Chatmerce Data Processing Addendum

Effective Date: November 7, 2026
Last Updated: November 7, 2026

This Data Processing Addendum (“DPA”) forms part of the agreement between the merchant using Chatmerce (“Merchant”) and Chatmerce (“Chatmerce”) governing the Merchant’s use of the Chatmerce application and related services (“Service”).

This DPA applies to the extent Chatmerce processes Personal Data on behalf of Merchant in connection with the Service.

1. Roles of the Parties

For Customer Data processed by Chatmerce on behalf of Merchant, Merchant acts as the controller, business or equivalent responsible party and Chatmerce acts as the processor, service provider or equivalent processing party, as those terms are defined under applicable data protection law.

Chatmerce may act independently with respect to information processed for its own account administration, security, fraud prevention, billing, legal compliance and direct merchant-support purposes.

2. Definitions

“Customer Data” means Personal Data processed by Chatmerce on behalf of Merchant in connection with the Service.

“Personal Data” means information relating to an identified or identifiable individual, household or other protected data subject as defined by applicable data protection law, including applicable pseudonymous identifiers where such identifiers constitute Personal Data.

“Subprocessor” means a third party engaged by Chatmerce to process Customer Data on behalf of Merchant in connection with the Service.

3. Processing Instructions

Chatmerce will process Customer Data only:

- to provide the Service;
- in accordance with Merchant’s documented instructions as expressed through the agreement, configuration and use of the Service;
- as reasonably necessary to comply with applicable Shopify platform requirements; or
- as required by applicable law.

If Chatmerce reasonably believes that an instruction violates applicable data protection law, Chatmerce may notify Merchant and suspend the affected processing where appropriate.

4. Nature and Purpose of Processing

Processing may include collection, receipt, organization, storage, retrieval, consultation, transmission, analysis, generation, association, redaction, deletion and other operations necessary to provide the Service.

Processing purposes may include:

- providing AI-powered shopping and customer-service functionality;
- processing shopper conversations;
- maintaining conversation and session state;
- providing product discovery, recommendation and comparison functionality;
- providing store-content and policy information;
- providing supported order, fulfillment and shipment information;
- providing requested restock/contact functionality;
- maintaining pseudonymous visitor continuity where permitted;
- providing merchant analytics where permitted;
- providing conversation-to-purchase attribution where permitted;
- operating, securing, maintaining and troubleshooting the Service;
- responding to privacy requests;
- complying with Shopify and applicable legal requirements.

5. Categories of Personal Data

Depending on Merchant's use and configuration of the Service, Customer Data may include:

- shopper messages and conversation content;
- AI-generated responses associated with conversations;
- session identifiers;
- conversation identifiers;
- pseudonymous visitor or browser identifiers;
- pseudonymous guest identifiers;
- timestamps and technical conversation metadata;
- contact information voluntarily submitted through supported features, such as name, email address or telephone number;
- order identifiers;
- order, fulfillment and shipment status information;
- tracking information;
- order value and currency;
- conversation-to-order attribution information;
- other personal information voluntarily submitted by a shopper in free-form conversation content;
- personal data technically contained in Shopify order records accessed for supported functionality.

Chatmerce does not generally require access to Shopify customer profiles through the `read_customers` permission for the current Service.

6. Categories of Data Subjects

Data subjects may include:

- shoppers;
- customers of Merchant;
- visitors interacting with the Chatmerce assistant;
- individuals submitting restock/contact information;
- Merchant personnel where their information is included in Customer Data.

7. Pseudonymous Identifiers and Browser Storage

Chatmerce may use browser storage, including localStorage, to maintain technical session information and, where permitted, pseudonymous visitor identifiers.

A pseudonymous visitor identifier may be used, subject to applicable privacy permissions, to associate multiple Chatmerce interactions from the same browser across sessions.

Pseudonymous identifiers are treated as Personal Data under this DPA where applicable law considers them Personal Data or where they are reasonably linkable to other Customer Data.

8. Customer Privacy and Consent Controls

Chatmerce is designed to integrate with applicable Shopify customer privacy mechanisms.

Essential service functionality may continue where optional analytics or marketing processing is not permitted. Such essential processing may include the current conversation, necessary session state, AI response generation and requested customer-service functionality.

Persistent visitor identification, optional analytics, cross-session grouping, guest identification and conversation-to-order attribution are performed only where permitted by the applicable privacy state and processing permissions used by the Service.

Merchant remains responsible for configuring its Shopify privacy settings, providing required notices and obtaining or managing consent where required by applicable law.

9. Confidentiality

Chatmerce will ensure that persons authorized to process Customer Data are subject to appropriate confidentiality obligations.

10. Security

Chatmerce will maintain reasonable technical and organizational measures appropriate to the nature of the processing.

Such measures include, as applicable:

- HTTPS/TLS encryption for data in transit;
- infrastructure providing encryption of stored application data at rest;
- restricted access to production systems;
- credential and secret management;
- authentication and authorization controls;
- logging practices designed to avoid intentional exposure of secrets or raw sensitive payloads;
- privacy-request and deletion mechanisms;
- automated data-retention controls.

11. Artificial Intelligence Processing

Chatmerce may use third-party AI infrastructure, including OpenAI, to process information necessary to generate responses and provide AI-powered functionality.

Chatmerce does not use Merchant or shopper conversation data to train or fine-tune general-purpose AI models operated by Chatmerce.

Chatmerce will use AI providers in accordance with its contractual arrangements and applicable data protection obligations.

12. Subprocessors

Merchant authorizes Chatmerce to engage Subprocessors reasonably necessary to provide the Service.

Current categories and providers may include:

- **OpenAI** — AI infrastructure and response generation;
- **Supabase** — database and backend infrastructure;
- **Vercel** — hosting and application infrastructure.

Shopify is the ecommerce platform through which Merchant installs and uses Chatmerce and through which applicable store, order, billing, privacy and webhook functionality is made available. Shopify is not listed in Chatmerce's Subprocessor List solely by virtue of serving as Merchant's ecommerce platform.

Chatmerce maintains a current Subprocessor List on chatmerce.app.

Chatmerce may update its Subprocessors from time to time. Where required by applicable law or contractual obligation, Chatmerce will provide appropriate notice of material changes.

13. Data Retention and Deletion

Chatmerce maintains defined retention periods for Customer Data processed through operational systems.

Unless earlier deletion is required by a valid privacy request, Shopify requirement or applicable law:

- conversation logs are retained for up to **180 days**;

- shopper contact/restock event data is retained for up to **180 days**;
- shopper/conversation session state is retained for up to **180 days**;
- conversation-to-order conversion attribution records are retained for up to **180 days**;
- completed or failed webhook job data and payloads are retained for up to **30 days**;
- compliance export request records are retained for up to **30 days**.

Automated retention processes delete applicable records after the relevant retention period.

Aggregated or anonymized information that no longer constitutes Personal Data may be retained for longer periods.

Chatmerce also supports applicable Shopify privacy mechanisms, including customer-redaction and shop-redaction processing.

Following termination or uninstall, Customer Data may be retained temporarily where necessary to comply with Shopify processes, applicable law, security requirements or legitimate technical operations, after which applicable data will be deleted, redacted or anonymized in accordance with this DPA and applicable requirements.

14. Data Subject Requests

Taking into account the nature of processing, Chatmerce will provide reasonable assistance to Merchant in responding to applicable requests from data subjects to exercise their privacy rights.

Where Chatmerce receives a request relating to Customer Data for which Merchant is the responsible controller or business, Chatmerce may direct the requester to Merchant where appropriate.

15. Shopify Privacy Requests

Chatmerce supports applicable Shopify privacy and compliance webhooks and processes, including:

- customer data requests;
- customer redaction;
- shop redaction.

Chatmerce may export, delete, redact or anonymize Customer Data as necessary to respond to such requests and applicable Shopify requirements.

16. Security Incidents

If Chatmerce becomes aware of a confirmed security incident involving Customer Data for which notification to Merchant is required under applicable law, Chatmerce will notify Merchant without undue delay as required by applicable law.

Notification will not be construed as an admission of fault or liability.

17. International Transfers

Chatmerce and its Subprocessors may process Customer Data in countries other than the country in which Merchant or the applicable data subject is located.

Where required by applicable law, the parties will use appropriate safeguards for international transfers of Personal Data.

18. Merchant Responsibilities

Merchant is responsible for:

- having a lawful basis for processing Customer Data and using the Service;
- providing required privacy notices;
- obtaining and managing required consent and privacy choices;
- appropriately configuring Shopify customer privacy settings;
- ensuring its instructions to Chatmerce comply with applicable law;
- responding to data-subject requests as required;
- avoiding the submission of unnecessary sensitive information to the Service.

19. Assistance and Compliance Information

Taking into account the nature of processing and information available to Chatmerce, Chatmerce will provide reasonable information necessary to demonstrate compliance with applicable processor obligations.

Where legally required and subject to appropriate confidentiality, scope and security limitations, Chatmerce may reasonably assist Merchant with data-protection assessments relating specifically to Merchant's use of the Service.

20. California and Similar Privacy Laws

Where applicable law defines Merchant as a "business" and Chatmerce as a "service provider," "contractor," processor or equivalent, Chatmerce will process applicable Customer Data only for the limited and specified purposes described in the agreement and this DPA and as otherwise permitted by applicable law.

Chatmerce does not sell Customer Data for monetary consideration.

21. Conflict

If there is a conflict between this DPA and the Chatmerce Terms of Service regarding the processing of Customer Data, this DPA controls to the extent of that conflict.

22. Changes

Chatmerce may update this DPA to reflect changes in law, regulatory requirements, Shopify requirements, the Service or processing practices.

Material changes will be communicated where required.

23. Contact

Chatmerce
Website: chatmerce.app
Email: elbazmaor5@gmail.com

Annex I — Processing Details

Subject Matter:
Provision of the Chatmerce AI-powered shopping, customer-service, analytics and related Shopify application functionality.

Duration:
For the duration of Merchant's use of the Service and thereafter only for applicable retention periods or as required by law, Shopify requirements or valid privacy processes.

Nature of Processing:
Collection, receipt, storage, organization, retrieval, analysis, generation, association, transmission, redaction and deletion of Customer Data.

Purposes:
Providing the Service and supported functionality described in this DPA.

Data Subjects:
Merchant shoppers, customers, visitors and other individuals whose Personal Data is submitted through supported Chatmerce functionality.

Personal Data:
Conversation content, technical/session/conversation identifiers, pseudonymous visitor/browser/guest identifiers, voluntarily submitted contact information, order/fulfillment/shipment information, attribution information and other information described in Section 5.

Annex II — Technical and Organizational Measures

Chatmerce's measures include, as applicable:

- encryption in transit using HTTPS/TLS;
- infrastructure-level encryption at rest;
- access controls for production systems;
- controlled handling of application secrets and credentials;
- HMAC verification for applicable Shopify webhooks;
- protected internal operational endpoints;
- data-minimization practices;
- Shopify customer privacy integration;

- automated retention and deletion processes;
- customer/shop privacy request handling;
- logging practices designed to avoid unnecessary sensitive payload exposure;
- separation of essential service processing from optional analytics and attribution processing where applicable.