

Internet / Online Privacy Policy

Merchants Bank of Commerce (the "Bank") is concerned about your comfort level when it comes to Internet security and safety issues. We are committed to providing you with superior customer service.

To that end, we want you to know how we will handle the information we learn about you from your visit to our website. The information we receive depends entirely upon what you do when visiting our site. We want to be very clear: We will not obtain personally identifying information about you when you visit our website unless you choose to provide such information.

If you visit our website to read or download information, use our financial calculators, or access information about our Bank, unless you identify yourself so that we can respond to an inquiry or request from you, we collect and store only the following information:

- The name of the domain from which you are accessing the Internet, (for example America Online (AOL))
- The date and time you accessed our site;
- Your Internet Service Provider and the type of web browser you are using, such as Internet Explorer or Firefox.
- We use the above information to collect and measure the number of visitors to the different sections of our website and to help us stay abreast of technical upgrades that can make our site more accessible and innovative for our visitors.

If you visit our website and use the e-mail function and your e-mail contains your name and address or other personally identifying information, you should know various Merchants Bank of Commerce employees could see your information. We retain and record this information for legal and regulatory reasons as well to better service your financial needs. We adhere to the following principles in handling the information you provide:

- We use your personally identifying information only for the purpose for which it is originally collected. If you make an inquiry or request a return correspondence from us, we may enter your information into one of our databases that we use for follow up and/or tracking purposes.
- We maintain your personally identifying information using a secure encryption program called Secure Socket Layer (SSL) and we limit employee access to those with a business reason to see it.
- We do not disclose your information to anyone outside of Merchants Bank of Commerce unless we are required by law to do so. Note: If you are sending e-mail to us, please be reminded that e-mail is not necessarily secure against interception and could be read by others outside of Merchants Bank of Commerce.

The Online Banking system has been designed to use cookies as part of the authentication process. Cookies are small text files on your system, used for keeping track of settings or data for a particular Website. The servers that receive your requests for Web pages have no way of knowing specifically who is making a request. They have no way of storing settings for specific users or changing the page they send based on choices a user has made on another page.

Cookies solve problems by saving settings on your system. When your browser requests a page, it sends the setting that applies to that page along with the request. Your browser sends back only the setting to the server that originally created them. Cookies are a very secure way of maintaining data that is specific to a particular user.

ON-LINE BANKING PRIVACY PRACTICES

We want you to know how we will handle the information we learn about you from your visit to our Online banking site. The information we receive depends upon what you do when visiting our site.

We use your personally identifying information only for the purpose for which it is originally collected. If you make an inquiry or request a return correspondence from us, we may enter your information into one of our databases that we use for follow up and/or tracking purposes. We maintain your personally identifying information in a secure computer system and we limit employee access to those with a business reason to see it. For your security all of our websites are validated and protected using Security Socket Layer (SSL) and all communication through this program is encrypted, or "scrambled," using Verisign Class 3 Extended Validation SSL CA. We reserve the option to view, monitor and record activity on this system without notice or permission. You should know that any information obtained by us might be subject to review by law enforcement organizations in connection with the investigation or prosecution of possible criminal activity on the system.

NOTE: Since we cannot control information on other Internet sites, we are not responsible for the content of sites that are linked to and from us.

Merchants Bank of Commerce reserves the option to alter or amend this policy statement or any of the policies or procedures described above at any time and without prior notice. These principles and practices are for general guidance and do not constitute a contract and do not modify or amend any agreement we currently have with our customers.

RESPONSIBILITIES OF ONLINE BANKING CUSTOMERS

There are some things we cannot prevent, and therefore will not be responsible for the reimbursement of damages or losses caused by:

- Customer input errors.
- Customer's negligence by sharing or handling of personal ID's and passwords, which result in unauthorized access to accounts. Customer passwords must be kept secret. This includes loss of IDs and passwords resulting from computer viruses or software that allows others to obtain private information from your computer (e.g., key logging software etc.).
- Customer's neglect to report thefts of passwords or ID's.
- Customer's failure to complete banking sessions by clicking the EXIT or logoff button before leaving the computer unattended. Security Tip: When you begin a session of online banking, your User ID and password are stored on our computer from the moment you log on to the moment you click EXIT. If the PC is left unattended with the browser still running and your online banking session still active, anyone can gain access to your accounts from that PC! Be sure to completely end the session
- before leaving your computer.

- Known incidents of theft or loss of debit cards not reported to one of our Representatives either by phone, e-mail, or in person, within 2 business days. Remember our 24-Hour Customer Service Center is available to you 365 days a year at 1.800.922.8742. Security Tip: Be sure to keep your computer free from viruses that could be used to capture password keystrokes!
- Merchants Bank of Commerce takes pride in the service we deliver to our customers and welcome any comments, questions or concerns. You may reach us at 800.421.2575 or main@mboc.com.

CHILDREN'S ONLINE PRIVACY PROTECTION ACT

Merchants Bank of Commerce is in compliance with the requirements of COPPA (Children's Online Privacy Protection Act) as defined in (16 CFR 312). We do not actively solicit or knowingly collect any information from anyone under 12 years of age. Our website, products and services are intended to be directed only to people who are at least 13 years old. Merchants Bank of Commerce is not responsible for and discourages children under the age of 13 from contacting the bank via the website or otherwise without the knowledge, permission of a parent or legal guardian.