

This Privacy Policy governs the manner in which Vizer (“Vizer,” “we” or “us”) collects, uses, maintains, and discloses information (including personal information) collected from users (each, a "User" or "you") of our mobile applications (“App”), our websites (“Site”) and other services provided by Vizer or any of its subsidiaries (“Other Services”) (collectively, “Services”).

It is important that you read this privacy policy regarding specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data.

By using our Services, or otherwise providing us with information, you consent to our collection, storage, use and disclosure of your personal information and other information as described in this Privacy Policy. If we are not able to collect, store, use, and disclose information about you as set out in this Privacy Policy, we may not be able to provide you with access to our Services.

Our Services are not intended for children under the age of 13 and we do not knowingly collect data related to children under the age of 13. If you are under 13, do not use or provide any information on our Website or on or through our services. If we learn that we have collected personal information from a child under age 13, we will delete it. If you believe we might have any personal information from or about a child under age 13, please contact us.

### **Data Privacy Manager**

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have questions about this privacy policy, including any requests to exercise your legal rights regarding this policy, please contact us using the details set out in the Contact us section below.

### **Changes to This Privacy Policy**

Vizer has the discretion to update this Privacy Policy at any time. When we do, we will revise the updated date immediately below. We encourage Users to frequently check this page for any changes to stay informed about how we are helping to protect the personal information we collect. You acknowledge and agree that it is your responsibility to review this Privacy Policy periodically and become aware of modifications.

This privacy policy was last updated on October 16, 2018

### **Information We May Collect**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (i.e., anonymous data).

We may collect, use, store and transfer different kinds of personal data about you that we have grouped together as follows:

**Identity data** includes first name, maiden names, last name, username or similar identifier, marital status, title, date of birth and gender.

**Contact data** includes billing address, delivery address, e-mail address and telephone numbers.

**Financial data** includes bank account and payment card details.

**Transaction data** includes details about payments to and from you and other details of products and services you have purchased from us.

**Technical data** includes Internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our Services.

**Profile data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback, and survey response.

**Usage data** includes information about how you use our products, Site, Apps, and Other Services.

**Marketing and communications data** includes your preferences in receiving marketing from us and our third-party business partners, trusted affiliates, and service providers.

**Health data** includes your heart rate and the steps you take while you use our products, Site, Apps, and Other Services.

We may also collect, use or share **aggregated data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered person data in law as this data will not directly or indirectly reveal your identity. If, however, we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data that will be used in accordance with this privacy policy.

We do not collect any other **special categories of personal data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinion, trade union membership, additional information about your health, and genetic or biometric data). Nor do we collect information about criminal convictions or offenses.

### **If You Fail to Provide Personal Data**

Where we need to collect personal data by law, or under the terms of a contract with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (e.g., to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

### **How We Collect Your Personal Data**

**Direct interactions.** You may give your Identity, Contact or Financial Data by using our Services. This includes personal data you provide when you:

- Apply for or purchase our or our affiliated Seller's products or services;
- Create an account through our Services;
- Subscribe to our service or publications;
- Enter a competition, promotion or survey; or
- Give us feedback or contact us.

**Automated technologies or interactions.** As you interact with our Services, we may automatically collect Technical Data about your equipment, browsing actions or patterns. We collect this personal data by using cookies, server logs, and other technologies. Users may choose to set their web browser to refuse cookies or to alert them when cookies are being sent. If they do so, we note that some parts of our Services may not function properly.

**Third parties or publicly available sources.** We may receive personal data about you from various third parties as set out below:

- Technical Data from the following parties:

a) analytics providers such as Google Analytics and Apple's App Store Connect

b) advertising networks

c) search information providers

d) social networks such as Facebook via login

· Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as WePay based in the U.S.

### **How We Use Your Personal Data**

In general, the personal information we collect is used for the primary purposes for which it was collected, including:

**To deliver our Services to you.** Vizer may use User's personal information to deliver the Services and any other goods, services, or information that you request from Vizer or any other user of our Services.

**To prevent, detect, and mitigate illegal activities.** Vizer may use User's personal information to prevent, detect, and mitigate fraudulent, counterfeit, or illegal activities.

**To provide or improve customer service.** We may use personal information to help us respond to your customer service requests and support needs more efficiently.

**To personalize user experience.** We may use personal information in the aggregate to understand how our Users as a group use our Services and resources provided on our App.

**To improve our Services.** We may use personal information obtained from feedback you provide to improve our products and services.

**To run a promotion, contest, survey, or other Service feature.** We may use personal information to send information that Users have agreed to receive about topics we think will be of interest to them.

**To send periodic e-mail.** We may use personal information such as email addresses to send Users information and updates pertaining to their order. A User's email address may also be used to respond to their inquiries, questions, and/or other requests. If a User agrees to be on our

mailing lists, they will receive emails that may include company news, updates, related product or service information, etc.

### **Third-party Apps**

Users may find advertising or other content through our Services that link to the sites and services of our partners, suppliers, advertisers, sponsors, licensors, and other third parties. Clicking on links to third-party websites, plug-ins and applications or enabling those connections may allow third parties to collect or share data about you. We do not control the content or links that appear on these sites and are not responsible for the practices employed by apps linked to or from our Services. In addition, these sites or services, including their content and links, may be constantly changing. These sites and services may have their own privacy policies and customer service policies. Browsing and interacting on any other app, including apps which have a link to our App, is subject to that app's own terms and policies. Vizer is not a party to those agreements; they are solely between you and the third party.

### **Advertising**

Advertisements appearing through our Services may be delivered to Users by advertising partners, who may set cookies. These cookies allow the advertising server to recognize your computer each time they send you an online advertisement to compile non-personal information about you or others who use your computer. This information allows advertising networks to, among other things, deliver targeted advertisements that they believe will be of most interest to you. This Privacy Policy does not cover the use of cookies by any advertiser.

### **Google AdSense**

Some of the advertisements may be served by Google. Google's use of the DART cookie enables it to serve advertisements to Users based on their visit to our App, Site, and other sites on the Internet. DART uses "non-personally identifiable information" and does NOT track personal information about you, such as your name, email address, physical address, etc. You may opt out of the use of the DART cookie by visiting the Google advertising and content network privacy policy at [http://www.google.com/privacy\\_ads.html](http://www.google.com/privacy_ads.html).

**Unsubscribe/Opt-out.** If at any time the User would like to unsubscribe from receiving future promotion, content, survey, feature, or other marketing information or emails, we include detailed unsubscribe instructions at the bottom of each email. You may not, however, unsubscribe from emails about your account status or order status.

**Other uses.** We may also use your personal information for a secondary purpose that is related to a purpose for which we collected it, where you would reasonably expect us to use your personal information for that secondary purpose.

### **International Transfers**

Vizer is located in the United States, and when you use our Services, we may collect, use and store your information in the United States. Your personal information will be subject to laws of the United States, which may differ from your country of residence. For example, the law of the United States may require that your personal information be disclosed to government agencies under different circumstances than in your country of residence.

For transfers of personal data from persons within the European Economic Area (EAA), we ensure a similar degree of protection is afforded to it by ensuring at least one of the following:

- **We will provide an adequate level of protection for your personal data, as provided by the European Commission.** For further details, see [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en).
- **Where we use certain service providers, we may use specific contracts approved by the European Commission, which give personal data the same protection as it has in Europe.** For further details, see [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en).
- **Where we use providers based in the U.S., we may transfer data to them if they are part of the Privacy Shield that requires them to provide similar protection to personal data shared between the U.S. and Europe.** For further details, see [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en).

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data.

### **How We Protect Your Personal Data**

We adopt appropriate data collection, storage and processing practices, and security measures that are designed to protect against unauthorized access, alteration, disclosure, or destruction of your personal information, username, password, transaction information, and data stored on our

Services. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. No Internet transmission, however, is ever completely secure or error-free. Additionally, messages sent through the Vizer service are not encrypted.

It is your responsibility to control access to your device, including keeping your login information confidential and not sharing it with anyone. It is also your responsibility to notify Vizer if you believe the security of the information in our Services or your Vizer account has been compromised.

### **Prohibiting the disclosure of your personal information**

We do not sell, trade, or rent Users' personal information to others.

Vizer may disclose Users' personal information to the following parties and for the purposes for which it was collected as described above:

#### **Business partners, trusted affiliates, and third-party service providers**

We may disclose generic aggregated demographic information not linked to any personal information regarding visitors and users with our business partners, trusted affiliates, and advertisers, without notification to the User of such disclosure. We may use third party service providers to help us operate our business and our Services or administer activities on our behalf, such as sending newsletters or surveys. We may disclose your information, including your personal information, to these third parties only to the extent necessary for them to provide such services to us and such third party service providers are contractually obligated to maintain the confidentiality and security of that information. These third parties may be located outside of your country of residence, including in Canada, Australia, or European Union ("Offshore Recipients"). In this case, your personal information would be subject to the laws of the country in which the Offshore Recipient is located, which may have laws that require that your personal information be disclosed to government agencies under different circumstances than would your country of residence. While Vizer remains committed to protecting your personal information, you consent to this disclosure and acknowledge that Vizer has no control over, and is not liable for, the acts and omissions of Offshore Recipients.

#### **Corporate transactions**

In the event of a sale, amalgamation, re-organization, transfer or financing of parts of some or all of Vizer's business ("Transaction"), your personal information may be disclosed to an acquiring

organization either as part of due diligence or on completion of the transaction. If your personal information is ever disclosed in this context, Vizer will require the acquiring organization to agree to protect your personal information in accordance with this Privacy Policy and to only use your personal information for purposes relating to the Transaction. You acknowledge and consent that such transfers may occur and are permitted by this Privacy Policy.

### **Law enforcement and government agencies**

We may disclose User's personal information as required by law, including to law enforcement and government agencies in response to a verified request related to suspected illegal activities or related to a criminal investigation. We will only disclose information that we find necessary and relevant ("Disclosed Information"). Disclosed Information may include a User's name, mailing address, phone number, and email address. Disclosure may be made without notice to User.

### **Third parties in a legal proceeding**

We may disclose User's personal information to third parties involved in a legal proceeding if the third party provides Vizer with a subpoena or other similar lawful process. Disclosure may be made without notice to User.

Vizer will also disclose to third parties involved in a legal proceeding when Vizer believes in good faith that disclosing personal information is necessary to prevent imminent physical harm or financial loss, or to report suspected illegal activity.

### **Disclosure related to Vizer Terms of Use**

If Vizer believes in good faith that User has breached the Terms of Use or any other Vizer Policies, Vizer may disclose such User's personal information as found necessary and relevant to pursuing a claim or preventing further injury to Vizer, its Users, and others. Disclosure may be made without notice to User.

### **Data Retention**

We will only retain your personal data for as long as reasonably necessary to fulfill the purposes for which we collected it, including for the purposes of satisfying any legal, regulator, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation with respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

## **Your Legal Rights**

Under certain circumstances, you may have rights under data protection laws in relation to your personal data. These rights may include:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to the processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us.

## **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the legal rights discussed above that you may have). We may, however, charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

## **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to

receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally, it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **Administration and How to Contact Us:**

#### **Opt out**

If you would like to opt-out of communications from Vizer, please follow the unsubscribe instructions at the bottom of emails you receive from us or contact us directly using the contact details below.

#### **Access, correction and complaints**

If you wish to access, correct, or update the personal information we hold about you, learn about the sources used to collect this personal information, why Vizer collected specific personal information, and the third parties with whom this personal information has been shared, please contact us directly using the contact details below. Vizer cannot discriminate against you for requesting this information by changing prices or the quality of your experience, but it may charge a reasonable amount for providing access to personal information, or refuse access to personal information where permitted by law.

If you have any questions or concerns about Vizer's collection, storage, use or disclosure of personal information, or if you believe that Vizer has not complied with this Privacy Policy or applicable privacy law, please contact Vizer using the contact details below. When contacting Vizer, please provide as much detail as possible in relation to the question, issue or complaint. Your complaint will be taken seriously and will be assessed by an appropriate person with the aim of resolving any issue in a timely and efficient manner. Vizer requests that you cooperate with Vizer during this process and provide any relevant information that may be required.

#### **Your acceptance of these terms**

By using this our Services, you signify your acceptance of this Privacy Policy and our Terms of Use. If you do not agree to this policy, please do not use our Services. Your continued use of our

Services following the posting of changes to this policy will be deemed your acceptance of those changes. You reserve the right to withdraw this acceptance at any time but doing so will likely impact your ability to use our Services.

### **Contact us**

If you have any questions about this Privacy Policy, the practices of our Services, our third-party service providers or your dealings with any of our Services, you can contact Vizer at 3719 Crane Place, San Diego, CA 92103, [www.vizerapp.com](http://www.vizerapp.com), [create@vizerapp.com](mailto:create@vizerapp.com), or (858) 412-0576.

### **California Privacy Rights**

California Civil Code Section 1798.83 permits customers of Vizer who are California residents to request certain information regarding its disclosure of their personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to [create@vizerapp.com](mailto:create@vizerapp.com). We may (and we may allow third-party service providers) use cookies or similar technologies to collect information about your browsing activities across different apps after you have used our Services. Our Services do not respond to "Do Not Track" (DNT) signals and operates as described in this Privacy Policy whether or not a DNT signal is received.