Users are promptly removed from their messaging lists upon opting out.

7. Data Storage and Security

We take the following measures to protect the personal information collected through our services:

- **Encryption:** SMS message content and personal data are encrypted during transmission and at rest using industry-standard protocols (e.g., AES-256 encryption).
- **Access Control:** We limit access to personal data to authorized personnel only, with strong authentication measures in place.
- **Data Retention:** We retain SMS message data (including content and metadata) for a period necessary to provide services to our Clients or as required by law. Upon request, we will delete or anonymize data related to End Users, as per our Data Retention Policy.

8. Third-Party Service Providers

We may use third-party service providers to help us deliver SMS communications on behalf of our Clients. These providers may have access to personal data, but only to the extent necessary to perform their services. All third parties are required to maintain confidentiality and comply with applicable data protection laws.

9. Data Privacy Rights

9.1 Clients' Data Privacy Rights

Clients may request access, correction, or deletion of their account information at any time by contacting us at [Contact Information].

9.2 End Users' Data Privacy Rights

End Users should contact the Client directly regarding any requests related to access, correction, or deletion of their personal data. We do not control the personal information our Clients collect or process on behalf of End Users.

10. Compliance with Regulations

We comply with all applicable privacy regulations, including:

- **TCPA:** The Telephone Consumer Protection Act regulates text message marketing in the United States. Clients are responsible for ensuring compliance with TCPA rules regarding consent for SMS communications.
- **GDPR:** We act as a data processor under the General Data Protection Regulation (GDPR), and our Clients, as data controllers, are responsible for ensuring that they have legal grounds for processing personal data and informing End Users about their rights.
- **CAN-SPAM:** For promotional messages, Clients must ensure compliance with the CAN-SPAM Act's rules for opting out of marketing communications.

11. Changes to This SMS Privacy Policy

We may update this SMS Privacy Policy from time to time to reflect changes in our practices or legal requirements. Any updates will be posted on our website with an updated effective date. Clients and End Users are encouraged to review this policy periodically.

12. Contact Us

If you have any questions or concerns about this SMS Privacy Policy or how we handle personal information, please contact us at:

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