

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED
JAN 27 2005
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

GEORGE S. MAY)
INTERNATIONAL COMPANY,)
)
Plaintiff,)

Case Number 04-C-6018

-vs-

Judge Charles R. Norgle

XCENTRIC VENTURES, LLC,)
RIP-OFF REPORT.COM)
BADBUSINESSBUREAU.COM,)
ED MAGEDSON, VARIOUS)
JOHN DOES, JANE DOES AND)
ABC COMPANIES,)
)
Defendants.)

RESPONSE TO MOTION TO QUASH SUBPOENA

Defendants are attempting to quash a subpoena that relates to their operation of commercial web sites www.ripoffreport.com, www.badbusinessbureau.com and www.ripoffrevenge.com and collection of funds through those sites. (See Exhibit A.)¹ Defendants disseminate false and deceptively misleading statements of fact concerning the business of George S. May International Company (“George S. May”) and sell Defendant Ed Magedson’s books. The false and deceptive information continues to cause George S. May, an Illinois company, to lose business.²

George S. May seeks relevant, discoverable material from PayPal. PayPal is part of the Internet economy and is used by Defendants to collect money. The information that PayPal will

¹ The Post Office box utilized for payments by Consumer Media Publishing LLC, namely, P.O. Box 310, Tempe, Arizona is the same address used by Ed Magedson as his mailing address and the mailing address for Xcentric Ventures, LLC. See Exhibit B.

² For example, On January 26, 2005, Brock Farms, Inc. in Florida cancelled a consulting arrangement with George S. May and gave the postings at www.ripoffreport.com as the reason for the cancellation.

provide will identify locations where Defendants make sales and otherwise receive money from, which is relevant to jurisdictional issues, and the amount of such sales, which is also relevant to jurisdictional issues.

In order to quash the subpoena, Movants must assert a personal right or privilege with respect to the subject matter requested in the subpoena and establish that the circumstances set forth in Fed.R.Civ.P. 45(c)(3)(A) are applicable. Smith v. Midland Brake, Inc., 162 F.R.D. 683, 685 (D.Kan. 1995). They cannot do so and have not done so. Initially, Movants do not have standing to make the naked assertion that the subpoena requires the production of information relating to individual consumers. Movants can only assert their own rights.

Movants argue that the production of the information requested will violate their rights of privacy under the Arizona Constitution. This is ridiculous. Xcentric Ventures, LLC and Consumer Media Publishing, LLC are corporations. The Arizona Constitution applies to persons, not corporations. Az. Const. Art 2, Sec. 8 (“No person shall be disturbed in his private affairs, or his home invaded, without authority of law”). Corporations, of course, have no right of privacy. Browning-Ferris Industries of Vermont, Inc. v. Kelco Disposal, Inc., 492 U.S. 257, 284, 106 L. Ed. 2d 219, 109 S. Ct. 2909 (1989) (citing United States v. Morton Salt Co., 338 U.S. 632, 94 L. Ed. 401, 70 S. Ct. 357, 46 F.T.C. 1436 (1950)).

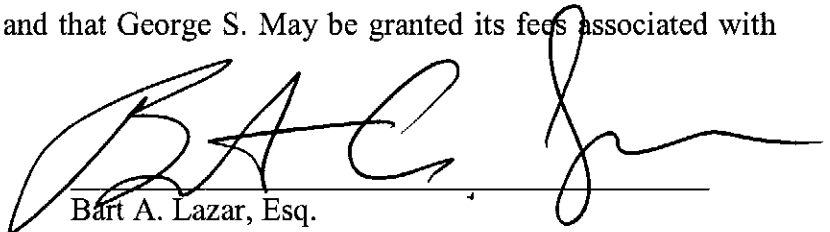
With respect to Mr. Magedson, any rights afforded to him under the Arizona Constitution are subject to “authority of law,” which is exactly what a properly issued subpoena involves. Magedson fails to articulate any specific information which is privileged or demonstrate why the funds that he receives through PayPal as part of commercial enterprise and the locations from which those funds come from are confidential financial records entitled to any privilege from production under Fed.R.Civ.P. 45. The Motion should be denied on that ground alone. Further,

PayPal's privacy policy clearly states that it will provide information in response to a subpoena (see Exhibit C), and Mr. Magedson has not argued that the agreement and/or privacy policy is not binding on him.

While Movants have presented no legitimate basis to quash the subpoena, George S. May does not intend to use the information produced beyond this litigation. Therefore, to the extent that this Court believes that there are any issues raised by the subpoena, the appropriate action is to modify the subpoena, not to quash it. Linder v. National Sec. Agency, 94 F.3d 693, 698 (D.C. Cir. 1996).

WHEREFORE, George S. May respectfully requests that the Motion to Quash the Subpoena issued to PayPal be denied, and that George S. May be granted its fees associated with responding to the Motion.

Dated: January 27, 2005

A handwritten signature in black ink, appearing to read 'Bart A. Lazar', is written over a horizontal line. The signature is stylized and cursive.

Bart A. Lazar, Esq.
Rachel M. Kindstrand, Esq.
Seyfarth Shaw LLP
55 East Monroe, Suite 4200
Chicago, IL 60603
(312) 346-8000
Attorneys for Plaintiff
GEORGE S. MAY INTERNATIONAL COMPANY

CERTIFICATE OF SERVICE

I, Hilda Vickers, a non-attorney hereby certify that on the date indicated below, a copy of the foregoing **RESPONSE TO MOTION TO QUASH SUBPOENA**, was served on the following Defendants via messenger.

James K. Borcia, Esq.
David O. Yuen, Esq.
Tressler, Soderstrom, Maloney & Priess
233 South Wacker Drive, 22nd Floor
Chicago, Illinois 60606-6308

on the 27th day of January, 2005.



EX. A

...by consumers, for consumers

RIP-OFF

a service of
badbusinessbureau.com

Home | File | Search | Register | Login

Don't let them get away with it.
 Make sure they make the Rip-off Report

- File Report
- Update Report
- Search Reports
- Picture Reports
- Editorials
- Thank you!
- Volunteer
- Rip-off Reporters
- Link to Us
- Lawsuits
- Revenge Guide
- Donate
- About Us
- FAQ

If we've helped you in some way, please don't forget about us.
 Click here to read our plea for assistance, only if we helped you.

We need your help!

You may use the following method to donate:



Paypal accepts both Credit Cards and Debit Cards..

What Donations are used for?

THE HIGH COST OF PROVIDING THIS SERVICE

The **bad**businessbureau.com and the Rip-off Report are comprised of more than 117,000 web pages, which grows every hour, every day. We host a web site with an extensive search engine with sophisticated placement capabilities and a dedicated database server. Also, we have enhanced firewall security, due to the nature of the Rip-Off Report, to guard against continuing attempts to intrude and commit sabotage against the site. The system is backed up, monitored and managed constantly. Many new costly additions are projected for the web site, including your pictures, to be featured weekly on our front page, soon to be added. (Send us your photos now so they may be added to your Rip-off Report!)

The Rip-Off Report also needs equipment ranging from cameras, recorders, computers, office supplies, to high-speed Internet services, which we constantly upgrade, to include the support of our state-of-the-

How to make a Non-Tax Deductible Donation...

You may use the following method to donate:



Paypal accepts both Credit Cards and Debit Cards..

We need your support so we can continue this valuable service; \$1.00, \$5.00, \$10.00, \$20.00... or whatever you can give. With your permission, we would also like to add your name to a list of contributors on our website, so visitors to the Rip-Off Report can see who has contributed. You may also contribute anonymously.

You can either send donations by snail mail to our US Post Office Box below, or click below to contribute by credit or debit card (a secure site).

If we've helped you in some way, please don't forget about us.

We always encourage your valuable feedback!

Don't let them get away with itTM! Make sure they make the Rip-off Report.

Thank you for your support!

Sincerely,

Staff & volunteers
badbusinessbureau.com

Your NON-tax deductible donation can be sent to our volunteers, by snail mail:
badbusinessbureau.com
P.O. Box 310 Tempe, Arizona 85280

The above address is for donations only.

You may use the following method to donate:



Paypal accepts both Credit Cards and Debit Cards..

Feel free to send us suggestions and comments to our webmaster.
our editorial staff.

Technical questions can be addressed to our webmaster.
4.0. Support for JavaScript is needed to submit and search for reports.

Best if viewed with Netscape 4, Internet Explorer 4, or AOL 4.0. Support for JavaScript is needed to submit and search for reports.

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[Volunteers](#) | [Thank You!](#) | [Editorial](#) | [Donate](#) | [Link](#) | [FAQ](#) | [E-Mail Us](#) | [ED Magedson - Founder](#) | [Rip-off Report.com](#)





Xcentric Ventures

[Secure Transaction](#)

Checkout

PayPal is the secure payment processor for your seller, **Xcentric Ventures**.

Pay To: Xcentric Ventures

Payment For: Donate to keep Rip-Off Report.com free

Amount:

Don't Have a PayPal Account?

You don't need an account. Pay securely using your credit card.



Have a PayPal Account?

Login now to pay with your credit card, bank account, or PayPal balance.



Email Address:

PayPal Password:

[Forget your password?](#)

[Forget your email?](#)

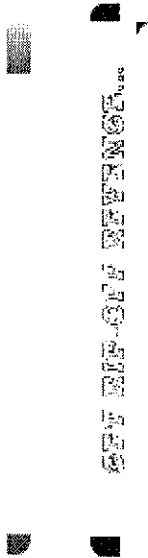
[Secure Checkout](#)

[Log In](#)

PayPal protects your privacy and security.

builder, retail store, or any type of business.

Get Rip-off Revenge™ and your money back too!



How to get RipOff Revenge...

1. File a detailed **Rip-off Report™** with the **BAD Business Bureau's** website at: <http://www.ripoffreport.com/> include what you are owed at then end of your Report.

2. Order your copy of **Rip-Off Report.com Do-it-Yourself Guide: How to get Rip-off Revenge™** ..and your money back too!

Select your country to order now:

United States - \$21.95



Paypal accepts both Credit



"We used the Do-It-Yourself Guide and... in just 17 minutes we got a check... plus 15%. We got Rip-off Revenge™ and our money back too!"

-Jason and Rob
Glendale, Arizona

"I was extremely discouraged after being taken by a fraudulent financial entity. What's worse is that I was so embarrassed that I would not have taken action even if I knew how to. Luckily, I read the preview edition of Rip-off Revenge™ guide. Not only did the book help me to realize that I had nothing to be ashamed of, it allowed me to obtain full retribution. Without the Revenge Guide, I would have been lost. Thank you Rip-off Report for taking the time to construct such a wonderful book!"

"I bought your Do-It-Yourself Guide. I'll have to admit the thought of paying for a book to help me get what I felt I was already owed to me sounded like a rip-off. I was without a vehicle because I paid for repairs to my car that was never done. The garage manager kept insisting they replaced everything they charged me for. Being without a car gave me the determination I needed to start the steps in the guide book. I followed your instructions and can't believe what satisfaction it gave me! I was almost disappointed when the garage manager agreed to repair my car again and was refunding the money I already paid. I think consumers let so many things "slide by" because we are unsure of what to do. I never could have done it without your step by step instructions. I was able to get what was rightfully mine all legally without the expense of an attorney. It sure worked for me! Thank you very much"

-Casey
Kansas City, Missouri

"Not only did your site help us expose a great story in our local paper, but, your Do-it-your self guide actually saved me from losing thousands on home repairs that I knew were not my responsibility. Proof consumers like me can fight back and win."

-Andrew S.
San Jose, California

Cards and Debit Cards..


-S. Sarri
Long Island, New York

YOUR FIRST STEP TO REVENGE

First go to...

RIP-OFF Report

to file your report and begin your Rip-off revenge

Click Here 

"I fell for one of the credit card scams. I didn't think I would ever get my money back. After several unsuccessful attempts at trying to communicate with the company I was ready to give up. I found your site, read all the reports and filed my Rip-off Report along with all the others. Then I followed your suggestions in your Rip-off Revenge™ Guide and it worked! My money was returned."

-George M
Detroit, Michigan

"As an attorney, my experience has been that the justice system is usually the best way to right a wrong. Unfortunately, the process can be too expensive and time consuming to address some situations. Recently, I found myself in such a situation so I turned to the Rip-off Revenge™ Guide. Using the step by step process in the guide, I was able to resolve a dispute with a building contractor that I had not been able to resolve with threats of administrative and legal action. The Rip-off Revenge™ Guide really works."

- Maria
Phoenix, Arizona

Select your country to order now:

United States - \$21.95



Paypal accepts both Credit Cards and Debit Cards..

OR, Pay by Mail

You may also pay by check or money order to:

Rip-off Revenge™
PO Box 310
Tempe, Arizona 85280

Not convinced? ... Keep reading

Rip-off Report Do-It-Yourself Guide to Rip-off Revenge™ and your money back too... provides you with the tools you need to successfully and quickly resolve

Select your country to order now: OR

United States - \$21.95



PO Box 310
Tempe, Arizona 85280

**Paypal accepts both Credit Cards
and Debit Cards..**

to pay with your debit or credit card

Feel free to send us suggestions and comments. | ED Magedson - Founder Rip-off Report.com
© 2003 Rip-off Revenge™



Consumer Media Publishing, Ilc

Checkout

[Secure Transaction](#)

PayPal is the secure payment processor for your seller, **Consumer Media Publishing, Ilc.**

Pay To: Consumer Media Publishing, Ilc

Payment For: Rip-off Revenge Guidebook

Amount: \$21.95 USD

Shipping & Handling: \$0.00 USD

Total Amount: \$21.95 USD

Don't Have a PayPal Account?

You don't need an account. Pay securely using your credit card.



Have a PayPal Account?

Login now to pay with your credit card, bank account, or PayPal balance.

OR

Email Address:

PayPal Password:

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[Forget your email?](#)

[Secure Checkout](#)

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EX. B



Welcome ripoffn

[Home](#) [Search](#) [Sign-Up](#) [My Account](#) [Help](#)

[Shopping Cart](#) [Logout](#)

[Shop](#) [Domain Manager](#) [Renewal Manager](#) [Quantity Discounts](#) [Customer Settings](#)

Basic Options

- ▶ [Contacts](#)
- ▶ [Account Information](#)
- ▶ [Default Domain Settings](#)
- ▶ [Invoices](#)
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Advanced Options

- ▶ [Nameserver Profiles](#)
- ▶ [Affiliate Program](#)
- ▶ [Expired Domain Newsletter](#)
- ▶ [Set Transfer Security](#)

About This Page

This page lists your current domain contacts. You can edit or delete your contacts, or you can add new contacts to your list.

Need Help?

- ▶ [FAQ](#)
- ▶ [Trouble Ticket System](#)
- ▶ [Resource Center](#)
- ▶ [Guides](#)

Contacts Manager

[Modify contacts](#) | [Add a contact.](#)

Contact Name	Defaults	Organization	Option
• Ed Magedson		badbusinessbureau.com, llc	Edit Del
• Ed Magedson	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>	Ed Magedson	Edit Del
• Ed Magedson		Xcentric Ventures, llc	Edit Del
• Ed Magedson		badbusinessbureau.com, LLC	Edit Del

= Default organization contact
 = Default administrative contact
 = Default technical contact
 = Default billing contact

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Home Search Sign-Up My Account Help

Shopping Cart Logout

Shop Domain Manager Renewal Manager Quantity Discounts Customer Settings

Basic Options

- ▶ [Contacts](#)
- ▶ [Account Information](#)
- ▶ [Default Domain Settings](#)
- ▶ [Invoices](#)
- ▶ [Change Your Password](#)
- ▶ [Newsletter Settings](#)

Advanced Options

- ▶ [Nameserver Profiles](#)
- ▶ [Affiliate Program](#)
- ▶ [Expired Domain](#)
- ▶ [Newsletter](#)
- ▶ [Set Transfer Security](#)



To add or edit a contact, enter the appropriate information into the fields and click the button to submit

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Edit Contact

First Name:

Last Name:

Organization:

Address:

City:

Country:

State:

Province:

Zip/Postal Code:

Email Address:

Phone Number:

Phone Extension:

Fax Number:

Update

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Basic Options

- ▶ [Contacts](#)
- ▶ [Account Information](#)
- ▶ [Default Domain Settings](#)
- ▶ [Invoices](#)
- ▶ [Change Your Password](#)
- ▶ [Newsletter Settings](#)

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- ▶ [Nameserver Profiles](#)
- ▶ [Affiliate Program](#)
- ▶ [Expired Domain](#)
- [Newsletter](#)
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Use this page to modify your account information. Be sure to click the Modify button to update your changes.

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Modify Account Information

First Name:

Last Name:

Organization:

Address:

City:

Country:

State:

Province:

Zip/Postal Code:

Email Address:

Phone Number:

Phone Extension:

Fax Number:

Password Question:

OR

Password Answer:

Update

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- ▶ [Contacts](#)
- ▶ [Account Information](#)
- ▶ [Default Domain Settings](#)
- ▶ [Invoices](#)
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- ▶ [Newsletter Settings](#)

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- ▶ [Nameserver Profiles](#)
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Use this page to track transactions posted to your directNIC account.

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Thank you! Your payment has been accepted.
Please print or save a copy of this page, as it is your proof of payment.

Intercosmos Media Group, Inc.,
DBA DirectNIC
650 Poydras Street, Suite 1150
New Orleans, Louisiana 70130
+1 (504) 679-5170 telephone
+1 (504) 566-0484 fax
10/02/2001 01:11:05

Billed To:
Ed Magedson
Ed Magedson
P.O. Box 310
Tempe, AZ 85280
602-359-4357

Customer No.: 78920
Sales Draft#: 544481
Pin Ref: 33409
Authorization Code: BULK
Ed Magedson,

Thank you for purchasing the following service(s) through DirectNIC:

Type	Description	Quantity	Price	Subtotal
Transfer	mesaazcorruptionreport.com	1	\$15.00	\$15.00
Transfer	rip-offrevenge.com	1	\$15.00	\$15.00
Transfer	travelripoffreport.com	1	\$15.00	\$15.00
Transfer	autoripoffreport.com	1	\$15.00	\$15.00
Transfer	consumerripoffreport.com	1	\$15.00	\$15.00
Transfer	ripoffrevenge.com	1	\$15.00	\$15.00
Transfer	rip-offreport.com	1	\$15.00	\$15.00
Transfer	ripoffreport.com	1	\$15.00	\$15.00
Transfer	badbusinessbureau.com	1	\$15.00	\$15.00
Transfer	edwardmagedson.com	1	\$15.00	\$15.00
Transfer	edmagedson.com	1	\$15.00	\$15.00
Transfer	edmagidson.com	1	\$15.00	\$15.00
Transfer	rip-offreport.org	1	\$15.00	\$15.00
Transfer	rip-offreport.net	1	\$15.00	\$15.00
Transfer	ripoffreport.net	1	\$15.00	\$15.00
Transfer	ripoffreport.org	1	\$15.00	\$15.00
Transfer	badbusinessbureau.net	1	\$15.00	\$15.00
Transfer	badbusinessbureau.org	1	\$15.00	\$15.00



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Home Search Sign-Up My Account Help

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Thank you! Your payment has been accepted.
Please print or save a copy of this page, as it is your proof of payment.

Intercosmos Media Group, Inc.,
DBA DirectNIC
650 Poydras Street, Suite 1150
New Orleans, Louisiana 70130
+1 (504) 679-5170 telephone
+1 (504) 566-0484 fax
12/02/2002 00:48:20

Billed To:
Ed Magedson
Ed Magedson
P.O. Box 310
Tempe, AZ 85280
602-359-4357

Customer No.: 78920
Sales Draft#: 1227643
Pin Ref: VPVE62519233
Authorization Code: 002086

Ed Magedson,

Thank you for purchasing the following service(s) through DirectNIC:

Type	Description	Quantity	Price	Subtotal
directNIC_Renewal_COM	badbusinessbureau.com	1	\$15.00	\$15.00
directNIC_Renewal_COM	consumerripoffreport.com	1	\$15.00	\$15.00
directNIC_Renewal_COM	ripoffreport.com	1	\$15.00	\$15.00
directNIC_Renewal_COM	autoripoffreport.com	1	\$15.00	\$15.00
directNIC_Renewal_COM	travelripoffreport.com	1	\$15.00	\$15.00
directNIC_Renewal_COM	ripoffrevenge.com	1	\$15.00	\$15.00
directNIC_Renewal_COM	rip-offrevenge.com	1	\$15.00	\$15.00
directNIC_Renewal_COM	rip-offreport.com	1	\$15.00	\$15.00

Total Amount Charged: US \$120.00

Remote IP Address: 68.2.136.56

**This is an official Intercosmos Media Group, Inc. receipt/sales draft for proof of payment.

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EX-C



[Sign Up](#) | [Log In](#) | [Help](#)

- Welcome
- Send Money
- Request Money
- Merchant Tools
- Auction Tools

Privacy Policy

Country: [US](#) | [EU](#) | [AT](#) | [DE](#) | [FR](#) | [BE \(in English\)](#) | [BE \(en Français\)](#) | [CH](#) | [IT](#) | [AU](#)

This Privacy Policy applies to all countries PayPal services except for Switzerland, Australia and those countries in the European Union. The Privacy Policy for all European Union countries except Germany, France, Belgium, and Italy is available under the "EU" link above. The Privacy Policy for Germany is available under the "DE" link above. The Privacy Policy for France is available under the "FR" link above. The Privacy Policy for Belgium is available in both English and French under the "BE (in English)" and "BE (in French)" links above. The Privacy Policy for Italy is available under the "IT" link above. The Privacy Policy for Switzerland is available under the "CH" link above. The Privacy Policy for Australia is available under the "AU" link above.

The Privacy Policy below governs your PayPal account and any information you provide on this site.

- [A. Overview](#)
- [B. Information We Collect](#)
- [C. Our Use and Disclosure of Information](#)
- [D. Information Security](#)
- [E. Accessing and Changing Your Information](#)
- [F. Contacting Us](#)



A. Overview

In order to operate the PayPal service and to reduce the risk of fraud, PayPal Corp. ("PayPal" or "we") must ask you to provide us information about yourself and your credit card and/or bank account. This Privacy Policy describes the information we collect and how we use that information.

If you apply for a PayPal VISA® credit card (available in the U.S. only), you authorize PayPal and Providian National Bank (which is the issuer of the PayPal VISA card) to exchange the information you provide in the application form. If you are approved for a PayPal VISA credit card, your credit card account will be governed by the [Providian Privacy Policy](#).

PayPal takes the privacy of your personal information very seriously and will use your information only in accordance with the terms of this Privacy Policy. We will not sell or rent your personally identifiable information or a list of our customers to third parties. However, as described in more detail in Part C below, there are limited circumstances in which some of your information will be shared with third parties, under strict restrictions, so it is important for you to review this Privacy Policy. This Privacy Policy applies to all services that are hosted on the PayPal.com Web site, whether the services are offered by PayPal, by its subsidiaries, or by the PayPal Money Market Fund.

Your privacy is important to us. By participating in the Council of Better Business Bureau's BBBOnLine® Privacy Program we have made a commitment to meet the program's strict requirements regarding how we treat your information and have it verified by BBBOnLine. Further information about this program is available at <http://www.bbbonline.org>.

Additionally, in order to enhance the protection of your privacy and our compliance with this Privacy Policy, PayPal has agreed to disclose our information practices and to have our practices reviewed for compliance by TRUSTe. TRUSTe is an independent, non-profit organization whose mission is to build users' trust and confidence in the Internet by promoting the use of fair information practices. By displaying the TRUSTe trustmark, PayPal has agreed to notify you of:

1. What personally identifiable information of yours is collected by PayPal.
2. The organization collecting the information.
3. How the information is used.
4. With whom the information may be shared.
5. What choices are available to you regarding collection, use and distribution of the information.
6. The kind of security procedures that are in place to protect the loss, misuse or alteration of information under PayPal's control.
7. How you can correct any inaccuracies in the information.

If you have questions or concerns regarding this Privacy Policy, you should first contact PayPal using [this form](#). If you do not receive acknowledgment of your inquiry or your inquiry has not been satisfactorily addressed, you should then contact TRUSTe www.truste.org/users/users_watchdog.html. TRUSTe will then serve as a liaison with PayPal to resolve your concerns.

By accepting the Privacy Policy and User Agreement in registration, you expressly consent to our use and disclosure of your personal information in the manner described in this Privacy Policy. This Privacy Policy is incorporated into and subject to the terms of the PayPal User Agreement. This Privacy Policy will take effect on March 4, 2003. This Privacy Policy was last updated on January 14, 2005.

Please note that your personal information will be stored and processed on our computers in the United States. The laws on holding personal data in the United States may be less stringent than the laws of your country but PayPal will hold and transmit your personal information in a safe, confidential and secure environment. If you object to your personal information being transferred or used as described in this Privacy Policy, please do not register for the PayPal service.

Notification of Changes

This policy may be revised over time as new features are added to the PayPal service or as we incorporate suggestions from our customers. If we are going to use or disclose your personally identifiable information in a manner materially different from that stated at the time we collected the information, you will have a choice as to whether or not we use or disclose your information in this new manner. Any material changes will be effective only after we provide you by e-mail with at least 30 days' notice of the amended Privacy Policy (if you have closed your PayPal account, you will not be contacted to notify you of the amended Policy and your personal information will not be used or disclosed in this new manner).

We will post the amended Privacy Policy prominently on our Web site so that you can always review what information we gather, how we might use that information, and whether we will disclose it to anyone. Please check the PayPal Web site at www.paypal.com at any time for the most current version of our Privacy Policy.

PayPal Shops and other pages on the PayPal Web site include links to third party Web sites. These sites are governed by their own privacy statements, and PayPal is not responsible for their operations, including but not limited to their information practices. Users submitting information to or through these third party Web sites should review the privacy statement of these sites before providing them with personally identifiable information.

A Special Note About Children. Children are not eligible to use our service and we ask that minors (under the age of 18) do not submit any personal information to us or use the service.

B. Information We Collect

Required Information

To open a PayPal account, you must provide your name, address, phone number, and e-mail address. In order to make payments through PayPal, you must provide credit card, debit card or bank account information (bank account information is required to make payments totaling more than \$1,000.00 USD). We also ask you to choose two different security questions to answer (such as your city of birth or your pet's name) This required information is necessary for us to process transactions, issue a new password if you forget or lose your password, protect you against credit card fraud and checking account fraud, and to contact you should the need arise in administering your account.

Pursuant to section 326 of the USA PATRIOT Act, the U.S. Department of the Treasury and the Securities and Exchange Commission require PayPal Funds to obtain, verify, and record the following information for each investor in the PayPal Money Market Fund.

- Name
- Address
- Date of Birth (for Individuals)
- Tax Identification Number (social security number for individuals or employer identification number for businesses)

In order to comply with the Bank Secrecy Act, we will also require your Tax Identification Number if you send or receive certain high-value transactions or high overall payment volumes through PayPal. If you choose to register or apply for certain optional features or products offered through PayPal Web sites, such as listing your business in PayPal Shops, or applying for the PayPal Visa® credit card or the PayPal MasterCard® debit card, you will be required to provide additional information to establish that you qualify for such features or products.

Transaction Information

When you use PayPal to send money to someone else or request money from someone else, we ask you to provide information related to each transaction, including the amount of the transaction, the type of transaction (purchase of goods, purchase of services, or simple money transfer ("quasi-cash")) and the e-mail address of the third party. We retain this information for each of your transactions through PayPal. We also collect the Internet address (IP address) of the computer or device you use to access your PayPal account, in order to help detect possible instances of unauthorized transactions.

Information About You From Third Parties

In order to protect all our customers against potential fraud, we verify with third parties the information you provide. In the course of such verification, we receive personally identifiable information about you from such services. In particular, if you register a credit card or debit card with PayPal, we will use card authorization and fraud screening services

to verify that your card information and address matches the information that you supplied to PayPal, and that the card has not been reported as lost or stolen.

If you register your online business with PayPal Shops or if you send or receive high overall payment volumes through PayPal, in some circumstances we will conduct a background check on your business by obtaining information about you and your business from a credit bureau or a business information service such as Dun & Bradstreet. If you incur a debt to PayPal, we will generally conduct a credit check on you by obtaining additional information about you from a credit bureau, to the extent permitted by law. PayPal, at its sole discretion, also reserves the right periodically to retrieve and review a business and / or consumer credit report for any account, and reserves the right to close an account based on information obtained during this credit review process.

Additional Verification

If we cannot verify the information that you provide, or if you request a withdrawal by check to an address other than your verified credit card billing address, we ask you to send us additional information by fax (such as your drivers' license, credit card statement, and/or a recent utility bill or other information linking you to the applicable address), or to answer additional questions online to help verify your information.

Web Site Traffic Information

Because of the way that World Wide Web communication standards work, when you arrive at or leave the PayPal Web site, we automatically receive the Web address of the site that you came from or are going to. We also collect information on which pages of our Web site you visit while you are on the PayPal site, the type of browser you use and the times you access our Web site. We use this information only to try to understand our customers' preferences better and to manage the load on our servers, so as to improve our service and your experience with PayPal. We do not track the Web sites that you visit before or after you leave the PayPal site.

Our Use of "Cookies"

"Cookies" are small files of data that reside on your computer and allow us to recognize you as a PayPal customer if you return to the PayPal site using the same computer and browser. We send a "session cookie" to your computer if and when you log in to your PayPal account by entering your e-mail address and password. These cookies allow us to recognize you if you visit multiple pages in our site during the same session, so that you don't need to re-enter your password multiple times. Once you log out or close your browser, these session cookies expire and no longer have any effect.

We also use longer-lasting cookies to display your e-mail address on our sign-in form, so that you don't have to retype the e-mail address each time when you log in to your PayPal account. In addition, we use cookies to process our referral program, described in Section C below. Our cookie files are encoded so that your e-mail address and other information can only be interpreted by PayPal. We may, however, share cookie information regarding whether or not a certain user is already registered with PayPal with certain merchants with whom we have an official co-marketing relationship.

Customer Service Correspondence

If you send us correspondence, including e-mails and faxes, we retain such information in the records of your account. We will also retain customer service correspondence and other correspondence from PayPal to you. We retain these records in order to measure and improve our customer service, and to investigate potential fraud and violations of our User Agreement. We may, over time, delete these records if permitted by law.

Questionnaires, Surveys and Profile Data

From time to time, we offer optional questionnaires and surveys to our users for such purposes as collecting demographic information or assessing users' interests and needs. The use of the information collected will be explained in detail in the survey itself. If we

collect personally identifiable information from our users in these questionnaires and surveys, the users will be given notice of how the information will be used prior to their participation in the survey or questionnaire.

Non-member Recipients and Requests

When a member either sends a payment to, or requests a payment from, an individual who is not a registered member of PayPal, we will retain the information that the member submits to us, including, for example, the other party's email address and/or name, for the benefit of the member who is attempting to contact the non-member, so that the member can see a complete record of his or her transactions, including uncompleted transactions. Although this information is stored indefinitely, we will not market to the non-member in any way at any time. Additionally, these non-members have the same rights to access and correct information about themselves (assuming that their email addresses were correct enough to reach them) as anyone else who uses PayPal.

C. Our Use and Disclosure of Information

Internal Uses

We collect, store and process your personal information on servers located in the United States. We use the information we collect about you in order 1) to provide our services and process your transactions, 2) to provide customer service, 3) to determine your eligibility to receive offers for special features or products, such as the PayPal MasterCard® debit card, and 4) to improve our products and services. At your option (as indicated in your PayPal Profile settings), we use the information you provide to access specific third party services on your behalf and perform the actions that you request us to perform, such as invoicing winning bidders on behalf of auction sellers.

We give access to individually identifiable information about our users only to those employees who require it to fulfill customer service requests.

Disclosure to Other PayPal Customers

If you are a registered PayPal user, your name, e-mail address, date of sign-up, and whether you have verified control of a bank account are displayed to other PayPal customers whom you have paid or who are attempting to pay you through PayPal. If you are a Business account holder, we will also display to other PayPal customers the Web site address (URL) and customer service contact information that you provide us. However, your credit card number, bank account and other financial information will NEVER be revealed to anyone whom you have paid or who has paid you through PayPal, except with your express permission or if we are required to do so pursuant to a subpoena or other legal process.

If you are buying goods or services and paying through PayPal, the seller of the goods or services may request that you provide a mailing address that PayPal has confirmed as matching the billing address in the credit card system. You do not have to provide this information. If you do not provide the information, however, the seller may choose not to accept your PayPal payment and not to complete the transaction.

We work with third party merchants to enable them to accept PayPal payments from you. Merchants who offer this service will share personally identifiable information you provide to them with PayPal to validate the status of your ability to pay with PayPal or the existence of your account. You permit PayPal to return verification results of the validity of the personally identifiable information passed to PayPal.

PayPal does not store the personally identifiable information provided by these merchants to validate the existence of your account.

Beginning in spring 2001, PayPal will also disclose to other PayPal customers the number of payments you have received from Verified PayPal customers (as defined in the User Agreement on the www.paypal.com site), or other aggregate measures that provide an indication of your reputation with other PayPal customers.

Disclosure to Third Parties Other Than PayPal Customers

PayPal will not sell or rent any of your personally identifiable information to third parties. PayPal will not share any of your personally identifiable information with third parties except in the limited circumstances described below, or with your express permission (and with other PayPal customers as described above). These third parties are limited by law or by contract from using the information for secondary purposes beyond the purposes for which the information is shared.

1. We share information with companies that help us process the transactions you request and protect our customers' transactions from fraud, such as sharing your credit card number with a service that screens for lost and stolen card numbers. See "Information About You From Third Parties" in Section B above. Additionally, if you go into a negative balance and owe us money, we may share information with processing companies including collection agencies.
2. We may disclose the information we collect, as described in Section B above, to companies that perform marketing services on our behalf. We may also disclose the information we collect (but not your bank account or credit card information) to other financial institutions with whom we have joint marketing agreements, in order to determine whether you are pre-approved for the products that PayPal is jointly marketing with the third party (such as the PayPal Visa credit card issued by Provident National Bank). These companies are subject to confidentiality agreements with us and other legal restrictions that prohibit using the information except to market the specified PayPal-related products or services, unless you have affirmatively agreed or given your prior permission for other uses.

If you do not want PayPal to share any of your information with our joint marketing partners, please log in to your account to set your Notification preferences in the **Profile** page of the **My Account** tab to indicate that you do not want to receive Partner/Third-Party Promotions or the PayPal Periodical Monthly Newsletter and Product Updates. Use the following URL to see your Notification preferences: <https://www.paypal.com/PREFS-NOTI>.

3. We disclose information that we in good faith believe is appropriate to cooperate in investigations of fraud or other illegal activity, or to conduct investigations of violations of our User Agreement. For example, this means that if we conduct a fraud investigation and conclude that one side has engaged in deceptive practices, we can give that person or entity's contact information (but not bank account or credit card information) to victims who request it.
4. We disclose information in response to a subpoena, warrant, court order, levy, attachment, order of a court-appointed receiver or other comparable legal process, including subpoenas from private parties in a civil action.
5. When a user signs up for a co-branded version of PayPal (e.g. PayPal Evite) through links to PayPal from our co-branded partner's website, PayPal will share with the co-branded partner that user's name, e-mail address and physical address in order to provide enhanced integration between PayPal's services and the services of our co-branded partner. If you do not want your information shared with PayPal's co-branded partner, you should sign up with PayPal directly and not through a link from our partner's website.
6. If you choose to invest in the PayPal Money Market Fund, we will share your information with PayPal Funds, a Delaware business trust which is the issuer of the Money Market Fund, and with PayPal Asset Management, Inc., a wholly-owned subsidiary of PayPal that is the transfer agent for the Money Market Fund, so that

you can complete your investment more easily and can move funds into and out of the Money Market Fund without re-entering your personal information for every transaction.

7. We disclose information to your agent or legal representative (such as the holder of a power of attorney that you grant, or a guardian appointed for you).
8. We share aggregated statistical data with our business partners or for public relations. For example, we may disclose that a specific percentage of our users live in California. However, this aggregated information is not tied to personally identifiable information.
9. As with any other business, it is possible that PayPal in the future could merge with or be acquired by another company. If such an acquisition occurs, the successor company would have access to the information maintained by PayPal, including customer account information, but would continue to be bound by this Privacy Policy unless and until it is amended as described in Section A above.
10. We share your information with our parent, subsidiaries and joint ventures to help coordinate the services we provide to you, enforce our terms and conditions, and promote trust and safety.

Our Contacts with PayPal Customers

We communicate with users on a regular basis via e-mail to provide requested services, and we also communicate by phone to resolve customer complaints or investigate suspicious transactions. We use your e-mail address to confirm your opening of a PayPal account, to send you notice of payments that you send or receive through PayPal (including referral payments described below), to send information about important changes to our products and services, and to send notices and other disclosures required by law. Generally, users cannot opt out of these communications, but they will be primarily informational in nature rather than promotional.

We also use your e-mail address to send you other types of communications that you can control, including the PayPal Periodical newsletter, auction tips, customer surveys and notice of special third-party promotions. You can choose whether to receive some, all or none of these communications when you complete the registration process, or at any time thereafter, by logging in to your account on the PayPal Web site and changing your preferences in the Profile page of the My Account tab. You can also change your choices at any time through the same procedure.

In connection with independent audits of our financial statements and operations, the auditors may seek to contact a sample of our customers to confirm that our records are accurate. However, these auditors cannot use personally identifiable information for any secondary purposes.

Internet Address Information

We use IP addresses, browser types and access times to analyze trends, administer the site, improve site performance and gather broad demographic information for aggregate use.

Your Use of Information and Our Services

In order to facilitate the transactions between PayPal members, our service allows you limited access other users' contact or shipping information. As a seller you may have access to the User ID, email address and other contact or shipping information of the purchaser, and as a purchaser you may have access to the User ID, email address and other contact information of the seller.

By entering into our User Agreement, you agree that, with respect to other users' personally identifiable information that you obtain through the site or through an PayPal-related communication or PayPal-facilitated transaction, you will only use this information

for: (a) PayPal-related communications that are not unsolicited commercial messages, (b) using services offered through PayPal (e.g. insurance, shipping and fraud complaints), and (c) any other purpose that such user expressly agrees to after adequate disclosure of the purpose(s).

In all cases, you must provide users with the opportunity to remove themselves from your database and review any information you have collected about them. In addition, under no circumstances, except as defined in this Section, can you disclose personally identifiable information about another PayPal user to any third party without our consent and the consent of such other user after adequate disclosure. Note that law enforcement personnel and other rights holders are given different rights with respect to information they access.

PayPal does not tolerate spam. Therefore, without limiting the foregoing, you may not add a PayPal user to your mail list (email or physical mail) without their express consent after adequate disclosure, even if said user has previously made a purchase from you. We strictly enforce our Anti-Spam Policy! To report PayPal-related spam to PayPal, please [contact us](#).

Merchant Referral Program

When you sign up for a PayPal account, you become eligible to participate in our Merchant Referral Bonus program. We provide you with a link on the [Merchant Referral Bonus page](#) which identifies you as the referrer. If a merchant uses that link to sign up for a Premier or Business PayPal account and completes the [bonus requirements](#), you are eligible for a referral bonus. If you use a referral link to sign up, your business name (if you have a Business account) or first and last name (if you have a Premier account) may be listed in the referrer's PayPal account, along with the amount of bonus you have generated for the referrer, which is calculated as a percentage of your transaction volume, as described in the [Merchant Referral Bonus Policy](#).

Please use our referral program responsibly. We strictly enforce our [Anti-Spam Policy](#)! Read details on the [Referral Bonus](#).

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D. Information Security

Information Security

PayPal is committed to handling your customer information with high standards of information security. Your credit card and bank account information are stored only in encrypted form on computers that are not connected to the Internet. We restrict access to your personally identifiable information to employees who need to know that information in order to provide products or services to you. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information. We test our security systems regularly and also contract with outside companies to audit our security systems and processes. For more information on PayPal's security practices, please visit the [PayPal Security Center](#).

The security of your PayPal account also relies on your protection of your PayPal password. You may not share your PayPal password with anyone. PayPal will never ask you to send your password or other sensitive information to us in an e-mail, though we may ask you to enter this type of information on the PayPal website, which will always have a URL beginning with <https://www.paypal.com/>.

Any e-mail or other communication requesting your password, asking you to provide sensitive account information via email, or linking to a website with a URL that does not begin with <https://www.paypal.com/> should be treated as unauthorized and suspicious and should be reported to PayPal immediately using [this form](#). If you do share your PayPal

password with a third party for any reason, including because the third party has promised to provide you additional services such as account aggregation, the third party will have access to your account and your personal information, and you may be responsible for actions taken using your password. If you believe someone else has obtained access to your password, please change it immediately by logging in to your account at www.paypal.com/ and changing your Profile settings, and also contact us right away as described in Section F below.

E. Accessing and Changing Your Information

You can review the personal information you provided us and make any desired changes to such information, or to the settings for your PayPal account, at any time by logging in to your account on the PayPal Web site and changing your preferences in the Profile page of the "My Account" tab. You can also close your account through the PayPal Web site. If you close your PayPal account, we will mark your account in our database as "Closed," but will keep your account information in our database. This is necessary in order to deter fraud, by ensuring that persons who try to commit fraud will not be able to avoid detection simply by closing their account and opening a new account. However, if you close your account, your personally identifiable information will not be used by us for any further purposes, nor sold or shared with third parties, except as necessary to prevent fraud and assist law enforcement, or as required by law (for example, to send former Money Market Fund investors a report of dividends paid during the calendar year for tax reporting purposes).

F. Contacting Us

If you have any questions about this privacy statement, PayPal's information practices, or your dealings with PayPal, you can contact us using [this form](#), call 402-935-7733 Monday through Friday between the hours of 4am and 10pm PST, or write us at PayPal, P.O. Box 45950, Omaha, NE 68145-0950.

With respect to our privacy practices as a financial institution and our compliance with this Privacy Policy, PayPal is regulated by the Federal Trade Commission (FTC). You can obtain information about the FTC at <http://www.ftc.gov>.

[About](#) | [Account Types](#) | [Fees](#) | [Privacy](#) | [Security Center](#) | [Contact Us](#) | [User Agreement](#) | [Developers](#) | [Jobs](#) | [Buyer Credit](#) | [Referrals](#) | [Shops](#) | [Mass Pay](#)

PayPal, an eBay company

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