

COMMERCE BANK ONLINE PRIVACY POLICY

Protecting your privacy is important to Commerce and to our employees. This Commerce Bank Online Privacy Policy (“**Online Privacy Policy**”) explains how we collect, use, store, share, and protect information that we collect from visitors to our websites, mobile devices, apps, our social media pages and other electronic sites where we have an online presence (including, but not limited to, Facebook, LinkedIn, Twitter, Instagram, Snapchat, and YouTube) (collectively “**Systems**”). The words "we", "us", "our" and "Commerce" refer to Commerce Bank, its parents and subsidiaries, and any agent, independent contractor or assignee Commerce may, in its sole discretion, involve in the provision of the Systems. By using the Systems, you consent to this Online Privacy Policy. If you do not agree to this Online Privacy Policy, do not use the Systems.

PRIVACY PRACTICES WITH RESPECT TO OUR ACCOUNT HOLDERS

If you have an account with Commerce Bank (a Missouri chartered bank and trust company), Commerce Insurance Services, Inc., CBI Insurance Company, CBI Equipment Finance, Inc., Commerce Brokerage Services, Inc., and/or Commerce Investment Advisors, Inc., how we collect, use, share, and protect your account information is governed by the Privacy Statement. To the extent that there is a discrepancy between this Online Privacy Policy and the Privacy Statement, the Privacy Statement controls.

THE INFORMATION WE COLLECT

Personal Information

Personal information means information that is connected to your name and may include, but is not limited to, such things as postal or email addresses, account information, telephone, fax or mobile numbers, social security number, investment experience, and employment information (“**Personal Information**”). We may need to collect and process these types of Personal Information in order to provide the requested Systems to you, or because we are legally required to do so. If you do not provide the information that we request, we may not be able to provide you with the requested Systems.

We may collect Personal Information in a variety of ways, including:

- **Through the Systems:** We may collect Personal Information through the Systems.
- **Offline:** We may collect Personal Information from you offline, such as when you attend one of our trade shows.

- **From Other Sources:** We may receive Personal Information from other sources, such as public databases, joint marketing partners, social media platforms (including from people with whom you are friends or otherwise connected) and from other third parties. In addition, if you elect to share your social media data with us, certain Personal Information from your social media account may be shared with us, which may include Personal Information that is part of your profile or your friends' profiles. Please see the specific social media platform's terms and conditions for more information. If you disclosed any Personal Information relating to other people to us in connection with the Systems, you represent that you have the authority to do so and to permit us to use the information in accordance with this Online Privacy Policy.

Other Information

We may also collect information from you automatically which may include, but is not limited to, such things as browser and device information, app usage data, information collected through cookies, web beacons, and other technologies, demographic information and other information provided by you that does not reveal your specific identity, and information that has been aggregated in a manner that it no longer reveals your specific identity ("**Other Information**"). We may tie this Other Information to Personal Information about you that we collect from other sources or that you provide to us. If we are required to treat Other Information as Personal Information under applicable law, then we may use and disclose it for the purposes for which we use and disclose Personal Information as detailed in this Online Privacy Policy and our Privacy Statement. For instance, we may collect and use Other Information through the following technologies:

- **Through your browser or device.** Certain information is collected by most browsers or automatically through your device, such as your Media Access Control (MAC) address, computer type (Windows or Mac), screen resolution, operating system name and version, device manufacturer and model, language, Internet browser type and version and the name and version of the Systems (such as the app) you are using. We use this information to ensure that the Systems function properly.
- **Through your use of the app.** When you download and use the app, we and our service providers may track and collect app usage data, such as the date and time the app on your device accesses our servers and what information and files have been downloaded to the app based on your device number.
- **Cookies.** Cookies are small bits of information sent by a website server to your device. Cookies remember information about your activities on the website to make your visits to the website more enjoyable and valuable to you by providing a customized experience and recognizing your preferences when you visit the webpage. Cookies also allow us to collect information such as browser type, time

spent on the Systems, pages visited, language preferences, and other anonymous traffic data. We use the information for security purposes, to facilitate navigation, and to display information more effectively. We also gather statistical information about use of the Systems in order to continually improve their design and functionality, understand how they are used and assist us with resolving questions regarding them.

If you do not want information collected through the use of cookies, most browsers allow you to automatically, decline cookies or be given the choice of declining or accepting a particular cookie (or cookies) from a particular website. If you have chosen to disable cookies on your browser, some of the functionality of the website or Systems may be lost. Certain services provided by the website require that cookies be enabled in your browser and cannot be used when you have disabled cookies in your browser. You also may not receive advertising or other offers from us that are relevant to your interests and needs.

- **Web Beacons.** Web beacons (also known as clear gifs, pixel tags, and single-pixel gifs) are small graphic images on a web page or in an email that can be used for such things as recording the pages and advertisements that you select or tracking the performance of email marketing campaigns.
- **Web Server Logs.** Web server logs are records of activity created by the computer that delivers the web pages you request to your browser. For example, a web server log may record the search term you entered or the link you clicked to bring you to the web page. The web server log also may record information about your browser, such as your IP address, and the cookies set on your browser by the website server. Your IP address is automatically assigned to your computer by your Internet Service Provider. An IP address may be identified and logged automatically in our server log files whenever a user accesses the Systems, along with the time of the visit and the page(s) that were visited. Collecting IP addresses is standard practice and is done automatically by many websites, applications and other services. We use IP addresses for purposes such as calculating usage levels, security, diagnosing server problems and administering the Systems. We may also derive your approximate location from your IP address.
- **Physical Location.** We may use your device's physical location to provide you with location-based services and content. In some instances, you may be able to allow or deny collection of your device's location, but if you choose to deny such collection, we may not be able to provide you with the applicable location-based services and content. You may check with your device's settings in relation to location-based services.

HOW WE USE INFORMATION

Personal Information

Our primary purpose in collecting Personal Information about you is to provide you with the products, services, access to Systems, and information that you request. We may also collect, use or store Personal Information about you:

- To track how you use our Systems, to personalize your experience on the Systems by presenting products and offers tailored to you, and to facilitate social sharing functionalities.
- To provide maintenance, support, and answer other customer service questions regarding the Systems.
- To send administrative information to you, such as changes to our terms, conditions and policies, as well as marketing communication that we believe may be of interest.
- For our business purposes, such as data analysis, audits, fraud monitoring and prevention, developing new products, enhancing, improving or modifying our Systems, identifying usage trends, determining the effectiveness of our promotional campaigns, and operating and expanding our business activities.
- To aggregate the Personal Information that you provide with the information that other users provide in order to conduct research, analysis, or studies for our own purposes.

HOW WE SHARE INFORMATION

We share information with others in the following situations:

- **Sharing Your Personal Information with Service Providers.** We may share information with service providers. These services may include, among other things, helping us to analyze usage information, provide services that you request, to create or maintain our databases, to research and analyze the people who request products, services or information from us, and to provide statements, transaction confirmations, or other banking services to you. Any party with whom we share your non-public personal information is required either contractually or by law to keep it confidential. We may also provide our service providers aggregated and Personal Information. For example, a software vendor may utilize the underlying aggregated data to produce research studies (e.g., white papers) or conduct market analysis.
- **Comply with Law, Law Enforcement and Legal Process.** We may disclose Personal Information to government and regulatory agencies to comply with a summons, court order, subpoena, discovery request, fraud investigation, audit, regulatory examination or other valid court, government, or regulatory agency request. We may also use and disclose your Personal Information as we believe to be necessary or appropriate: (a) to comply with applicable law, or for other

legal reasons; (b) to enforce our terms and conditions; and (c) to protect our rights, privacy, safety or property, and/or that of our subsidiaries, you or others.

- **Business Transition.** In the event that we, or any portion of our assets, are acquired, your information may be transferred to the acquiring company as part of that transaction.
- **As disclosed by you.** Information disclosed by you, on message boards, chat, profile pages and blogs and other Systems to which you are able to post information and content (including, without limitation, our social media pages). Please note that any information you post or disclose through these Systems will become public and may be available to other users and the general public. We may repost any of the aforementioned information.
- **Other Information.** We may disclose and share Other Information for any purpose, except where prohibited by law.

HOW WE PROTECT YOUR INFORMATION

Commerce employs reasonable security measures to protect Personal Information from becoming disclosed to individuals who are not described in this Online Privacy Policy. While there is no such thing as “perfect security” on the Internet, we will take reasonable steps to ensure the safety of your Personal Information.

BEHAVIORAL ADVERTISING, COOKIES, DATA ANALYTICS & AGGREGATION

Google Analytics. We use Google Analytics to collect data about traffic to our Systems to deliver advertisements for our products when you visit other websites, and to share data about traffic to our Systems. Additional information about how Google Analytics collects and shares data when you visit our website is available [HERE](#). You can opt out of Google Analytics by installing the Google Analytics opt-out browser add-on, available [HERE](#).

Cookies, Behavioral & Targeted Advertising. We also participate in behavioral-based advertising through service providers. This means that we or a third party may place a cookie on your browser, or use a web beacon, to collect information about your use of our website so that we or they can provide advertising about products and services tailored to your interest. That advertising may appear either on our website, or on other websites. If you would like to opt out from having the behavioral-based advertising companies with whom we have a relationship use your information for advertising purposes, you can do so by registering your opt-out with the [Digital Advertising Alliance](#) and the [Network Advertising Initiative](#).

We may also send you targeted advertisements through social media sites based upon your email address and other information we collect. For example, we may send you

targeted advertisements through Facebook based on matching your email address with your Facebook profile.

If you would like to opt out of our targeted advertising through Facebook (including Instagram) or Twitter, and other social media sites we may use in the future, please click [HERE](#).

Please note that some internet browsers allow you to change cookies settings or block the use of cookies all together. If you do not wish to accept cookies in connection with your use of our website, mobile application, or anywhere we have an online presence, you have the option to stop using our site or services. Additionally, you acknowledge if you are using a public or shared computer (e.g. a public computer at the library), cookies may still be attached from the previous sessions, and that this constitutes your notice that that our Systems may be using cookies. You also acknowledge that depending on the public or shared computer settings, you may not be able to delete cookies data from the browser.

This Online Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including any third party operating any website or service to which the Systems link. The inclusion of a link on the Systems does not imply endorsement of the linked site or service by us or by our affiliates.

In addition, we are not responsible for the information collection, use, disclosure or security policies or practices of other organizations, any other app developer, app provider, social media platform provider, operating system provider, wireless service provider or device manufacturer, including with respect to any Personal Information you disclose to other organizations through or in connection with the apps or our social media pages.

Data Analytics & Aggregation of Data Generally. Applicable to all of our online interactions with you, we may also use the analytics for our use, or provide it to third parties. For example, we gather analytics data from our social media websites and provide that data to third party data aggregators to assist with: (i) marketing our products and services to you, and (ii) analyzing and providing us relevant information about our online marketing presence; and (iii) aggregating data within an industry to provide industry insight and market trends.

YOUR OPTIONS

We may decide to send our users email(s). If you decide that you do not want to receive commercial emails from us, you can “opt out” from receiving such emails by clicking on the “unsubscribe” link provided at the bottom of every commercial email. Please note that if you choose to opt out, we will still send you e-mail relating to specific

products or services that you purchase, or e-mail that we believe is pertinent to any communication that you have sent to us, or relationship that you may have with us.

Some Internet browsers may be configured to send a "Do Not Track" signal. Like many websites and online services, Commerce does not alter your experience based upon whether such a signal is broadcast.

RETENTION PERIOD

We will retain your Personal Information for as long as needed or permitted in light of the purpose(s) for which it was obtained. The criteria used to determine our retention periods include: (i) the length of time we have an ongoing relationship with you and provide the Systems to you; (ii) whether there is a legal obligation to which we are subject; or (iii) whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, litigation or regulatory investigations).

JURISDICTION, GOVERNING LAW & VENUE

The Systems are controlled and operated by us from the United States and are not intended to subject us to the laws or jurisdiction of any state, country or territory other than that of the United States. Any relationship between you and Commerce shall be governed by the laws of the State of Missouri without regard to its conflict of law provisions and any applicable United States federal law or regulation. You and Commerce agree to submit to the personal and exclusive jurisdiction of the courts located within Johnson County, Kansas, related to any issue, claim or dispute that arises out of or relates to this Online Privacy Policy, Terms of Service, or the Privacy Statement.

REVISIONS & SEVERABILITY

Commerce reserves the right to make changes to this Online Privacy Policy at any time. Any changes or updates become effective immediately upon posting of the change. Please check the "Last Revision" date below to determine if there have been any changes since you have last reviewed our Online Privacy Policy. If one or more provisions of the Terms of Service or this Online Privacy Policy are held invalid or illegal, it shall not affect any other provision, and they shall be construed as if no such invalid or illegal provision had ever been contained.

COMMUNICATIONS

If you have any questions or concerns regarding our Online Privacy Policy please contact us at 1-800-543-4845. If we need, or are required, to contact you concerning any event that involves your information we may do so by email, telephone, or mail.

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