

**Updated: December 11, 2023**

To view the former policy, please [click here](#).

To view our Privacy Notice for California Residents, please [click here](#).

Please read this Privacy Policy (this “Privacy Policy”) carefully before using any Somos Product or Site.

The Somos Companies are committed to protecting User privacy. This Privacy Policy applies to information collected online and offline by the Somos Companies (defined below) through your use of the Somos Companies’ Sites (defined below) and the services, features, and information available on or through the Sites, including the Somos Products (defined below). You may also provide information to us when you meet us in person, including at business conferences or when you are involved in our networking activities, such as the annual Somos Summit conference (collectively, “Networking Activities”) and this Privacy Policy relates to such information as well. In particular, this Privacy Policy is designed to inform Users of the Somos Products and Sites (collectively, the “Service”) and participants in Networking Activities about how the Somos Companies gather and use information provided to, or collected by or on behalf of, the Somos Companies and under what circumstances the Somos Companies will transfer, share or disclose such information.

As used in this Privacy Policy, the terms “using” and “processing” information include using cookies on a computer, subjecting the information to statistical or other analysis and using or handling information in any way, including, but not limited to collecting, storing, evaluating, modifying, deleting, using, combining, disclosing and transferring information within Somos or among our affiliates within the United States.

## **Key Definitions**

Capitalized terms not otherwise defined in this Privacy Policy have the meanings defined in the Somos Terms of Use, which can be accessed [here](#): Somos Terms of Use.

In this Privacy Policy, we use the following key definitions (other terms are defined in the body of the Privacy Policy):

“Content” means information, documentation or media presentation that are linked to or displayed on a Site or a Somos Product.

“Non-Personal Information” means information, any single item of which, by itself, cannot be used to identify or contact you, including non-identifiable demographic information, browser types, unique device identifiers, device types, requested URL, referring URL, browser language, the pages you view, the date and time of your visit, domain names, and

statistical data involving the use of the Service and/or participation in Networking Activities. Certain non-personally identifiable information may be considered a part of your Personal Information if it were combined with other identifiers (for example, combining your zip code with your street address) in a way that enables you to be identified. However, the same pieces of information are considered Non-Personal Information when they are taken alone or combined only with other Non-Personal Information (for example, your viewing preferences) in a way that would not enable you to be identified.

“Personal Information” means information that can be used to distinguish or trace an individual's identity, either alone or when combined with other information that is linked or linkable to a specific individual.

“Service” means the Site and the Somos Products.

“Site” means the websites: [somos.com](http://somos.com), [texting.somos.com](http://texting.somos.com), [routelink.somos.com](http://routelink.somos.com), [realnumber.somos.com](http://realnumber.somos.com), [frs.somos.com](http://frs.somos.com), [secure-auction.somos.com](http://secure-auction.somos.com), and any subdomains thereof, and any other website, URL, or electronic or mobile device application owned or operated by or on behalf of a Somos Company or in connection with a Somos Product, either now or in the future.

“Somos” means Somos, Inc.

“Somos Company(ies),” “we,” “us” and “our” mean Somos, Somos Enterprise, Inc., Toll-free Data Services, Inc., and any other current or future affiliate of Somos, but does not include SomosGov, Inc., XC Technology Holdings Ltd, XConnect Services Ltd, and XConnect Carrier Services Ltd.

“Somos Product” means a product or service offered by any of the Somos Companies, including without limitation the products and services known as the TFNRegistry, Service Control Point, RouteLink, TSSRegistry, TFNIdentity, RealNumber, RealNumber DNO, FRServices and any other product or service available through a Site, but does not include the North American Numbering Plan Administration (NANPA), National Pooling Administration (PA), Pseudo-Automatic Number Id (p-ANI), or the Reassigned Number Database Administration (RND).

“Tariff” means the 800 Service Management System (SMS800) Toll-Free Number Registry Functions Tariff F.C.C. No. 1 and any amendments thereto.

“Tracking Technology” means cookies, clear GIFs, pixel tags or other technology solutions performing similar functions that are used by or on behalf of a Somos Company in connection with providing the Service or engaging in Networking Activities.

“User” or “you” means any natural person viewing or otherwise accessing the Service, or engaging in Networking Activities with us, as an individual and/or on behalf of an entity.

“User Data” means all information collected about Users, including Personal Information and Non-Personal information.

### **Third Party Websites and Applications**

The Somos Products and/or Sites may contain links to other websites or applications. A link to a third party website does not constitute or imply endorsement by us. The Somos Companies are not responsible for the privacy practices or the content of any third-party websites or applications. Users should be aware of this when leaving the Somos Products or Sites and review the privacy statements on the third-party sites or applications. This Privacy Policy applies solely to information collected by or on behalf of the Somos Companies in providing the Service and engaging in Networking Activities.

### **Information We Collect**

The Somos Companies, or third parties acting on behalf of the Somos Companies, collect both Personal Information and Non-Personal Information, both directly, in your interaction with the Service and in Networking Activities, and indirectly including through the use of Tracking Technology.

The Personal Information we collect may include but is not limited to: your name and corporate title, username, portal login identification code, and password, IP address, the name of your company, telephone number, company address, email address, as well as any additional supplemental information that we may request from time to time (including in connection with questions or comments you may provide to us or in connection with seeking support with respect to the Service). Additionally, our Outside Contractors (as defined below) that are responsible for billing and payment processing services (each, a “Payment Services Provider”) may collect your billing and credit card information from you directly. In certain instances, the Payment Services Provider may control the means by which, and the purposes for which, it processes your Personal Information. In these instances, the privacy policy of the Payment Services Provider will apply to such Personal Information and such Personal Information is outside the scope of this Privacy Policy. We also may collect Personal Information about you from publicly available sources and third-party sources. Depending on the Somos Product you use, we may collect additional categories of Personal Information including as set forth below.

The Non-Personal Information we collect may include, but is not limited to: your industry group, zip code, area code, unique device identifier, referrer and exit websites and applications, browser type, browser language, operating system, geographic location, date and time of your queries and search queries. We may also collect information with respect to the interaction between you and our Sites or Somos Products, including but not limited

to date and time of your visit, length of your visit and pages viewed, your typing patterns, interactions with our website such as mouse clicks or touches on your touch screen, your answers to questions including those used to verify that you are not a robot, the plug-ins installed on your browser. We may collect Non-Personal Information passively using cookies and action tags as described in “**Tracking Technology**” below.

You may be required to establish an account in order to take advantage of certain features of the Service or to engage in certain Networking Activities. If so, if you wish to establish an account you will be required to provide us with information (including Personal Information and Non-Personal Information) such as name, postal address, e-mail address, and may include credit card and billing information provided directly to our Payment Services Provider. We may also receive Personal Information about you from third parties, such as the Payment Services Provider, providing credit and debit card authorization and fraud screening services as part of the registration process. In addition, we may obtain your Personal Information from you if you identify yourself to us by communicating with us including by sending us an e-mail with questions or comments. Also, we will have access to any Personal Information that you choose to share through the Service or during Networking Activities.

**RouteLink Users:** An authorized distributor of RouteLink may be required to submit information related to its customers, such as the customers’ organization names, OCN registration numbers, evidence of state operator authorization, insurance certificates, addresses, contact persons, e-mail addresses and telephone numbers, for the limited purpose of satisfying Somos’ requirements for the provision of RouteLink services to such customers.

**TSSRegistry Users:** Somos may require additional information about its customers’ customers in order to provide certain aspects of the Service. It is the responsibility of these customers to obtain appropriate permission from their customers to provide such information. In addition to the contact information described above, Somos may collect billing address from individuals registering for training courses and whether such individual has completed the training course.

**TFNIdentity Users:** We collect certain information about subscribers in our toll-free caller ID information database including name, the caller name information (CNAM), toll-free number, and address. We collect this information from third-party data sources.

**Auction Users:** Participation in auctions and other similar events may require you to provide additional information, including without limitation, credit card and billing information, directly to our Payment Services Provider.

## **Use of Information We Collect**

Our primary goal in collecting information is to provide the Service and the Somos Products for which you have registered, to manage the use of the Somos Products and the Site by its Users, to communicate with you, our service providers and agents, and other Users, and to engage in Networking Activities. We use the information to create, develop, operate, deliver, and improve the Service. We may use the information to help us understand who uses the Service, for internal operations such as operating and improving the Service, to contact you for customer service and billing purposes, and, unless you opt out (to the extent permitted by applicable law), so that we and third parties can contact you about products and services that may be of interest to you. Unless you opt out, we and third parties may send you electronic newsletters and contact you about the Service, Networking Activities, products, services, information and news that may be of interest to you and to provide you with targeted feedback. If you no longer desire to receive these communications from the Somos Companies, we will provide you with the option to change your preferences in each communication we send to you. You may also inform us by contacting the Somos Help Desk at 844-HEY-SOMOS (844-439-7666) or by emailing us at [privacy@Somos.com](mailto:privacy@Somos.com).

Your Personal Information may be deidentified and aggregated and used to help us improve the Service and our Networking Activities and to better understand which Somos Products or services are of most interest to our Users.

**User-Generated Content:** The Service and Networking Activities may feature various community areas and other public forums (the "Public Areas") where Users with similar interests can share information and post questions for others to answer, such as in review sections, blogs or forum communities. Unless otherwise indicated, information provided by Users on such forums is not private and may be visible to other visitors to the Sites and any User. We cannot prevent information included within a Public Area from being used in a manner inconsistent with this Privacy Policy, the law, or your personal privacy. We are not responsible for the results of such postings or for the accuracy of any information contained in those postings.

**Any information you share in a Public Area (including Personal Information) is by design open to the public and is not private. You should think carefully before posting any information in any Public Area. What you post can be seen, disclosed to or collected by others and may be used by others in ways we cannot regulate or predict. As with any public forum on any website, the information you post may also show up in third-party search engines like Google, Yahoo, MSN, and Bing. Such information is not protected or treated as confidential, can be used in any manner, and is not subject to this Privacy Policy. If you wish to keep any information private or proprietary, do not submit it to the Public Areas. If you mistakenly post Personal Information in a Public Area you can send us an e-mail to request that we remove it by contacting us at [privacy@Somos.com](mailto:privacy@Somos.com). You should understand that in some cases, we may not be able to remove your information. NOTWITHSTANDING THE FOREGOING, WE HAVE NO RESPONSIBILITY OR LIABILITY IF A USER'S INFORMATION**

**OR IDENTITY IS MISUSED OR STOLEN, OR IF A USER SUFFERS HARM AS A RESULT OF VOLUNTARY DISCLOSURES.**

### **Disclosure of Information We Collect to Third Parties**

We generally disclose information we gather from you through the Service and Networking Activities to the following types of third parties and as otherwise set forth in this Privacy Policy or our Terms of Use or as specifically authorized by you.

#### Laws and Legal Rights.

We may disclose your information (including Personal Information) if we believe in good faith that we are required to do so in order to comply with an applicable statute, regulation, rule or law, a subpoena, a search warrant, a court or regulatory order, lawful requests by public authorities, including to meet national security or law enforcement requirements, or other valid legal process. We may disclose Personal Information in special circumstances when we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be violating our Terms of Use or another contract with us, to detect fraud, for assistance with a delinquent account, or to protect the safety and/or security of our Users, the Service or the general public.

#### Industry Partners.

We may share your information with our trusted partners (“Industry Partners”) with whom we collaborate, such as presenters and sponsors of the Somos Summit conferences. These partners may use your information to communicate with you directly, including for their own marketing purposes, or help us communicate with you. In particular, we may share your information, including your name, company, job title, telephone number, e-mail and other business contact information with our Industry Partners with whom we co-host or jointly sponsor marketing initiatives and events, such as conferences or Networking Activities, who may communicate with you directly, including for their own marketing purposes.

#### Payment Services Providers

We may provide your Personal Information to the Payment Service Provider who processes your payment transactions. You may also provide such information, including but not limited to billing and credit card information, directly to the Payment Services Provider.

#### Third Parties Generally.

We may provide to third parties Non-Personal Information, including where such information is combined with similar information of other Users of the Service or participants in Networking Activities. For example, we might inform third parties regarding the number of unique Users who use the Service, the demographic breakdown of our Users of the Service, or the products and/or services purchased using the Service and the vendors of such products and services. In addition to the above, when Users use our Service, third parties (including without limitation third-party advertisers, analytics service providers, and commercial partners) may directly collect Personal Information and Non-Personal Information about our Users' online activities over time and across different websites. Such third parties may use your information for the provision of customized ads and content made available to you based on your visits to and/or usage of the Service or other online or mobile websites, applications, platforms or services ("interest-based advertising"). The third parties to which we may provide or who may independently directly collect Personal Information and Non-Personal Information may include analytics services providers, potential or actual advertisers, providers of advertising products or services (including vendors and website tracking services) and other actual or potential commercial partners, and other similar parties.

Please note in particular that the Service uses Google Analytics, including its data reporting features. Information collected by Google Analytics includes but is not limited to web metrics. For information on how Google Analytics collects and processes data, please see the site "How Google uses data when you use our partners' sites or apps", currently located at [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/). For information on opting out of Google Analytics, we encourage you to visit Google's website, including its list of currently available opt-out options presently located at <https://tools.google.com/dlpage/gaoptout>.

#### Professional Advisors.

We may provide your information to professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.

#### Outside Contractors.

We may employ independent contractors, vendors, service providers, and suppliers (collectively, "Outside Contractors") to provide specific services and products related to the Service, such as hosting and maintaining the Service, providing credit card processing and fraud screening, including the Payment Services Provider, developing applications for the Service, and related to our Networking Activities. In the course of providing products or services to us, these Outside Contractors may have access to information collected through the Service and Networking Activities, including your Personal Information. We use reasonable efforts to ensure that these Outside Contractors are capable of protecting the security of your Personal Information.

## Affiliates.

1. We may disclose information (including Personal Information) about you to our Corporate Affiliates. For purposes of this Privacy Policy: "Corporate Affiliate" means any person or entity which directly or indirectly controls, is controlled by or is under common control with Somos, whether by ownership or otherwise; and "control" means possessing, directly or indirectly, the power to direct or cause the direction of the management, policies or operations of an entity, whether through the ability to exercise voting power, by contract or otherwise.

**Storage and Deletion:** The Somos Companies store and process User Data in the United States, and your User Data may therefore be accessible to law enforcement and regulatory authorities in the United States. We will only retain your Personal Information for as long as necessary to fulfill the purposes for which we collected it or as otherwise permitted by applicable law. To determine the appropriate retention period for Personal Information, we consider the amount, nature, and sensitivity of that information, the potential risk of harm from unauthorized use or disclosure, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means, and the applicable legal requirements. We will disable your User account if you ask us to do so by contacting the Somos Help Desk at 844-HEY-SOMOS (844-439-7666) or emailing us at **privacy@Somos.com**, unless we are required or permitted to maintain it under any applicable laws or regulations.

**Tracking Technology:** The Somos Products, email communications, advertisements, if any, marketing materials and other interactive applications or services may use Tracking Technology. Tracking Technology helps us to better understand which parts of our Service Users use and visit and to facilitate and measure the effectiveness of any Somos Company advertisements (if any), surveys, functions, promotions or other Content. Except as otherwise stated in this Privacy Policy or pursuant to applicable laws and regulations, information collected by Tracking Technology is considered Non-Personal Information.

The Somos Companies and third parties acting on behalf of the Somos Companies may use cookies and other technologies to remember Personal Information and other User Data, to authenticate Users, and to facilitate provision of the Service when you use the Service or engage in Networking Activities with us. You should only access the Sites using web browsers that enable you to control how and whether cookies will be accepted by your web browser. If you reject our cookies, some functions and conveniences of the Service may not work properly. By using cookies and action tags together, we are able to gain valuable information to improve the Service and measure the effectiveness of our advertising and marketing campaigns. We may also combine information collected from cookies to information that you may provide, such as information provided in a form that you complete. Information collected from some cookies placed on the website is used to deliver advertisements to Somos site visitors when such visitors are visiting other websites, which may include Google, Adobe, Facebook, Twitter, Vimeo and

LinkedIn. Finally, you should be aware that advertisers and other third parties may use their own cookies or action tags when you click on their advertisement or a link to their websites or services on or from the Service. Such third parties may use your information for provision of interest-based advertising. This Privacy Policy does not govern the use of cookies or action tags or the use of your information by such third-party websites or services or providers of third-party advertising.

For the avoidance of doubt, the Service may use third-party service platforms (including to help analyze how Users use the Service). These third-party service platforms may utilize Tracking Technology and place cookies on your computer or mobile device. If you would like to disable "third party" cookies, you may be able to turn them off by going to the third party's website.

Here is a link to the main third-party platforms we may use:

<https://www.google.com/policies/privacy/>

<https://www.adobe.com/privacy/cookies.html>

<https://www.facebook.com/privacy/policies/cookies/>

<https://help.twitter.com/en/rules-and-policies/x-cookies/>

<https://vimeo.com/privacy/>

<https://www.linkedin.com/legal/cookie-policy/>

The Somos Companies may send email messages, text messages, "push" notifications or other similar advertising and marketing materials from time to time which may include a "click-through URL" linked to a Site or Somos Product. We, or third parties acting on our behalf, may track this click-through data to help us determine interest in particular topics and measure the effectiveness of our communications to you. We may also include "pixel tags" or other similar technologies in the email messages, text messages or notifications that tell us whether our message has been opened or notification received. We may use this information to reduce or eliminate messages sent to you and other Users. If you prefer not to be tracked in this way, you should not click the text or graphic links in the messages or notifications.

The Somos Products, Somos Companies and its service providers, and third parties such as ad networks, may use cross-device/cross-context tracking. For example, if you use multiple browsers on a single device, or use various devices (such as desktops, smartphones, and tablets) to access the Somos Products or communicate with the Somos Companies, it may result in your having multiple accounts or profiles across these various contexts and

devices. Cross-device/cross-context technology may be used to connect these various accounts or profiles and the corresponding data from the different contexts and devices.

**Do Not Track:** The Somos Companies and its service providers, including ad networks, may use your browsing history across participating websites or use of mobile devices to show you interest-based advertisements. Currently, our Site, the Somos Products and our other services do not recognize if your browser sends a “do not track” signal or similar mechanism to indicate you do not wish to be tracked.

### **Opt Out of Use and Disclosure of, Access and Update Your Information**

Please note that while your account is active, you cannot opt out of receiving information about the Service, because such information is important and relevant to your use of the Service. However, we will, at your request, disable your User account at any time if you contact us as set forth below. You may opt-out of receiving marketing emails from the Somos Companies at any time by contacting us as set forth below. You may also request that we update, correct, change or delete your information at any time, unless we are required or permitted to retain it under any applicable laws or regulations, by contacting us as provided below.

Such updates, corrections, changes and deletions will have no effect on other information that we maintain, or information that we have provided to third parties in accordance with this Privacy Policy prior to such update, correction, change or deletion. You should also be aware that it may not be technologically possible to remove each and every record of the information you have provided to us from our system. The need to back up our systems to protect information from inadvertent loss means that a copy of your Personal Information may exist in a non-erasable form that will be difficult or impossible for us to locate. After receiving your request, we will use commercially reasonable efforts to update, correct, change, or delete, as appropriate, all Personal Information stored in databases we actively use and other readily searchable media as appropriate, as soon as and to the extent reasonably practicable

Contact the Somos Companies with any of the foregoing requests by:

Calling the Somos Help Desk at 844-HEY-SOMOS (844-439-7666); or

Emailing the Somos Help Desk at **privacy@Somos.com**.

### **International Transfers**

Personal Information collected on the Service may be transferred from time to time to our offices or personnel, or to third parties, located throughout the world, and the Service may be viewed and hosted anywhere in the world, including countries that may not have laws of general applicability regulating the use and transfer of such data, including the United States where your Personal Information will be subject to the legal requirements of the United States, including requirements to disclose information to courts, law enforcement and national security authorities. By using the Service and submitting such information on it, you voluntarily consent to the trans-border transfer and hosting of such information.

## **Security**

We have implemented commercially reasonable administrative, physical, and electronic security measures to protect information from loss, misuse and unauthorized access, disclosure, alteration or destruction. Nevertheless, you should be aware that there is always some risk involved in transmitting information over the internet. There is also some risk that others could find a way to thwart our security systems. As a result, while we strive to protect your information, we cannot ensure or warrant the security or privacy of any information you transmit to us, and you do so at your own risk. We cannot guarantee against security breaches, including without limitation any that are associated with public networks, or third-party products and services.

## **Consent to Communications**

To the extent permitted by applicable law, you hereby consent to our use of your contact information for purposes of communications with you by or on behalf of the Somos Companies regarding the Service and Networking Activities. If you choose to provide an e-mail or other electronic address on your account, you acknowledge and consent to receive business and informational messages relating to the Service and/or Networking Activities at such address, including collections messages, and you represent and warrant that such address is your private address and is not accessible or viewable by any other person or that it is an address approved by the entity which you represent and is not accessible or viewable by any unauthorized person. You can revoke your consent at any time by exercising your opt-out option as provided above or in a communication we send you.

## **Access and Updating of Information**

The instructions to review, amend or delete your information by updating your User account settings may be provided in the applicable Somos Product or related documentation or materials provided by or on behalf of the Somos Companies. Users may change information at any time and as often as necessary. Users who are experiencing problems with our services or who have questions about how our services work can contact the Somos Help Desk at 844-HEY-SOMOS (844-439-7666).

## **General**

**Tariff:** Certain Somos Products may be subject to the Tariff and other regulatory directives. In the event of an inconsistency between this Privacy Policy and the Tariff, or to the extent that the Tariff or any other regulatory directive binding on Somos prohibits a Somos Company from complying with anything contained herein, the provisions set forth in the Tariff or such other regulatory directive, as and to the extent applicable, shall apply.

**Registration Password:** Your account(s) with any Somos Company or Somos Product may be password-protected to control access to your account by third parties. Do not divulge your password to anyone. We never ask for passwords in unsolicited phone calls or unsolicited emails. You may not transfer or share your registration password or other credentials without our prior written consent.

**Business Transfers:** We reserve the right to transfer information to a third party in connection with a sale, merger or other transfer of all or substantially all of the assets of Somos or any of its Corporate Affiliates, or that portion of Somos or any of its Corporate Affiliates to which the Service relates, or in connection with a strategic investment by a third party in the Somos Companies, or in the event that we discontinue our business or file a petition or have filed against us a petition in bankruptcy, reorganization or similar proceeding.

**Amendments:** We may modify or amend this Privacy Policy from time to time. Therefore, we ask you to check this Privacy Policy occasionally to ensure that you are aware of any updates or revisions in effect at the time you access the Service. If we make any material changes in the way in which User Data is collected, used or transferred, we will notify you of these changes on the Site for the applicable Somos Product. If you object to any of the changes, subject to the other provisions herein, you may request that we disable your User account by contacting the Somos Help Desk at 844-HEY-SOMOS (844-439-7666) or emailing us at **privacy@Somos.com**.

**Minors under 16:** Children under 16 are not permitted to use the Service. The Somos Companies do not knowingly collect any Personal Information from children under 16 years old or knowingly distribute such information. If a child under 16 has provided the Somos Companies with, or submitted to the Service, Personal Information, the parent or guardian of that child should contact the Somos Companies immediately at the Somos Help Desk at 844-HEY-SOMOS (844-439-7666) or email us at **privacy@Somos.com** to delete this information.

**Telephone Consumer Protection Act:** The Somos Companies may use your information to make business, informational and collections calls relating to the Service and Networking Activities to all telephone numbers, including cellular numbers or mobile devices, you choose to provide on your account or in registering for the Service and/or Networking Activities. You agree such calls may be pre-recorded messages or placed with an automatic telephone dialing system. In addition, you agree that the Somos Companies may send non-marketing Service or account related text messages to cellular phone numbers you provide

to the Somos Companies, and you agree to accept and pay all carrier message and data rates that apply to such text messages. You can revoke your consent at any time by exercising your opt-out option as provided above or in a communication we send you. You may also inform the representative calling either from or on behalf of the Somos Companies that you no longer wish to receive future calls related to the Somos Companies or the Service.

## **Enforcement**

If you believe that we have not complied with this Privacy Policy, or if you have any other questions or concerns with regard to collection, use or disclosure of User Data by a Somos Company, you may send a written notice to the applicable Somos Company at the address indicated on the applicable Site or to the address below:

Somos Companies  
c/o Somos, Inc.  
Two Tower Center Blvd., 20th Floor  
East Brunswick, NJ 08816  
U.S.A.

Attention: Privacy Officer

**The Somos Companies reserve the right to modify and update this Privacy Policy from time to time in their sole discretion.**

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