

MoPho's App Privacy Policy

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MoPhoPix, Inc. ("MoPho") is committed to protecting the privacy rights of users of the mobile application it operates (the "App"). The free App allows users to take and submit photos, videos, and text for MoPho to then own and exclusively sell pursuant to the Terms and Conditions of Use ("Terms") of the App. By using the App you consent to the collection, use and disclosure of your Personal Information in accordance with this Privacy Policy.

MoPho is committed to protecting your privacy. This Privacy Policy tells you about our online collection, use and disclosure of Personal Information. The terms of this Privacy Policy apply to all Personal Information collected by MoPho on the App MoPho.com. IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, PLEASE DO NOT USE THE APP.

1. Privacy Officer

We have designated privacy officers at MoPho to be accountable for our Privacy Policy . You may forward any questions, comments or complaints that you might have about this Privacy Policy by email to: privacy@MoPho.com.

2. Collection of Your Non-Personal and Personal Information

MoPho may collect certain kinds of non-personal information, such as the type of mobile device you use, mobile carrier, your mobile operating system, mobile device location, the type of mobile Internet browsers you use, and information about the way you use the App. We also may collect navigational information, including information about the pages you view, the links you click, and other actions taken in connection with the App. Limited demographic information, such as the industry you work in, may also be collected and may be linked to your Personal Information.

We only collect Personal Information about you after you have provided us with your consent to collect that specific information. Submission of such Personal Information by you shall confirm your consent.

3. Registration and Personal information

Registration is mandatory in order to use the App.

Personal Information includes:

- A. Information collected when you register or visit the App including your member name and password, your name, your mailing address, email address, phone number, and some automatic information such as your mobile device's unique device ID and the IP address of your mobile device.
- B. Other information collected including:
 - (i) Banking and other financial institution information required in order for us to compensate you if and as applicable;
 - (ii) Your Social Security number required in order for us to prepare tax information slips if and as applicable; and
 - (iii) A copy of your photo identification (for example, your driver's license).

You may always choose not to provide Personal Information, but if you so choose, certain products and services may not be available to you.

4. Use of Your Personal Information

We may use your Personal Information to:

- Create and manage your account;
- Process your transactions;
- Provide customer service;
- Perform research and analysis aimed at improving our products, services and technologies, including sending you surveys;
- Display content that is customized to your interests and preferences;
- To compensate you and to prepare tax information slips if and as applicable;
- To identify your uploaded content as your content;
- Communicate with you about your transactions, new products and services;
- Respond to your questions;
- Analyze use of and improve our App;
- Identify and protect against fraudulent use of the App;
- Enforce our Privacy Policy and Terms; and
- Send you marketing emails to inform you of new products or services or other information or offers that may be of interest. These marketing emails may come from MoPho or our affiliated companies. If you do not wish to receive marketing emails, you may adjust your "Personal Information Preferences" as described below.

5. Disclosing Your Personal Information

We may share aggregated, non-personally identifiable information about you with third parties. This information is anonymous, statistical information that reflects usage of the App and does not include your Personal Information. We may use your email address to send messages relating to our company or services, from which you will have the ability to opt-out as detailed herein.

Except as set out in this Privacy Policy, MoPho does not disclose or sell your Personal Information to any third-parties.

We may disclose your Personal Information to third-party service providers who perform services on our behalf. For example, we may hire other companies to handle the processing of payments, to provide data storage, to host the App, to assist in marketing, to conduct audits, etc. Those third-party service providers:

- (i) Shall be permitted to obtain only the Personal Information they need to provide the service,
- (ii) Must protect the Personal Information to the same extent as MoPho, and
- (iii) Shall be prohibited from using the Personal Information for any other purpose.

We may need to disclose your Personal Information without your consent and without notice to you in response to legal process; to prevent fraud; to comply with legal or regulatory requirements; to enforce our Privacy Policy and/or Terms; to protect the rights, property or safety of our users, our employees, or others; or to investigate security breaches or otherwise cooperate with authorities pursuant to a legal matter; and/or

We may disclose your Personal Information in connection with a merger, acquisition, or liquidation of our company or sale of certain assets, to any third party involved in such transactions, including those who may be located outside the United States, and in connection with business negotiations with respect to any such transactions.

We may also disclose your Personal Information to an entity that purchases your content submitted by you through the App, provided that such entity uses your Personal Information for the same purposes and protects it to the same degree, as set out in this Privacy Policy. Personal information disclosed to such entity may be available to the United States government or its agencies under a lawful order made in a court of competent jurisdiction in the US.

6. Consent of Collection and Use of Your Personal Information

By submitting Personal Information to us, you acknowledge and agree that you have consented to the collection, use and disclosure practices set out in this Privacy Policy as they relate to your Personal Information and other information.

7. Accessing Your Personal Information

If you would like to review or revise information that you previously provided to us, you may access and change your Personal Information in the "My Account" section of the App. You may also contact Customer Service by email at contact@MoPho.com for assistance.

8. Personal Information Preferences

MoPho respects your right to make choices about the use and disclosure of your Personal Information. If at any time you decide that you do not want to receive marketing emails from us, please let us know by:

(A) Checking or unchecking the appropriate box on your online registration form when you sign up or in the "My Account" page of the App once you are registered;

(B) Contacting your Customer Service by email at contact@MoPho.com; or

(C) Follow the "unsubscribe" instructions included within each email communication.

If you choose not to receive marketing emails, please be advised that you will continue to receive transactional or account communications and emails (e.g., confirmation emails and account balance statements).

9. Use of Cookies and Other Technologies

MoPho may use technologies to monitor App activity which may include "cookies" and clear gifs, among others to enable you to sign in to our services and to help personalize and improve your experience. A cookie is a small text file that may have a unique identifier, and resides and may be stored, among other places, on a user's mobile device and emails we send you. When you sign in to your account we may record your user ID and the name on your account in the cookie file on your mobile device. We also may record your password in this cookie file, if you indicated that you would like your password saved for automatic sign-in. For security purposes, we will encrypt any usernames, passwords, and other user member account-related data that we store in such cookies. We may allow third-party providers to serve cookies from the App to allow them to assist us in various activities, such as analysis and research on the effectiveness of the App, content, and potential advertising. Any information that these third

parties collect via cookies and web beacons is not linked to any Personal Information collected by us. Cookies may be persistent or stored only during an individual session. The information that cookies collect includes the date and time of your visit, your registration information, session identification number and your navigational history and preferences.

Cookies offer you many conveniences:

- They allow us to identify registered users when they return to the App.
- Cookies also save you time by eliminating the need to repeatedly enter the same information.
- Cookies allow us to deliver personalized content to you.
- Cookies help to protect your security by checking your login details and may help prevent fraud.
- Cookies remember your preferences when using the App.

We strive to make this App user-friendly and relevant. Our goal is to deliver more personalized products and services to you. For this purpose, MoPho may work with third party partners who use cookies on our App to:

- Measure and analyze aggregate usage and volume statistical information from our users on our App. Information gathered may include, but is not limited to the following: activity of the user browser when the user is visiting the App, the App path of users, general information regarding the visitor's internet service provider and host, and the time users come to the App.
- Record users' behavior on our App, such as pages visited, emails clicked, and forms completed to create customized advertisements and communications that better meet your needs.
- Evaluate user traffic and behavior on the App to compile activity reports for our internal use only.
- Conduct research and diagnostics to improve our products and services.
- Identify users arriving at the App via a referral from an affiliate app or sponsored link.

This Privacy Policy covers the collection of information and use of cookies by MoPho only, and does not cover the use of cookies or other technologies by third parties to collect information.

In addition to cookies, we may use other technologies, including single-pixel gifs (also known as web beacons) in our App and in e-mail messages. Web beacons allow us to measure the actions of a user. We use web beacons to assist us in determining how many users have viewed certain pages or opened email messages, improve user experience, and manage App content. When you click on a link on a page with a web beacon, we may record your response to customize our offerings to you.

You have the ability to accept or decline cookies. Most browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies. Please be aware that the App is optimally designed to operate with cookies enabled. If you choose to decline cookies, you may not be able to sign in or use other interactive features of our App and services that depend on cookies but you will be able to perform basic navigation through the App. Disabling cookies may negatively impact your experience of the App.

We also maintain log files that contain IP addresses. In general, we may use log files to monitor traffic on our App, to troubleshoot technical problems, and to report aggregate information. In the event of user abuse of our App, however, we may block certain IP addresses or mobile device IDs. If available, IP addresses and mobile device IDs may be used to personally identify you in order to enforce our Privacy Policy and Terms.

10. Security of Your Personal Information

The security of your Personal Information is important to us. We follow generally accepted industry standards to help protect your Personal Information including without limitation:

- Limiting access to your Personal Information to those of our employees who require it to provide services to you;
- Requiring employees to sign confidentiality agreements to protect customer and other confidential information;
- Ensuring that third-party service providers sign confidentiality agreements to maintain the confidentiality of your Personal Information and not to use it for any unauthorized purposes;
- Personal Information collected is retained as long as it is reasonably required for the purposes it was collected; and
- Storing your Personal Information in secure computer systems which protect it from unauthorized access or use.

No method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to protect your Personal Information, we cannot guarantee its absolute security.

If a password is used to protect your account and Personal Information, it is your responsibility to keep your password confidential.

11. Children

We do not solicit or collect Personal Information from anyone under the age of 18. If you are under 18, you shall not use or enter information on this App. If a parent or guardian becomes aware that his or her child has provided us with Personal Information without their consent, he or she should contact us at privacy@MoPho.com. If we become aware that a child under 18 has provided us with Personal Information, we will delete such information.

12. Links

We may link to apps, including those of our subsidiaries and third-party content providers that have different privacy policies and practices from those disclosed here. We assume no responsibility for the policies or practices of such linked apps, and encourage you to become acquainted with them prior to use.

13. Business Transitions

In the event MoPho goes through a business transition, such as a merger, acquisition by another company, or sale of a portion of its assets, your information, including your Personal Information will, in most instances, be part of the assets transferred.

14. International Data Transfers

The App is operated and maintained within the United States. If you are visiting the App from outside of the United States, you should be aware that your data will be transferred to and processed under the laws of the United States, which may not have the same data protection laws as the country in which you are located. By visiting the App, you consent to the processing and transfer of your data as set out in this Privacy Policy in the United States and subject to the laws of the United States. If you do not consent to having your information used in accordance with this Privacy Policy, you may not access the App.

15. Limitation of Liability

YOU UNDERSTAND AND AGREE THAT ANY DISPUTE OVER PRIVACY IS SUBJECT TO THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY AND THE APP'S TERMS (INCLUDING ANY LIMITATIONS ON DAMAGES CONTAINED THEREIN).

16. Modifying Your Information And Opting Out

You may log in to your account at any time to modify the information you provided when you created it. For security purposes, however, the first and last name on an account cannot be changed once it has been created. You may unsubscribe from any emails using the link provided in the email. If you request that your account be deleted, we may still maintain information about any transactions or campaigns in which you participated.

You may request details of Personal Information which we hold about you for a small fee. In addition, California Civil Code Section 1798.83 entitles California customers to request information concerning whether a business has disclosed Personal Information to any third parties for the third parties' direct marketing purposes. MoPho will not sell or share your Personal Information with third-party companies for their direct marketing purposes without your consent. California customers who wish to request further information about our compliance with this law may contact us by email at Legal Department, MoPhoPix, Inc. at contact@MoPho.com with Attention: Legal Department in the subject line.

You can stop all collection of information (including Personal Information) by the App easily by uninstalling the App. You may use the standard uninstall processes as may be available as part of your mobile device or via the mobile App marketplace or network. You can also request to opt-out via email, at privacy@MoPho.com, **but you will be unable to continue using the App.**

17. Response To Do Not Track Signals

We do not track our customers over time and across third party websites to provide targeted advertising and therefore do not respond to Do Not Track ("DNT") signals. However, some third party websites and mobile applications do keep track of your browsing activities when they serve you content, which enables them to tailor what they present to you. If you are visiting such websites or mobile applications, your web browser may allow you to set the DNT signal on your browser so that third parties (particularly advertisers) know you do not want to be tracked.

18. Changes to This Privacy Policy

We reserve the right to change the terms of this Privacy Policy at any time. When we make changes, we will revise the "last updated" date at the top of the Privacy Policy. If there are material changes to this statement or in how MoPho will use your Personal Information, we will notify you by prominently posting a notice of such changes here by sending you an email, or by means of notice on our App. We encourage you to review this Privacy Policy whenever you visit the App. Your continued use of the App will signify your acceptance of any changes to this Privacy Policy.