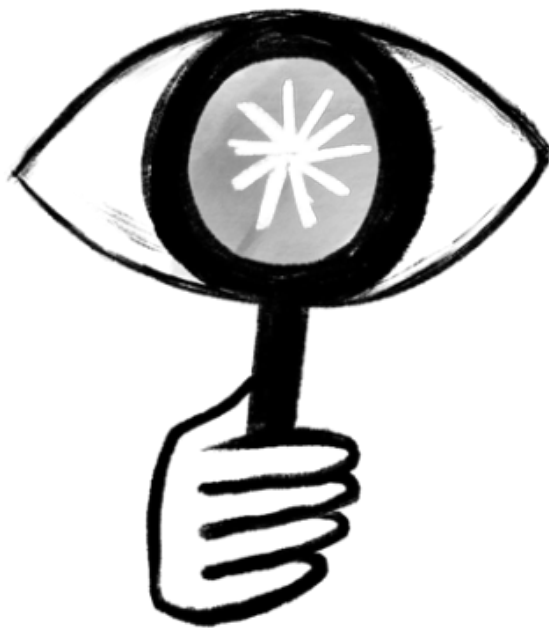


# Mailchimp Transparency Report



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In this document



At Mailchimp we know our users trust us to maintain and protect information about their businesses. We decided to publish this Transparency Report to share how many requests we receive for information contained in user accounts and how often information is disclosed.

This is our first time publishing information about requests for user account information. We hope you find it useful and informative. We plan to publish this report annually, or more frequently if needed.

## Guiding principles

Mailchimp is committed to maintaining user privacy and confidentiality. When we receive information requests, we carefully review each request to ensure it is valid and that the requestor is entitled to the data they seek.

You can find more information about our policies and practices in:

- our **Terms of Use**, which lays out the agreement between us and our users;
- our **Privacy Policy**, which explains how we collect, share, and use personal information, and how people can exercise their privacy rights; and
- our Information Request Policy, described below.

## Requests for information

This report includes data about the information requests we received for user account information worldwide in 2018. For this report, an information request is any government or non-government legal request for user account information. An information request may be made in a variety of ways, including but not limited to court orders, search warrants, and subpoenas.

## Mailchimp's information request policy and guidelines

We carefully consider all requests for information, and under our policies, we generally don't provide a third party with information from an account that doesn't belong to them. When legally obligated to do so, however, we'll respond to a court order, subpoena, search warrant, or other proper legal process seeking information and records from a Mailchimp account<sup>1</sup>.

Mailchimp uses certain guidelines when responding to any request for information, whether from a government or non-government entity:

- We strive to maintain user privacy and confidentiality.
- We ask that requestors provide as much information as possible to properly identify the correct user account(s). We will not respond to an information request unless we first have adequate and specific information, such as an email address, internet domain, username, IP address, or other similar information, to identify and locate the correct account(s).
- Absent a statutory exception under U.S. law, we only respond to valid U.S. legal process. This means legal process (such as subpoenas, discovery requests, or court orders) must be properly domesticated by a court of competent jurisdiction and issued in accordance with the applicable federal and/or state procedural rules before Mailchimp will respond.

- Mailchimp does not accept legal process or information requests directly from government entities outside the U.S. Foreign government entities should proceed through a Mutual Legal Assistance Treaty or other available diplomatic or legal means to obtain information from Mailchimp.
- Where feasible, we ask requestors to seek information directly from account holders rather than from Mailchimp.

<sup>1</sup>United States statutes, including the Electronic Communications Privacy Act of 1986 (18 U.S.C. § 2510, et seq.) and the Stored Communications Act (18 U.S.C. §§ 2701-2712), may restrict the scope of information and records Mailchimp can disclose, and any response by Mailchimp will be in accordance with these statutes.

## Definitions

Below you'll see charts<sup>2</sup> that contain records of the total number of information requests Mailchimp received in 2018. In these charts:

- “non-content data” means basic user information, such as name, physical and email address, user identification number, internet protocol address, login history, and billing information, and other non-content records about users or contacts;
- “content data” means information contained in electronic communications, such as email contents and email subject lines, and other user generated content, such as campaign names, audience and distribution list names, etc.;
- “preservation request” refers to a situation where Mailchimp has been asked to save account information temporarily that may be needed for litigation or other legal processes while the requestor proceeds with the necessary steps to obtain the valid

legal process required lawfully to receive the requested information; and

- “informal request for information” refers to a situation where a third party who is not the account holder has asked Mailchimp to disclose information from a user account voluntarily.

<sup>2</sup>The data within this Transparency Report is as accurate and comprehensive as possible.

## Government requests for user account information

We define government information requests as requests issued by or received from law enforcement and other government agencies (e.g., an Attorney General, the U.S. Department of Justice, a district attorney, etc.). Except in cases of emergency and when necessary to protect the safety of individuals and our platform, we do not voluntarily provide information to government agencies.

Below you’ll see a record of the number of government information requests Mailchimp received in 2018.

### 2018 Requests for Information from the U.S. Government

Type of request	Number of requests received	No information disclosed	Only non-content data disclosed	Content data and non-content data disclosed

Type of request	Number of requests received	No information disclosed	Only non-content data disclosed	Content data and non-content data disclosed
Search warrant	3	0	1	2
Subpoena	8	1	7	0
Preservation request	5	5	N/A	N/A
Informal requests for information	2	1	N/A	1*
Court order	2	0	2	0

\*Content data was produced only after receiving express permission from our user.

## 2018 Requests for Information from Foreign Governments

Type of request	Number of requests received	No information disclosed	Only non-content data disclosed	Content data and non-content data disclosed
Preservation request	3	3	N/A	N/A
Informal requests for information	4	4	N/A	N/A

We do not consider this to be Mailchimp’s data—rather, it’s our users’ information that we possess at a particular point in time. This approach aligns with our overall philosophy that we are stewards with an obligation to safeguard our users’ data.

## Non-government requests for user account information

We frequently receive requests for user account information from non-government sources, such as litigants in a civil proceeding or parties involved in a business dispute. In these situations, we generally encourage the requestor first to seek the information they’re requesting through alternate means, such as directly from the user or through discovery from other parties in the underlying legal action.

However, when we receive valid subpoenas or other legal process, we’ll respond and provide information as required by law.

## 2018 Requests for Information from Non-Government Sources

Type of request	Number of requests received	No information disclosed	Only non-content data disclosed	Content data and non-content data disclosed
Subpoena	14	0	14	0
Preservation request	7	7	N/A	N/A

## 2018 Requests for Information from Foreign, Non-Government Sources

Type of request	Number of requests received	No information disclosed	Only non-content data disclosed	Content data and non-content data disclosed
Preservation request	1	1	N/A	N/A