
NOTARIZE GLOSSARY

- "Affiliate"** means any legal entity controlled by, controlling, or under common control with a party to the Agreement.
- "API"** means the application programming interface designed by or on behalf of Notarize to permit authorized parties to submit Documents and Services requests, and to receive responses from the Platform in an automated manner.
- "App"** means the Notarize mobile software application available for Android and iOS devices.
- "Applicable Electronic Signature Law"** means, for Services involving a Notarization, the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. sec. 7001 et seq. ("**ESIGN**") as well as Applicable Notary Law concerning electronic signatures or Remote Online Notarizations.
- "Applicable Notary Law"** means those laws of a Notary User's commissioning jurisdiction which apply to authorization, performance, or validity of traditional or Remote Online Notarizations.
- "Business"** means a business or non-profit organization, educational institution, or other legal or government entity.
- "BYON Notary"** means a Notary provided access to the Platform by a User for the purpose of providing Notarizations and related services in connection with a Transaction.
- "BYON Services"** means Notarize's provision of Platform access to Subscribers for the purpose of procuring Notarizations, E-Sign Services, and related services from BYON Notaries.
- "Confidential Information"** means information obtained by a Receiving Party in connection with the Services which concerns Disclosing Party's business or operations that (a) is identified by a "CONFIDENTIAL" legend or similar legend of the Disclosing Party or (b) the Receiving Party knew or should have known should be treated as confidential given the circumstances of its disclosure, and includes inventions, specifications, drawings, models, samples, reports, plans, client lists, marketing materials, financial information, work-in-progress, forecasts, computer programs or documentation, know-how, strategies and all other nonpublic technical, financial, or business information. Notarize Confidential Information includes the Notarize IP, and User Confidential Information includes User IP.
- "Document"** means a document in electronic form that a User presents on the Platform to be signed, Notarized or otherwise used in connection with a Transaction or other Services.
- "Electronic Notarial Records"** means the audio-visual recording of a Transaction Session and any other information required by Applicable Notary Law for inclusion or retention in the electronic journal of notarial acts.
- "E-Sign Services"** means Notarize's facilitation of electronic signatures on Documents through the Platform, including Notarizations, and provision of Verification Portal access to Verification Portal Users.
- "External Document"** means a document included in a Transaction that is "wet-signed" outside the Platform.
- "Fees"** means all fees a User pays to Notarize for Services as described in the relevant Order Form or Supplement.
- "Intellectual Property Rights"** collectively means any and all rights, title and interest to intellectual property (including, all patents, patent registrations, business processes, copyrights, database rights, moral rights, trademarks, trade names, service marks, service names, trade secrets and other Confidential Information, know-how or other similar rights arising or enforceable anywhere in the world and including any applications or rights to take action for infringement) in any system, software (including source and object code), inventions, documentation, data, content, design, method, process, device, algorithm, improvement, concept, or other material or technology, including any derivative works.
- "Lender"** is a lender User who receives RE Services.
- "NOD Notary"** means a Notary matched to a Subscriber through Notarize's "Notary on Demand" network for the purpose of providing NOD Services to the Subscriber.
- "NOD Services"** means authentication services, Notarizations, and related ancillary services NOD Notaries provide through the Platform in connection with a Transaction.
- "Notarization"** means an authorized notarial act performed by a Notary in accordance with Applicable Notary Law.

"Notarize Content" means all information, documents, writings, images, works, or other material that User accesses through the Platform, excluding User Data.

"Notarize System" means the software, business rules, methods, data, know-how, technology, and related user documentation developed or acquired by Notarize to enable the Services it provides to Users.

"Notarize" means Notarize, Inc., a Delaware corporation with offices at 745 Boylston, Suite 600, Boston, MA, 02116, and its subsidiaries, including Notarize LLC.

"Notary Business Account Services" means Notarize's provision of Platform access to Notary Business Users for the purpose of facilitating Notarizations or other services Notary Business User provides to its Notary Customers.

"Notary Business User" means a Notary User who accesses or uses the Platform to provide Notarizations or other services to Notary Customers.

"Notary Customer" means a User invited by a Notary to participate in a transaction brought to the Platform by the Notary for the purpose of providing Notarizations or other services directly to the User.

"Notary" means an individual commissioned or authorized by the United States or any state, commonwealth or territory of the United States to perform Remote Online Notarizations.

"Order Date" means, for specific Services, either (a) the Order Date listed in the Order Form or (b) the date Subscriber activates a Subscription Plan for those Services by paying Fees on the Site or App.

"Order Form" means any Notarize order form executed by the parties for the purchase of Services, and into which these General Terms are incorporated.

"Platform" means, collectively, (a) the API, (b) the App, (c) the Sites, (d) the Services, (e) the Notarize Content, and (f) the Notarize System, and all modifications, additions, or enhancements of any of the foregoing.

"Professional Services" means the implementation, general consultancy, computer systems analysis, design, programming, training, project management and any related professional services and Deliverables that Notarize provides to Subscribers as described in the Order Form.

"RE" means real estate.

"RE Services" means NOD Services, BYON Services, Notary Business Account Services, E-Sign Services, Smart Routing, Collaboration Services, and any other services and functionalities offered or facilitated by Notarize on the real estate Platform and provided to a User in connection with a Transaction relating to real property.

"RE Transaction Session" means a Transaction Session that includes RE Services.

"Remote Online Notarization" or **"RON"** means an electronic Notarization performed by a Notary using audio-video communication technology.

"Services" means NOD Services, BYON Services, E-Sign Services, Notary Business Account Services, RE Services, Professional Services, Support Services, and any other services offered or facilitated by Notarize and provided to User.

"Site" means the Notarize website.

"Support Services" means the Platform technical support and maintenance services that Notarize provides to Subscribers as more fully specified in the Order Form and Subscriber Supplement.

"Third-Party Software" means any third-party software program or service described on the Platform or in an Order Form, including those offered to User in connection with the Services, subject to any applicable additional terms in the Order Form or otherwise required by the supplier.

"Title Agent" is a title, settlement, or escrow User who provides RE Services.

“**Transaction**” means a specific instance of NOD Services, BYON Services, E-Sign Services, Notary Business Account Services, or RE Services requested through the Platform, including the Documents and other User Data appropriate to the Transaction.

“**Transaction Session**” means a Transaction session hosted on the Platform.

“**User Data**” means information provided by User as part of a Transaction, and includes Personal Information, Confidential Information, payment information, identity information, credentials, biometric information and documentation, and Transaction Documents. User Data does not include Electronic Notarial Records or other information obtained or recorded during a Transaction, User activity metadata associated with a Transaction (such as Document uploads, accessing the platform, reviewing, signing, and move annotations), or De-Identified Data (as defined in the Data Privacy Supplement).

“**User System**” means the information technology infrastructure User must obtain, at User’s expense, to access and use the Platform or Services.

“**Verification Portal**” means the access point for Documents and other Transaction information made available by Notarize through the Platform.

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