

# PRIVACY POLICY

Last Updated: February 3, 2026

## INTRODUCTION

Thank you for choosing TheRecordXchange ("TRX," "us," "our," or "we"), a service provided by American Platform Services LLC. This Privacy Policy explains how we collect, use, disclose, and protect your information when you use our website at [trxchange.com](http://trxchange.com) (the "Site") or any services provided through this Site.

By accessing or using our services, you agree to this Privacy Policy. If you do not agree with our policies and practices, please do not use our services.

## INFORMATION WE COLLECT

### Information You Provide to Us

We collect information you provide directly to us, including:

- **Account Information:** When you create a user profile, we collect your first and last name, phone number, email address, time zone, job function (optional), and password.
- **Transaction Information:** When you use our services, we collect information about the transactions you make, including recording requests, transcript orders, and payment information.
- **Content:** We collect and store content that you upload, share, or create through our services, including audio recordings, video recordings, transcripts, and related metadata.
- **Communications:** If you contact us directly, we may receive additional information about you, such as your name, email address, phone number, and the contents of any messages you send us.

### Information We Collect Automatically

When you visit our Site or use our services, we and our third-party service providers may automatically collect certain information about your device and usage, including:

- **Device Information:** Information about your device, including IP address, browser type, operating system, and device identifiers.
- **Usage Data:** Information about how you use our Site and services, including pages visited, time spent on pages, links clicked, and actions taken within the application.
- **Log Data:** Server logs, including your search queries, access times, and referring website addresses.
- **Cookies and Similar Technologies:** We use cookies, web beacons, and similar technologies to track activity on our Site and hold certain information. See our "Cookies and Similar Technologies" section below for more details.

## HOW WE USE YOUR INFORMATION

## **For Customer Content (Court Recordings and Transcripts):**

### **Service Provision:**

We use customer content solely to provide our recording, transcription, and records management services in accordance with customer instructions and our service agreements.

### **Research & Development Using Public Records:**

For customer data that constitutes public records under applicable law (after such data has been made publicly available through proper legal channels), we may access and use such data for research and development purposes, including product development, service improvements, and technology innovation. Our rights to use public records data are coextensive with the rights available to any member of the public who obtains such public records through proper legal channels.

### **We do NOT use the following data for research and development:**

- Sealed proceedings or records subject to protective orders
- Data involving minors without proper authorization
- Records designated as confidential by court order
- Data that is exempt from public disclosure under applicable law

### **Artificial Intelligence and Machine Learning:**

We apply existing artificial intelligence models to analyze court data as part of our transcription services. We may use public records data (as described above) to improve our AI capabilities and develop new features, always maintaining appropriate security and privacy protections.

### **For Account and Operational Data:**

- Manage user accounts and process transactions
- Provide customer support and respond to inquiries
- Monitor system performance and security
- Analyze usage patterns to improve our platform (in aggregated, anonymized form)
- Detect, prevent, and address technical issues, fraud, or illegal activities
- Comply with legal obligations and enforce our terms

## **PUBLIC RECORDS AND COURT DATA**

### **Nature of Court Proceedings Data:**

A substantial portion of the data we process consists of court proceedings, administrative hearings, and related records. Many of these records constitute "public records" under applicable federal, state, and local law.

### **Public Records Status and Privacy Laws:**

The public records status of certain data may exempt it from some privacy law requirements as "publicly available information." However, we maintain robust security measures and comply with breach notification requirements for all data we process, regardless of its public records status.

### **Non-Public Court Data:**

Not all court-related data is public. We apply full privacy protections without limitation to:

- Sealed proceedings and records subject to protective orders
- Cases involving minors or juveniles

- Records designated as confidential by court order
- Data that is exempt from public disclosure under applicable law
- Pre-publication recordings and drafts

**Customer Authority:**

Our customers (courts, government agencies, and other entities) retain sole authority to determine which records constitute public records under applicable law. We process all data in accordance with customer instructions, designations, and applicable legal requirements.

**Security for All Court Data:**

We implement appropriate technical and organizational security measures for all court-related data, whether public records or not. Our security practices are independently audited through SOC 2 Type 2 certification.

## SHARING YOUR INFORMATION

We may share your information in the following circumstances:

- **With Service Providers:** We may share your information with third-party vendors, consultants, and other service providers who need access to such information to carry out work on our behalf, such as AWS for cloud services, payment processors, and analytics providers.
- **For Legal Reasons:** We may disclose your information if we believe in good faith that disclosure is necessary to (a) comply with applicable laws, regulations, legal processes, or governmental requests; (b) protect our rights, property, or safety, or that of our users or the public; and (c) detect, prevent, or address fraud, security, or technical issues.
- **Business Transfers:** If we are involved in a merger, acquisition, financing, reorganization, bankruptcy, or sale of company assets, your information may be transferred as part of that transaction.
- **For Public Records Data:** For customer data that constitutes public records under applicable law, we may provide access to qualified third parties for legitimate legal research and analysis purposes, in accordance with applicable law and subject to contractual restrictions on use.
- **With Your Consent:** We may share your information with third parties when you consent to such sharing.

We will never sell your personal information to third parties for marketing purposes without your explicit consent.

## SUBPROCESSORS

We engage trusted third-party service providers (subprocessors) to help us deliver our services. These subprocessors may process personal information on our behalf to perform specific functions such as data hosting, analytics, payment processing, and customer support. We select our subprocessors carefully and require them to implement appropriate technical and organizational measures to protect your personal information.

For a current list of our key subprocessors and the functions they perform, you may submit a request to [Privacy@trxchange.com](mailto:Privacy@trxchange.com). We will provide this information within 10 business days of

receiving your request. We evaluate all subprocessors for security and privacy practices before engagement and regularly review their compliance with our requirements.

If we plan to add or replace a subprocessor that will have access to customer content, we will provide notice to affected customers in accordance with our contractual obligations.

## **DATA SECURITY**

We implement appropriate technical and organizational measures to protect the security of your personal information. These measures include encryption of data in transit and at rest, access controls, and regular security assessments.

However, no method of transmission over the Internet or electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

In the event of a security incident affecting your personal information, we will notify affected users and relevant authorities without undue delay and in accordance with applicable law. Our notification will include the nature of the incident, the information affected, steps we've taken to mitigate the impact, and recommended actions for you to protect yourself.

## **DATA RETENTION**

We retain personal information for as long as we feel it is appropriate to fulfill the purposes for which it was collected, provide our services, comply with legal and regulatory requirements, resolve disputes, and enforce our agreements.

### **Court Records and Transcripts:**

We retain court recordings and transcripts in accordance with:

- Our contractual obligations to customers
- Applicable court rules and legal requirements
- Customer-specified retention schedules

Upon contract termination, we will delete or return customer data as instructed, except where retention is required by law.

### **Account and Operational Data:**

We retain account and operational information for as long as necessary for legal, accounting, or regulatory purposes. When you delete your account, we may continue to retain certain information as required by law or for legitimate business purposes, including to fulfill our legal obligations, resolve disputes, and enforce our agreements.

## **COOKIES AND SIMILAR TECHNOLOGIES**

We use cookies and similar tracking technologies to track activity on our Site and hold certain information. Cookies are files with a small amount of data that may include an anonymous unique identifier.

Our Site may use the following types of cookies:

- **Essential Cookies:** Required for the operation of our Site. They enable basic functions like page navigation and access to secure areas.
- **Analytical/Performance Cookies:** Allow us to recognize and count the number of visitors and see how visitors move around our Site.
- **Functionality Cookies:** Used to recognize you when you return to our Site, enabling us to personalize content for you.
- **Targeting Cookies:** Record your visit to our Site, the pages you have visited, and the links you have followed.

You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Site.

## YOUR RIGHTS AND CHOICES

Depending on your location, you may have certain rights regarding your personal information:

### For All Users:

- **Access:** You may request access to your personal information.
- **Correction:** You may request that we correct inaccurate information about you.
- **Account Information:** You can update certain information in your account settings.
- **Cookies:** You can manage cookie preferences through your browser settings.
- **Marketing Communications:** You can opt out of marketing emails by using the unsubscribe link in our emails or by contacting [Privacy@trxchange.com](mailto:Privacy@trxchange.com).

Under the California Consumer Privacy Act (CCPA) and California Privacy Rights Act (CPRA), which we extend to all users, you have additional rights:

- **Right to Know:** You can request information about the personal information we collect, use, disclose, and sell.
- **Right to Delete:** You can request deletion of personal information we have collected about you.
- **Right to Correct:** You can request correction of inaccurate personal information.
- **Right to Opt-Out:** You can opt out of the sale or sharing of your personal information for cross-context behavioral advertising.
- **Right to Limit Use of Sensitive Personal Information:** You can request limits on our use of your sensitive personal information.

You can exercise these rights by contacting us at [Privacy@trxchange.com](mailto:Privacy@trxchange.com). We will not discriminate against you for exercising any of these rights.

### For European Economic Area (EEA) and UK Residents:

Under the General Data Protection Regulation (GDPR) and UK GDPR, EEA and UK residents have additional rights:

- **Right to Erasure:** You can request erasure of your personal data in certain circumstances.
- **Right to Restrict Processing:** You can request restriction of processing of your personal data.
- **Right to Data Portability:** You can request a copy of your personal data in a structured, machine-readable format.
- **Right to Object:** You can object to our processing of your personal data in certain circumstances.

- **Right to Withdraw Consent:** You can withdraw consent where we rely on consent to process your personal data.

To exercise any of these rights, please contact us at [Privacy@trxchange.com](mailto:Privacy@trxchange.com).

**For Australian Residents:**

Under the Privacy Act 1988 (Australian Privacy Principles), Australian residents have the right to access their personal information, correct inaccuracies, and make complaints about privacy breaches.

**For New Zealand Residents:**

Under the Privacy Act 2020, New Zealand residents have the right to access and correct their personal information and make complaints about privacy breaches.

**For Virginia, Colorado, Connecticut, and Utah Residents:**

Residents of Virginia, Colorado, Connecticut, and Utah may have additional privacy rights under their respective state laws. These may include the right to access, correct, delete, and opt out of the sale of personal information. To exercise these rights, please contact us at [Privacy@trxchange.com](mailto:Privacy@trxchange.com).

Regardless of your location, we strive to respond to all legitimate requests to exercise privacy rights within 30 days. In some cases, we may need additional time, in which case we will notify you of the reason for the delay.

## **INTERNATIONAL DATA TRANSFERS**

All customer content is stored within the United States. For customers in our international jurisdictions (Australia, UK, New Zealand), data will be stored within the respective country and will not be transferred internationally without customer consent.

For account management functions and general operations, certain personal information may be processed in the United States where our main operations are located.

For any personal data transfers from the EEA or UK that may be necessary for account administration purposes, we rely on appropriate safeguards such as Standard Contractual Clauses approved by the European Commission or other legal mechanisms to ensure adequate protection of your personal data.

## **CHILDREN'S PRIVACY**

Our services are not directed to individuals under the age of 18. We do not knowingly collect personal information from children. If you become aware that a child has provided us with personal information, please contact us. If we become aware that we have collected personal information from a child without parental consent, we will take steps to remove that information.

## **CHANGES TO THIS PRIVACY POLICY**

We may update this Privacy Policy from time to time. The updated version will be indicated by an updated "Last Updated" date. If we make material changes to this Privacy Policy, we will notify you by email or by posting a notice on our Site prior to the changes becoming effective.

Your continued use of our services after the effective date of the revised Privacy Policy constitutes your acceptance of the changes.

## **ACCESSIBILITY**

We are committed to making our Privacy Policy accessible to all individuals, including those with disabilities. This document is designed to be compatible with common screen readers and assistive technologies. If you require this Privacy Policy in an alternative format (such as large print, audio, or braille), please contact us at [Privacy@trxchange.com](mailto:Privacy@trxchange.com) or call (800) 406-1290, and we will provide an accessible version within 10 business days. We welcome feedback on how to improve the accessibility of our privacy information and other documentation.

## **CONTACT US**

If you have any questions or concerns about this Privacy Policy or our privacy practices, please contact us at:

**Email:** [Privacy@trxchange.com](mailto:Privacy@trxchange.com)

**Phone:** (800) 406-1290

**Address:** American Platform Services LLC d/b/a TheRecordXchange  
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