

## PUDDING.AI - PRIVACY POLICY – KEY POINTS

The following key points of the Privacy Policy are only brought for your convenience. These key points do not substitute the full Privacy Policy.

- **Information we collect.** To create a user account, you will be asked to provide your full name (both the name of the Representative and the name of the Business) email address, phone number, date of birth, and company address. Content that you choose to upload to the Service may contain, or be indicative of, your personal information. Such Content is not treated as private or confidential and you should not have any expectation of privacy with respect to it.
- **Children's Privacy.** We do not knowingly or intentionally collect personal information of minors. If you are a minor, you may not use the Service and may not provide any personal details to us.
- **Use of collected information.** We use the personal information we collect, to operate and facilitate your use of the Service, and for other ancillary purposes.
- **Sharing collected information.** Your personal information will be shared with service providers who help us with the internal operations and administration of the Service.
- **Retaining and controlling your personal information.** You may ask to review the personal information about you that is stored in our systems, or have us update, correct or delete it, subject to applicable law.
- **Data anonymization.** We may anonymize personal information we have collected, and use it (in its anonymized form) with others, for any purpose.
- **Commercial messages.** We may send you newsletters and marketing messages via your email, if you have given us your consent. In any event, you may opt-out of our newsletters and marketing messages by following the “unsubscribe” link.
- **Transfer of data outside your territory.** We may store and process information in various locations throughout the globe, including countries that may provide a lower degree of data protection than the laws of your own country.
- **Information Security.** We use measures to secure your personal information, but they do not provide absolute information security.

## PUDDING.AI – PRIVACY POLICY

### Introduction

Welcome to "Pudding.ai" - an online platform and service (the “Service”). Our Service provides your business (the “Business”) with a machine learning based solution that analyze creative content – e.g. images, texts, video and media - to enable you deliver the best creative for your audience in real time.

The Service is owned and operated by NowTecc Technologies Ltd d/b/a **Pudding.ai** (“we”, “our”, “us”).

Through the Service, you may upload content in various forms, such as textual, visual, audio or any combination thereof (collectively, the “Content”).

We at Pudding.ai respect your privacy. This Privacy Policy (the “Policy”) refers both to you, the individual who acts on behalf of the Business (the “Representative”), and to the Business that has

authorized you to enter into an agreement with us (the Representative and the Business will collectively be referred to as “you” or “your”).

This policy explains our privacy practices for the Service, including the ways your personal information is collected and used by us.

**The personal information you provide us (as described below) depends on your volition and consent. You are not legally obligated to provide or give access to this information, but we do require it to let you use the Service.**

This policy is incorporated by reference to the Service's [Terms of Use](#) (the “Terms”) and constitutes an integral part of them.

### **Information we collect**

#### Information you actively provide us

**Registration Information.** To create a user account (“**User Account**”), you will be asked to provide your full name (both the name of the Representative and the name of the Business), your email address, your phone number, date of birth, and the Business' address.

Registration is also available through third party platform accounts, such as Firebase. When registering through your third party platform account, you are allowing us access to your basic profile information, such as your contacts email addresses, and any other content available therein. We can only access the information that your third party platform operator makes available to us, according to your privacy settings on such platform.

**Content.** Content that you upload to the Service may contain, or be indicative of, your personal information, depending on the particulars of the Content. Such Content is not treated as private or confidential and you should not have any expectation of privacy with respect to it.

BECAUSE THE CONTENT YOU UPLOAD MAY HAVE TO DO WITH THE PRIVACY OF OTHERS, YOU MUST LAWFULLY OBTAIN THE CONSENT OF ALL INDIVIDUALS (AND THE CONSENT OF THE PARENTS OR LEGAL GUARDIANS OF ALL MINORS), WHO ARE DEPICTED, SHOWN OR REFERRED TO IN THE CONTENT, TO INCLUDE THEM IN THE CONTENT AND TO USE THAT CONTENT FOR THE PURPOSES AND IN THE MANNER CONTEMPLATED BY THIS POLICY AND THE TERMS.

IN ANY CASE, USE CAUTION AND COMMON SENSE WHEN YOU UPLOAD CONTENT CONTAINING OR DEPICTING PERSONAL INFORMATION OF YOURSELF OR OTHERS. YOU ARE SOLELY RESPONSIBLE FOR ANY CONTENT THAT YOU UPLOAD.

**Payment information.** To subscribe to the Service, you may be asked to provide payment information which we will use to charge you for the applicable Service fees. Your payment information may be processed and handled through our payment gateway service provider or through third party payment processors. Payment information that is handled through third party payment processors is not stored on our servers and is subject to such payment processors' privacy practices.

**Inquiries information.** To contact us you via our email [anastasia@pudding.ai](mailto:anastasia@pudding.ai), you may be required to provide us with personal information, such as your name and contact details.

You must provide complete, accurate and correct details. If you do not provide the required information, or provide false, incorrect, or outdated information, we may not be able to process your request or inquiry or contact you. We may also require additional personal information from you, to verify your account and identity.

#### Information we automatically collect

**Analytical data.** We may collect information about your use of the Service. For example, we may record the frequency and scope of your use of the Service, the duration of your sessions, the interactions and communications you make with the Service's interface, and Content that you view or create while using the Service.

**Device Information.** We may collect information about your personal computer or mobile device, including its model, operating system, unique device identifiers, mobile network information and the Internet Protocol (IP) address through which you accessed the Service.

**Digital Channel Data.** We collect information from the Digital Channel you provide us access to. You authorize us to access, use and store the information that you agreed the Digital Channel in question could provide to us based on your settings on that Digital Channel. We will access, use and store that information in accordance with this Policy. You can revoke our access to the information you provide from the Digital Channel at any time by amending the appropriate settings from within your account settings on the applicable Digital Channel.

#### Children's Privacy

We do not knowingly or intentionally collect personal information of minors. If you are a minor, you may not use the Service and may not provide any personal details to us.

#### Use of collected information

We use the personal information we collect for the following purposes:

- To operate and facilitate the access to and use of the Service, its features and functionalities, develop, improve and customize the Service, to manage the administrative and operational aspects of the Service, and collecting fees and payments;
- Send you administrative updates and announcements, provide you with support, handle complaints and contact you when we believe it to be necessary, either directly or through others on our behalf, including by e-mail messages;
- Send you newsletters and marketing messages (which you may opt-out of by following the "unsubscribe" link located at the bottom of each message), if you consented to receive them;
- Enforce the Terms and this Policy and prevent unlawful activities and misuse of the Service;
- Comply with any applicable law and assist law enforcement agencies and competent authorities, when we have a good faith belief that our cooperation with them meets the applicable legal standards; and
- Take any action in any case of dispute involving you, with respect to the Service.

#### Sharing collected information

We share personal information outlined in this Policy, with others, in the following instances:

- With our service providers, in order to operate, maintain and enhance the Service.
- Your billing or payment information will be processed by our billing or payment service providers;
- If you have breached the Terms, abused your rights to use the Service, or violated any applicable law. Your information may be shared with competent authorities and with any third party, as may be required;
- With third parties to whom we believe that we are required by law to disclose your information;
- With attorneys, courts and relevant third parties, in any case of dispute, or legal proceeding of any kind involving you with respect to the Service;
- If the operation of the Service is organized within a different framework, or through another legal structure or entity (such as due to a merger or acquisition), provided that those entities agree to be bound by the provisions of this Policy, with reasonably necessary changes taken into consideration; and
- We may share personal information with our corporate group entities (companies that we control, control us, or are under common control with us – whether directly or indirectly), but their use of such information must comply with the Policy.

In any case other than the above, your personal information will be shared with others only if you provide your explicit prior consent.

### **Retaining and controlling your personal information**

**Data retention.** We retain the personal information we collect for as long as we deem necessary for our business needs, and delete it thereafter from our systems, without notice to you. Please remember that the Service does not provide back-up services for any Content.

**Accessing, updating or deleting Your personal information.** If the law grants you such rights, you may ask to access the personal information about you that is stored in our systems. You may also ask for our confirmation as to whether or not we process personal data concerning you.

Subject to the limitations in law, you may request that we update, correct or delete inaccurate or outdated information, and have us suspend the use of personal data whose accuracy you contest while we verify the status of that data.

Subject to law, you may also be entitled to obtain from us the personal data you directly provided us (excluding data we obtained from other sources) in a structured, commonly used and machine-readable format, and may have the right to transmit those data to another party.

If you wish to exercise any of these rights, contact us at: [anastasia@pudding.ai](mailto:anastasia@pudding.ai)

When handling these requests, we may ask for additional information to confirm your identity and your request.

### **Data anonymization**

At any time, we may anonymize (de-identify) personal information we have collected. We may use the de-identified information in any way, including by selling, or making it available, to any other third party.

### **Commercial messages**

We will send you newsletters and marketing messages via your email, if you have given us your consent. You have the right to object at any time to processing your personal data for such marketing purposes. If you raise such an objection, we will no longer process your personal data for such purposes. Specifically, you may opt-out of our newsletters and marketing messages by following the “unsubscribe” link located at the bottom of each message.

### **Cookies**

We and our third party website analytics provider may use cookies on the Service. Cookies are packets of information sent by our servers to your web browser and then sent back by the browser each time it accesses our servers. The cookies may contain information, such as your interactions with the Service’s features and functionality, your session durations and IP addresses. We use the cookies to collect analytical information about your use of the Service.

Cookies are saved on your computer's hard drive. If you wish to block cookies, you may do so through your browser’s settings. Please refer to the browser's help menu for further information. HOWEVER, BEAR IN MIND THAT DISABLING COOKIES MAY ADVERSELY AFFECT YOUR USER EXPERIENCE ON THE SERVICE.

### **Transfer of data outside your territory**

We may store and process information in various locations throughout the globe. We may also process information using cloud services. In certain cases the laws in some of these countries may provide a lower degree of data protection than the laws of your own country. You agree to the transfer of your information to such other countries for the purpose of processing as described in this Policy, including through cloud services.

### **Information security**

We use measures to reduce the risks of damage, loss of information and unauthorized access or use of information. However, these measures do not provide absolute information security. Therefore, it is not guaranteed, and you cannot reasonably expect that the Service and its related databases will be immune from any wrongdoings, malfunctions, unauthorized interceptions or access, or any other kinds of abuse and misuse.

### **ADDITIONAL PROVISIONS APPLICABLE TO INDIVIDUALS IN THE EU**

**Controller.** NowTecc Technologies Ltd. d/b/a **Pudding.ai** is the data controller for the purposes of the personal data we collect through the Service and for the performance of the Service.

#### **Legal Basis for Processing Your Data.**

- The legal basis for collecting the Registration Information, Content, Payment information, User Data, and Inquiries information is its necessity for the fulfillment of a contract between you and us, and to provide you with feedback or services in response to inquiries you make;
- The legal basis for processing and collecting and Analytical Data and Device Information is our legitimate interests in operating our Service, ongoing management of our business and business development;
- Further processing and data retention may occur based on legal requirements.

**EU Rights.** You have the following rights under the GDPR:

- **Right to Access.** You have a right to access your personal data that we process and receive a copy of it.
- **Right to Rectification.** You have the right to ask us to rectify inaccurate personal data concerning you and to have incomplete personal data completed.
- **Right to Data Portability.** You have a right to receive the personal data that you provided to us, in a structured, commonly used and machine-readable format. You have the right to transmit this data to a third party. Where technically feasible, you have the right that your personal data be transmitted directly from us to a third party you designated.
- **Right to Withdraw Consent.** You have the right to withdraw your consent for processing your personal data at any time. If you do that, we will not collect any further personal data, but we will further process the data we already collected for reasons described in this Policy. Withdrawing your consent will not affect the lawfulness of data processing we carried out based on your consent before such withdrawal.
- **Right to Object.** If you previously agreed that your personal data may be used for other purposes other than registering and/or placing an order, you may have a right to object to the use of your personal data for such additional purposes.
- **Right to Restrict.** You have the right to restrict processing of your personal data (except for storing it) if you contest the accuracy of your personal data, for a period enabling us to verify its accuracy; if you believe that the processing is unlawful and you opposes the erasure of the personal data and requests instead to restrict its use; if we no longer need the personal data for the purposes outlined in this Policy, but they are required by you to establish, exercise or defence relating to legal claims, or if you object to processing, pending the verification whether our legitimate grounds for processing override yours.
- **Right to be Forgotten.** Under certain circumstances, such as when you withdraw your consent, you have the right to ask us to erase your personal data. However, we may still process your personal data if it is necessary to comply with a legal obligation we are subject to under laws in EU Member States.

If you believe your right have been infringed, you can lodge a complaint with a supervisory authority operating under the GDPR. For a list of supervisory authorities in the EU, click [here](#).

### **Changes to this Privacy Policy**

We may change this Policy, but putting you on notice of such changes. The most up-to-date Policy is accessible through on our website, at: [www.pudding.ai](http://www.pudding.ai)

If you do not agree to the amended Policy, we may cancel your User Account and terminate your use of the Service.

### **Contact Us**

You may contact us at any time with any questions or comments you may have with respect to our Service, at: [anastasia@pudding.ai](mailto:anastasia@pudding.ai)

**Last Updated: June 17<sup>th</sup>, 2020.**