

Privacy Policy

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1. What Information Does Phötage Collect?

Phötage collects the following information:

Information provided directly to us:

- a. Your Phötage Log-in information, if applicable, and your Instagram Log-In information.
- b. Your e-mail address and profile information, if applicable, that you provide for your user profile (e.g., first and last name, picture, phone number), billing information you provide to Phötage, and any contact information you provide to Phötage.
- c. User Content (e.g., photos, comments, and other materials) that you post to the Application.
- d. Communications between you and Phötage. For example, Phötage may send you Service-related emails relating to account verification, changes/updates to features of the Service, technical and security notices etc. Please note you may not opt out of Service-related e-mails.

Inviting your friends to Phötage:

- a. If you choose, you can use our "Invite" feature, whenever offered or implemented by Phötage, to locate other Phötage users either through

- (i) your contacts list, (ii) third-party social media sites or (iii) through a search of names and usernames on Phötage.
 - i. If you choose to find your friends through your device's contacts list, then Phötage will access your contacts list to determine whether or not someone associated with your contact is using Phötage.
 - ii. If you choose to find your friends through a third-party social media site, then you will be prompted to set up a link to the third-party service and you understand that any information that such service may provide to us will be governed by this Privacy Policy.
 - iii. If you choose to find your friends through a search of names or usernames on Phötage then simply type a name to search and we will perform a search on our Application.
- b. If you choose to invite someone to use the Application through Phötage's "Friend Invite" feature, you may select a person directly from the contacts list on your device and send a text or email from your personal account.
 - i. **Charges on Your Device.** You understand and agree that you are responsible for any charges that apply to communications sent from your device, and because this invitation is coming directly from your personal account, Phötage does not have access to or control this communication.

Analytics information:

- a. Phötage uses third-party analytics tools to help measure traffic and usage trends for the Application. These tools collect information sent by your device or the Application, including the web pages you visit, add-ons, and other information that assists us in improving the Application. We collect and use the analytics information with analytics information from other Phötage users so that it cannot reasonably be used to identify any particular individual Phötage user. Examples of Analytics include your in app activity, psychometric information about you, your geographic information, your device information, etc.

Cookies and other similar technologies:

- a. When you use the Application, Phötage may use cookies (files that are sent by us to your device) and other similar technologies such as pixels, web beacons, and local storage to collect information about how you use the Application and provide features to you.

- b. Phötage may ask advertisers or other partners to serve ads or services to your devices, which may use cookies or similar technologies placed by Phötage or the third party.
- c. If you wish to delete any cookies that are already on your device, please refer to your devices instructions for deleting cookies.
- d. Please note that by deleting our cookies or disabling future cookies you may not be able to access certain features or areas of the Application.

Log file information:

- a. Log file information is automatically reported by your browser each time you make a request to access (i.e., visit) a web page or app. It can also be provided when the content of the webpage or app is downloaded to your browser or device.
- b. When you use the Phötage Application, our servers automatically record certain log file information, including your web request, Internet Protocol ("IP") address, browser type, referring / exit pages and URLs, number of clicks and how you interact with links in the Application, domain names, landing pages, pages viewed, and other such information. Phötage may also collect similar information from emails sent to Phötage users that help us track which emails are opened and which links are clicked by recipients. The information allows for more accurate reporting and improvement of the Application.

Device identifiers:

- a. When you use a mobile device like a tablet or phone to access the Application, Phötage may access, collect, monitor, store on your device, and/or remotely store one or more "device identifiers." Device identifiers are small data files or similar data structures stored on or associated with your mobile device, which uniquely identify your mobile device. A device identifier may be data stored in connection with the device hardware, data stored in connection with the device's operating system or other software, or data sent to the device by Phötage.
- b. A device identifier may deliver information to us or to a third party partner about how you browse and use the Application and may help us or others provide reports or personalized content and ads. Some features of the Application may not function properly if the use or availability of device identifiers is impaired or disabled.

Metadata:

- a. Metadata is usually technical data that is associated with your Content. For example, Metadata can describe how, when and by whom a piece of your Content was collected and how that content is formatted.
- b. Phötage users can add or may have Metadata added to their Content including a hashtag (e.g., to mark keywords when you post a photo), geotag (e.g., to mark your location to a photo), comments or other data.. If you geotag your photo or tag your photo using other's APIs and Phötage implements a search function then, your latitudinal and longitudinal coordinates will be stored with the photo and searchable (e.g., through a location or map feature) if you make your photo public depending on your privacy settings.

2. How Does Phötage Use Your Information?

In addition to some of the specific uses of information described in this Privacy Policy, we may use information we receive to possibly:

- a. Help you efficiently access your information after you sign in;
- b. Remember information so you will not have to re-enter it during your visit or the next time you visit the Application;
- c. Provide personalized content and information to you and others, which could include online ads or other forms of marketing;
- d. Provide, improve, test, and monitor the effectiveness of the Application;
- e. Develop and test new products and features;
- f. Monitor metrics such as total number of visitors, traffic, and demographic patterns;
- g. Diagnose or fix technology problems; and
- h. Automatically update the Phötage Application on your device and Phötage or other Users may run contests, special offers or other events or activities ("Activities") on the Application. You may opt out of Activities by not using any Metadata, such as hashtags or geotags, that are associated with that Activity.

3. How Does Phötage Share Your Information?

Phötage will not rent or sell your information to third parties outside Phötage without your consent, except as noted in this Privacy Policy.

Who Will Phötage Share Your Information With?

- a. Phötage may share your Content and your information (including but not limited to, information from cookies, log files, device identifiers, location data, and usage data) with businesses that are legally part of the same group of companies that Phötage is part of or that become part of that group, Phötage's holding company if any, Phötage's subsidiaries if any, any successors or assigns, and Phötage's official partners ("Affiliates"). Phötage's Affiliates may use this information to help provide, understand, and improve the Application (including by providing analytics) and Phötage's Affiliates' own services (including by providing you with better and more relevant experiences). But these Affiliates will honor the choices you make about who can see your photos.
- b. Phötage also may share your information as well as information from tools like cookies, log files, and device identifiers and location data, with third-party organizations that help us provide the Application to you ("Our Providers"). Our Providers will be given access to your information as is reasonably necessary to provide the Application to you under reasonable confidentiality terms.
- c. Phötage may also share certain information such as cookie data with third-party advertising partners. This information would allow third-party ad networks to, among other things, deliver targeted advertisements that they believe will be of most interest to you.
- d. Phötage may remove parts of data that can identify you and share anonymized data with other parties. We may also combine your information with other information in a way that it is no longer associated with you and share that aggregated information.

Who Can You Choose to Share Your Content With?

- a. Any information or content that you voluntarily disclose to Phötage, such as your Content, will only be shared as detailed in this Privacy Policy and will not be directly shared with other Phötage users unless you choose to share your content with that specific user. Once you have shared your Content or made it public, that Content may be re-shared by others.
 - i. **Content Posted on Phötage's Website.** If you post Content to Phötage's website Phötage will repost your Content on social media sites and applications such as Facebook and Instagram for Phötage users to ping. If you want us to take down a post of your content please contact us and we will promptly take down the post, although some of your Content may remain viewable in cached and archived pages

of the social media sites and application, or if other users or third parties using the social media sites or applications have copied or saved that information.

- b. Subject to your profile and privacy settings, any Content you make public is searchable by other Users and subject to use under our Phötage End User License Agreement (“Phötage EULA”). The use of the Phötage Application is subject to the Phötage EULA which incorporates the terms of this Privacy Policy.
- c. If you remove information that you posted to the Application, copies may remain viewable in cached and archived pages of the Application, or if other users or third parties using the Phötage Application have copied or saved that information. If you print your Content or print and ship your Content, then Phötage will retain copies of the printed and/or printed and shipped Content even if you later remove that Content.

What Happens to Your Information if Phötage is Bought or Sold?

- a. If Phötage sells or otherwise transfers part or the whole of Phötage or our assets to another organization (e.g., in the course of a transaction like a merger, acquisition, bankruptcy, dissolution, liquidation), your information such as name and email address, Content and any other information collected through the Application may be among the items sold or transferred. Nevertheless, you will continue to own your Content. The buyer or transferee will have to honor the commitments Phötage has made in this Privacy Policy.

How Does Phötage Respond to Legal Requests and Prevent Harm to You and Others?

- a. Phötage may access, preserve and share your information in response to a legal request (like a search warrant, court order or subpoena) if we have a good faith belief that the law requires us to do so. This may include responding to legal requests from jurisdictions outside of the United States where we have a good faith belief that the response is required by law in that jurisdiction, affects users in that jurisdiction, and is consistent with internationally recognized standards. Phötage may also access, preserve and share information when we have a good faith belief it is necessary to: detect, prevent and address fraud and other illegal activity; to protect ourselves, you and others, including as part of investigations; and to prevent death or imminent bodily harm. Information Phötage receives about you may be accessed, processed and retained for an extended period of time when it is the subject of a legal request or obligation, governmental investigation, or investigations

concerning possible violations of our terms or policies, or otherwise to prevent harm.

4. HOW IS YOUR INFORMATION STORED?

How is Your Information Stored and Processed?

- a. Any of your information collected through the Application may be stored and processed in the United States or any other country in which Phötage, its Affiliates or Our Providers maintain facilities.
- b. Phötage, its Affiliates, or Our Providers may transfer information that we collect about you, including personal information across borders and from your country or jurisdiction to other countries or jurisdictions around the world. If you are located in the European Union or other regions with laws governing data collection and use that may differ from U.S. law, please note that we may transfer information, including personal information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction.
- c. By registering for and using the Application you consent to the transfer of information to the U.S. or to any other country in which Phötage, its Affiliates or Our Providers maintain facilities and the use and disclosure of information about you as described in this Privacy Policy.
- d. Phötage uses commercially reasonable safeguards to help keep the information collected through the Application secure and take reasonable steps (such as using your Instagram Log-in information) to verify your identity before granting you access to your account. However, Phötage cannot ensure the security of any information you transmit to Phötage or guarantee that information on the Application may not be accessed, disclosed, altered, or destroyed.
- e. Please do your part to help Phötage. You are responsible for maintaining the secrecy of your unique password and account information, and for controlling access to emails between you and Phötage, at all times. Your privacy settings may also be affected by changes to the social media services you connect to Phötage and changes they make to their services. Phötage is not responsible for the functionality, privacy, or security measures of any other organization.

5. WHAT CHOICES CAN YOU MAKE ABOUT YOUR INFORMATION?

What are Your Account Information and Profile/Privacy Settings?

- a. Update your account at any time by logging in and changing your profile settings.
- b. Unsubscribe from email communications from us by clicking on the "unsubscribe link" provided in those communications. As previously noted, you may not opt out of Service-related communications (e.g., account verification, purchase and billing confirmations and reminders, changes/updates to features of the Service, technical and security notices).

How Long Does Phötage Keep Your Content?

- a. Following termination or deactivation of your account, Phötage, its Affiliates, or Our Providers may retain information (including your profile information) and your Content for a commercially reasonable time for backup, archival, and/or audit purposes.
- b. Learn more about deleting your account please visit our website at www.photageit.com.

6. WHAT IS PHÖTAGE'S PRIVACY POLICY FOR CHILDREN?

Phötage does not knowingly collect or solicit any information from anyone under the age of 13 or knowingly allow such persons to register for the Service. The Service and its content are not directed at children under the age of 13. In the event that we learn that we have collected personal information from a child under age 13 without parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about a child under 13, please contact us via the application or at gigi@photageit.com

7. WHAT ARE OUR RESPONSIBILITIES FOR THIRD PARTIES?

We are not responsible for the practices employed by any websites or services linked to or from the Application, including the information or content contained within them. Please remember that when you use a link to go from our Application to another website or service, our Privacy Policy does not apply to those third-party websites or services. Your browsing and interaction on any third-party website or service, including those that have a link on our website, are subject to that third party's own rules and policies. In addition, you agree that Phötage is not responsible and does not have control over any third-parties that you authorize to access your Content. If you are using a third-party website or service and you allow them to access your Content you do so at your own risk.

8. HOW CAN YOU CONTACT PHÖTAGE ABOUT A DECEASED USER?

In the event of the death of a Phötage User, please contact us at www.photageit.com/contact-us. Phötage will usually conduct communications via email; should we require any other information, we will contact you at the email address you have provided in your request.

9. HOW CAN YOU CONTACT PHÖTAGE?

If you have any questions about this Privacy Policy or the Application you may contact us through the application or at www.photageit.com/contact-us.

10. HOW PHÖTAGE MAKES CHANGES TO THE PRIVACY POLICY?

Phötage may modify or update this Privacy Policy from time to time, so please review it periodically. We may provide you additional forms of notice of modifications or updates as appropriate under the circumstances. Your continued use of the Phötage Application after any modification to this Privacy Policy will constitute your acceptance of such modification.