

ImComing App Privacy Policy

Last revised November 12, 2023

Welcome to the I'm Coming App's Policy ("Policy")! This explains how we collect, store, protect, and share your information, and with whom we share it. We suggest you read this in conjunction with our [Terms and Conditions of Use](#) and with all our other awesome stuff.

As you're enjoying the ImComing mobile application ("App"), our websites and microsites (such as I'mComingApp.com) or using our digital products and services (such as our competitions or surveys) (together, referred to in this Privacy Policy as our "Sites"), we collect some information about you. In addition, you may choose to use the App or Sites to share information with other users, including your friends, relatives and contacts ("Users"). We may also need to share your information sometimes.

Who we are

The App and Sites are operated by "ImComing" (also referred to in this policy as "we" or "us") which includes ImComing, and ImComing App all of which are controllers of personal information collected and processed through the ImComing Sites.

CONTACT INFORMATION

ImComing, Inc.

Austin, TX 78748

Legal inquiries: admin@imcomingapp.com

Please contact us with your comments or questions regarding this Privacy Policy by submitting a support request at Admin@imcomingapp.com.

*** READ ME FIRST BEFORE PRECIDING -----THE PERSONAL INFORMATION WE COLLECT**

We start right off by collecting Personal Information as soon as you start interacting with the ImComing Properties on the web, by downloading the app, liking us on social media, or contacting us directly. We may collect Personal Information directly from you, directly from your device, or from third parties. We must collect some Personal Information from you to provide you with and operate our properties; sometimes providing Personal Information is optional. If you are not comfortable with this, then please leave and block this site or app. From continued use, by moving forward using the app or the website you fully acknowledge these terms, risks, and responsibilities.

Please read this Privacy Policy and the Terms of Service ("TOS") carefully. If you do not agree with the terms of this Privacy Policy or our TOS, do not use or visit the Service. By using or visiting the Service, you agree to the terms of this Privacy Policy and our TOS.

CONTINUED - INFORMATION WE COLLECT

PERSONAL INFORMATION YOU ARE REQUIRED TO PROVIDE

While the following provides examples of the Personal Information that ImComing collects, note that not all ImComing Properties collect all of the data listed below.

- In order to use the ImComing Services, you are required to provide Personal Information (i.e., email or a third-party social log-in like Facebook or Google, phone number, and date of birth) for account registration and authentication and/or verification purposes. If you utilize a third-party social log-in, the third-party provides us with access to certain information that they have about you (e.g., display name and email address) for authentication and account creation purposes. We may collect government-issued identification, postal address, signature, and phone number to assist with account authentication processes (e.g., password changes, email address updates, underage ban appeals, and profile deletions when a user no longer has access to their ImComing account or the email address used to create it) and we may also collect email address and a photo of yourself (i.e., a "selfie") to verify impersonation reports.

PERSONAL INFORMATION YOU HAVE THE OPTION TO PROVIDE

- **Profile Information.** When you create a ImComing account, you choose to provide us Personal Information about yourself for your ImComing Profile. For example, you may voluntarily provide your Personal Information, such as your photos, display name, content in your "About Me" section, tags you may wish to include in the "My Tags" section, stats (including your age, height, weight, body type, position, ethnicity, relationship status, "My Tribes"), expectations (i.e., "I'm Looking For", "Meet At", "Accepts NSFW Pics"), identity (including Gender and Pronouns), self-reported health information (including HIV status, Last Tested Date, and vaccination status - see below for more information), social links (including Instagram username, Spotify top songs, Twitter handle, and Facebook username), and any other information that you choose to add to your profile on ImComing Services (collectively "Profile Information"). As the ImComing Services are designed to allow users to connect and share information as a social networking platform, when you use the ImComing Services, your ImComing Profile and Profile Information are public, meaning other users of the ImComing Services can see your ImComing Profile, Profile Information, and other Personal Information (including Personal Information that could be considered "sensitive" in some jurisdictions and contexts, such as your health information - see below for more information) posted by you. For example, other users can search for you, search for your profile characteristics, see if you've viewed their profile, or see you listed as being within their vicinity. Users of the ImComing Services may be able to determine your identity based on what you share in your ImComing Profile as well as in chats. Do not include information in your ImComing Profile that you want to keep private. For example, if you do not want your HIV status or vaccination status to be known, you should not include that information in your ImComing Profile. You should carefully consider what Personal

Information to include in your ImComing Profile, and you can review and change that information at any time by accessing the "Edit Profile" section of the Services.

- **Note on "sensitive" Personal Information.** In some jurisdictions and under some regulations, information that may reveal an individual's racial or ethnic origin or details on their health or sex life/sexual orientation, among other data, may be considered "sensitive" or "special category" Personal Information. You determine whether you provide such data within your profile. Such information may also be revealed to the ImComing Community and with users with whom you interact if you choose certain Tags, if you choose to disclose such information in your "About Me" section, or via private messages you send other users. You can review, change, or remove such information at any time by accessing the "Edit Profile" section of the Services. ImComing relies on your consent for the collection and processing of sensitive Personal Information, as indicated by your inclusion of this information in your Profile.
- **Note on health information, including HIV Status, Last Tested Date, and vaccination status.** To better support the community's wellbeing, and at the recommendation of HIV prevention and health experts and the community of ImComing users, we give you the option of publishing certain self-reported health characteristics, such as your HIV status, Last Tested Date, and/or vaccination status, in your public ImComing profile. As mentioned above, such data may be considered "sensitive" in some jurisdictions and contexts. ImComing uses Last Tested Date to send you periodic reminders to get tested if you choose to opt in to receiving this reminder. If you choose to include this information in your profile, it will become public to other users of the ImComing Services. As a result, you should carefully consider whether you want to disclose your HIV status, Last Tested Date, and/or vaccination status. Please note that ImComing does not verify this health information. You can review, change, and/or remove your HIV status, Last Tested Date, and/or vaccination status information at any time by accessing the "Edit Profile" section of the Services.
- **Feedback/Support-Related Information.** If you provide us feedback or contact ImComing customer support, we collect your name and email address and possibly other Personal Information (e.g., IP address), as well as any other content that you send to us in order to reply and address any issue. If you contact customer support, we also collect and retain certain technical diagnostic data, such as your phone model.
- **Social Features.** The ImComing Services include features that permit interactions that you initiate between the ImComing Services and third-party websites or services, including third-party social networks (collectively "Social Features"). For example, you may include a link to your Instagram and/or Facebook accounts from within your ImComing Profile. If you use Social Features on the ImComing Services, both ImComing and the third-party services that operate those Social Features may have access to certain Personal Information about you and your use of both the ImComing Services and theirs. The Personal Information collected and stored by third-parties remains subject to those third-parties' privacy practices, including whether the third-parties continue to share Personal Information with us.
- **Mailing List-Related Information.** If we collect your email address and you opt into our mailing list, we may send you ImComing news, ImComing Properties information and

updates, and third-party offers. You always have the option to unsubscribe through a link in the footer of these emails. We may still send you service oriented emails related to your account.

- **Survey and Interview-Related Information.** When you participate in a survey, you choose to provide us with additional Personal Information through the survey, which may include sensitive Personal Information. If the survey is provided by a third-party service provider, the third-party's privacy policy, which is available from within the survey experience, applies to the collection, use, and disclosure of your information. Similarly, from time to time, we ask users to help us improve our properties by volunteering for interviews, including via video. We use a third-party to support these interviews.
- **Photos, Videos, and Audio.** We may collect audio, electronic, visual, or similar information if you enable video or photo features in ImComing Services. If you upload a photo, video, create an Album, or send an audio message while using the ImComing Services, you will be required to permit ImComing to access your camera, photo gallery, and/or microphone in which case ImComing will have access to the photos and videos stored in your photo gallery. ImComing also offers the ability to send recorded videos or to engage in live audio and video chats. After you start a chat with another ImComing user, you can send recorded videos or participate in a live audio or video call with that user.
- **Location and Distance Information.** We may collect your precise location ("Location") to determine your distance from other users ("Distance Information"). The ImComing Services is designed to allow users to share Distance Information. Distance Information is public and indicates to other users of the ImComing Services the distance you are in feet or meters from them. Your Distance Information may be displayed in your profile in those users' search results should you elect to display your relative distance. Should you choose not to allow the ImComing Services to access your Location, certain features of the ImComing Services (such as displaying nearby user profiles or features that include Location Sharing) will not function properly. Sophisticated users who use the ImComing Services in an unauthorized manner, or other users who change their location while you remain in the same location, may use Distance Information to determine your exact location and may be able to determine your identity. You may choose to hide your Distance Information; however, the ImComing Services will continue to sort and display your profile based on your relative distance from other users. Accordingly, even if you choose to hide your Distance Information, others may nevertheless be able to determine your Location. You may revoke this permission and disable the location services on your device on an iPhone by going to Settings> Privacy> Location Services> ImComing and on an Android device by going to Settings> Location> ImComing> Permissions> Location; and on ImComing Web by going to your browser settings.
- **Location Sharing in Chat.** You can share your current Location with another user via a chat message through the ImComing Services. The Location you share is updated once shared. You can revoke your consent to sharing this Location at any time by utilizing the "cancel" button within the Services.
- **Messages.** When you send a message to other users using the ImComing Services (which could include content such as photos, location, audio, video, emojis, giphys, reactions,

etc.), we may collect Personal Information that includes the content of the message. If you send messages, you will be providing the user who views your message (and ImComing) with your Personal Information. Don't send messages or share content that you wouldn't want someone to save or share as users may save content or copy it outside the ImComing Services. We store chat messages on our servers in accordance with our retention policy; however, chat messages may also be stored locally on devices. Therefore, if you choose to delete your account, messages you sent to another user may still be available on that user's device. Do not share your Account Credentials through messages, or any other Personal Information that you don't want other users to know about you.

PERSONAL INFORMATION WE RECEIVE FROM YOUR DEVICE WHEN YOU USE THE IMCOMING PROPERTIES

User Activity. We collect certain Personal Information that is generated through your use of the ImComing Properties. This Personal Information includes, among other things, information about whose user profiles you have viewed, purchases through the ImComing Properties, how you've interacted with the ImComing Services,

- and how you communicate with other users.
- **Hardware and Software Information.** We collect certain hardware and software information about you and your device such as device make, device model, device IDs (i.e., Identifier for Vendor (IDFV) and Android ID), carrier, data connection type, browser type, operating system, IP address, domain name, date/time stamp for your visit, device/operating system orientation, app crashes, and device advertising identifiers (e.g., Google's GAID and Apple's IDFA which can be reset by going to your device's setting). All of the foregoing is collectively known as "Hardware and Software Information" which is generally collected via Software Development Kits ("SDKs") and Application Programming Interfaces ("APIs").
- **Cookies, Log Files, and Other Tracking Technologies.** We use cookies and URL information to gather information regarding the date and time of your visit. If you choose to disable cookies, some features of the ImComing Properties may not work as expected. For more information regarding cookies and other tracking technologies, please see Cookies and Other Technologies

This Privacy Policy describes the categories of information that ImComing("ImComing", "we", "our," or "us") (see Contact Information below) collects from visitors to and users of any of the websites at <https://www.ImComing.app.com>, (each, a "Website" and collectively, the "Websites"), any mobile or web application of ours (each, an "App" and collectively, the "Apps") and any other services or products of ours (the Websites, the Apps and such other services and products are collectively referred to hereinafter as the "Service") and how we use it, how we disclose it, how we protect it, your choices regarding it (see Your Choices Regarding Your Information below) and your rights (see Your Rights and Retention below). The

information we collect and the purposes for which we use or disclose it will depend to some extent on how you use the Service and how you interact with us. Throughout this Privacy Policy, “information” includes personal information about you.

1. You may voluntarily provide us with information, including:

- Service information, such as your real name, alias, email address, mailing address, telephone number, date of birth, profile name, profile photo, account name, picture, height, weight, occupation, education, physical characteristics or description, gender identity, preferred pronouns, HIV status and other health details, ethnicity, personal interests, relationships and preferences, residence information, listing address and details for residential and other properties, rooms, accommodations, travel plans and information, other social networking service or other service user names, payment card numbers and other payment information, and a profile name and password that you create and any other information to register for and to use the Service.

While you may voluntarily provide us with sensitive information about yourself such as your gender identity, ethnicity, personal interests, relationships and preferences, health details and whether part of the POZ (HIV positive) community (for example, in creating or updating your profile), there is no requirement to do so. Where you choose to provide us with such sensitive information, you are explicitly consenting to our processing of your information.

- Additional information, such as contents of any public or private messages you send through the Service and contents of any public or private comments you post through the Service, including without limitation, with other users, and such as information you provide when you contact or otherwise interact with us or a service provider, third party and/or other party (for example, regarding support or employment opportunities and participating in surveys).

2. We can automatically collect hardware and software information from or about you and your computer or mobile device, as applicable, including:

- An identifier that is unique to the device on which you install the Service and some device identifiers may be persistent device identifiers;
- Advertising identifiers;
- Operating system;
- Browser type;

- Mobile network information;
- The make, model and serial number of your device;
- Your Internet Protocol (IP) address;
- Domain name of your Internet service provider;
- Platform type;
- The Service pages that you visit and the date and time of your visits;
- Information regarding your access to and use of the Service;
- Information regarding Service crashes;
- Anonymized information;
- A history of your prior geographic locations; and
- Your current geographic location.

We ask for your consent to access your geographic location information. If you allow such access, we collect your geographic location to determine your distance from other users through GPS, Wi-Fi and/or cellular technology in your device. You may change such access to geographic location information via the settings on your device. Your last known geographic location can be stored for the purpose of calculating your distance from other users. If you do not allow such access, you may not be able to use all portions or all functionality of the Service. Prior to your installation of the Service, we may have already collected information about the other apps or services that you have used via our service providers, third parties and/or other parties.

We automatically collect certain information that is generated through your use of the Service, including information about the profiles that you have viewed, the products and services you have purchased or considered purchasing through the Service and how you communicate with other users.

We can automatically collect such information via use cookies, Web beacons, persistent device identifiers, advertising identifiers and other technologies. Please see Cookies and Other Technologies; Do Not Track below.

3. We also can derive information or draw inferences about you based on information we collect

from or about you to create a profile about you reflecting your inferences drawn from any of the foregoing information to create a profile about you reflecting your preferences, characteristics, predispositions, behavior and attitudes.

4. We can collect information about you from:

- publicly accessible sources;
- users; and
- our service providers, third parties and/or other parties;

5. We can combine any of the information we collect from or about you and use it and disclose it in the manner described in this Privacy Policy.

6. We can supplement any of the information we collect from or about you with other information.

Please see [How We Can Use Your Information](#), [How We Can Disclose Your Information](#), [Cookies and Other Technologies](#); [Do Not Track](#), [Your Choices Regarding Your Information](#), [Your Rights and Retention](#) below.

HOW WE CAN USE YOUR INFORMATION

We can use the information that we collect from and about you to conduct our business and for any of the purposes described in this Privacy Policy, subject to applicable law. Examples are as follows.

1. **To Provide You with Services and Products.** To provide or facilitate providing you with services and products (for example, the Service), including to process, manage, maintain and service your registered account and your profile and to fulfill your transactions and process your payments.
2. **To Allow You to Participate in Interactive Features on the Service.**
3. **For Travel Recommendations and Features.** To make travel-related recommendations and enable travel-related features.
4. **To Administer and Troubleshoot the Service.**
5. **To Communicate with You.** To communicate with you to provide information, Service-related

notifications, promotions and recommendations, including, without limitation, based on information you provide in your profile such as community identifications (including those related to health details and gender identity), sex preferences, and safer-sex practices.

6. To Respond to You. To respond to you, such as when you make a request or an inquiry or provide us with comments, and to provide you with support.

7. For Personalization and Enhancement of Your Experience Using the Service. For personalization and enhancement of your experience using the Service, including to remember your interests and preferences, customize our products and services that we provide you with, facilitate your interactions with us and track and categorize your activity and interests on the Service.

8. For Marketing and Advertising. For marketing and advertising, such as to send you marketing and advertising communications and to show you marketing and advertising on the Service. For example, an advertiser can engage ImComing directly to present you with an advertisement on the Service. We can also run advertising on other websites, applications and services via our advertising display partners.

9. To Conduct Service Provider, Third Party and/or Other Party Promotions.

10. For Analytics. For analytics, including to understand how you use the Service, determine how you access the Service and improve the Service.

11. For Our Business Purposes. For our business purposes, such as to operate and improve upon our business and lawful business activities, to maintain our accounts and records; for research, to determine your satisfaction with our services and products (for example, the Service), to detect and prevent fraud or misuse of our services and products and for any other business purpose that is permitted by applicable law.

12. Surveys and Research. To create and/or administer surveys and conduct research of user behavior.

13. To Improve the Service and To Develop New Services and Products. To improve the Service and to develop new services and products.

14. For Legal and Safety Purposes. For legal and safety purposes, including to defend or protect us, you or others, from harm or in legal proceedings, protect our rights, protect our security and the security of others and property, respond to court orders, lawsuits, subpoenas and government requests, address legal and regulatory compliance, enforce our TOS and notify you of safety issues.

15. Anonymized Information. For collecting, compiling and/or creating anonymized information, which we or a service provider, third party and/or other party can do, subject to applicable law, and which we or a service provider, third party and/or other party can use for any purpose, subject to applicable law.

16. With Your Consent. We can use your information other than as described in this Privacy Policy if we notify you and you consent to such use.

17. At Your Request. We can use your information at your request, subject to applicable law.

18. For Any Other Purpose with Notice by Us. We can use your information for any other purpose for which we provide you with notice, subject to applicable law.

Profile Information

We recommend and encourage you (and all our members) to think carefully about the information you disclose about yourself. We also do not recommend that you put email addresses, URLs, instant messaging details, phone numbers, full names or addresses, credit card details, national identity numbers, driver's license details, and other sensitive information that is open to abuse and misuse on your profile.

When you post information about yourself or use the messaging function to communicate with other Users, the amount of personal information you share is at your own risk.

WHERE WE PROCESS AND STORE YOUR INFORMATION

We store the information that we collect on our systems. If you are located outside of the United States, please note that the Service is hosted on our systems in the United States. Therefore, your information can be processed and stored in the United States. As a result, United States federal and state governments, courts, or law enforcement or regulatory agencies may be able to obtain disclosure of your information through laws applicable in the United States. By using the Service, you understand that your information can be transferred to countries outside of your country of residence, including the United States, which may have data protection rules that are different from those of your country.

HOW WE CAN DISCLOSE YOUR INFORMATION

Information can be disclosed to other users and service providers, third parties and/or other parties in accordance with this Privacy Policy, subject to applicable law. Please note that a user can choose not to disclose certain information. Please see Information We Collect and How We Can Use Your Information above and Cookies and Other Technologies; Do Not Track, Your Choices Regarding Your Information, Your Rights and Retention below.

1. **Profile.** The name and profile of a user of the Service, as well as other information relating to the use of the Service (such as geographic location information which can include any or all of the following - GPS coordinates; listing address and details for residential and other properties; travel plans; and trip information) and online status, may be visible to other users. **DO NOT INCLUDE INFORMATION IN YOUR PROFILE AND OTHERWISE PROVIDE INFORMATION WHEN USING THE SERVICE THAT YOU WANT TO KEEP PRIVATE (FOR EXAMPLE, GEOGRAPHIC LOCATION AND TRAVEL PLANS AND**

INFORMATION). Service users can use the search feature in the Service to search for other users by different profile criteria, like profile name, age, height, weight, geographic location, physical characteristics, ethnicity, personal interests, relationships or preferences or residence information. Your profile information will be used for these searches. Service user interface may include a feature to make certain items of profile information non-public. However, even if you choose to make non-public certain items of your profile information or other information if and as permitted by the user interface, sophisticated users who use the Service in an unauthorized manner may nevertheless be able to obtain this information. Please see Information We Collect above.

2. User Submissions. A user of the Service can voluntarily provide information, content and materials (such as pictures, reviews, ratings, ideas, notes, concepts, creative suggestions, questions, messages and comments) from themselves and other users ("User Submissions") to the Service. We make no representations and undertake no obligations as to the security or use of information you voluntarily include when providing User Submissions. Before submitting content, please read our TOS and Profile Guidelines carefully.

We reserve the right to remove any such content for any reason or no reason, including without limitation if in our sole opinion such information or material violates, or may violate, any applicable law or our TOS or Profile Guidelines or to protect or defend our rights or property or those of any other party. We also reserve the right to remove information upon the request of any party, including any other party.

3. Distance Information. YOU UNDERSTAND THAT WHEN YOU USE THE SERVICE, AS A DEFAULT, INFORMATION ABOUT YOUR DISTANCE FROM OTHER USERS IS PUBLIC AND OTHER USERS OF SUCH SERVICE CAN SEE THIS INFORMATION WITHIN YOUR PROFILE. Service users can use the search feature in the Service to search for other users by distance. Information about your distance from other users will be used for these searches. This information is public, but the Service may include a feature to hide or change the accuracy of this information. However, even if you choose to hide the display of this information, sophisticated users who use the Service in an unauthorized manner may nevertheless be able to determine your geographic location. Please see Information We Collect above.

4. Geographic Location Information. The geographic location of a user of the Service, as well as other information relating to the use of the Service (such as age and ethnicity) can be disclosed to other users and service providers, third parties and/or other parties. The geographic location of a user of the Service can be used to determine which services, disclosures, features, content and information will be available to you and certain services, disclosures, features and content and information made available through the Service may only be available to users in certain geographic locations. Please see the Information We Collect above.

5. Service Providers, Third Parties and/or Other Parties. We can use service providers, third parties and/or other parties to provide the Service or to perform functions in connection with the Service, including without limitation, monitoring compliance by users with and enforcement of and applying our TOS and Profile Guidelines. We can disclose information about you that they

need to perform their functions (for example, customer support and payment card and other payment processing and performing any of the other actions or activities allowed under this Privacy Policy). For example, we disclose your device identifier and demographic information with our analytics partners. We can also run advertising on other websites, applications and services via our advertising display partners. We can disclose your geographic location information and any other information that we collect or that you provide in connection with your use of the Service and any other information derived from or based upon the foregoing information with service providers, third parties and/or other parties. Service providers, third parties and/or other parties can also collect information directly from you and about you from other sources (including without limitation, other applications). Please see the Information We Collect above. ImComing maintains a list of service provider, third party and/or other party processors contact customer service from within the ImComing app.

6. Service Provider, Third Party and/or Other Party Promotions. We can disclose your information with service providers, third parties and/or other parties to conduct promotions.

7. Business Changes. If we become involved in, or engage in the preparatory steps leading to, a merger, acquisition, sale of assets, divestiture, joint venture, securities offering, financing, bankruptcy, reorganization, liquidation, dissolution, or other transaction or if the ownership of all or substantially all of our business otherwise changes, we can disclose or transfer your information to another party or other parties in connection therewith and it can be used subsequently by such party or parties.

8. Legal and Safety. Other parties such as law enforcement, government entities, courts or service providers, third parties and/or any other parties as required or allowed by applicable law and/or for enforcement of or applying our TOS and Profile Guidelines, such as for the legal and safety purposes described in How We Can Use Your Information above or otherwise to help prevent harm or fraud to us, you or others.

9. Anonymized Information. We can disclose anonymized information relating to visitors to and users of the Service with any service provider, third party and/or other party for any purpose, subject to applicable law.

10. For Analytics. We or a service provider, third party and/or other party can use analytics to understand how you use the Service, determine how you access the Service and improve the Service.

11. With Your Consent. We can disclose your information other than as described in this Privacy Policy if we notify you and you consent to the disclosure thereof.

12. At Your Request. We can disclose your information with any other individual or service provider, third party and/or other party at your request, subject to applicable law.

13. For Any Other Purpose with Notice by Us. We can disclose your information for any other purpose for which we provide you with notice, subject to applicable law.

14. **Cookies and Other Technologies; Do Not Track.** Please see Cookies and Other Technologies; Do Not Track below.

COOKIES AND OTHER TECHNOLOGIES; DO NOT TRACK

We, along with our service providers, third parties and/or other parties, use cookies, Web beacons, persistent device identifiers, advertising identifiers and other technologies.

1. **Cookies.** Cookies are small bits of information that are transferred to and stored in separate files within your computer's browser. You can instruct your browser to stop accepting cookies. But if you do not accept cookies, you may not be able to use all portions or all functionality of the Service. Please see www.allaboutcookies.org for additional information about cookies.

- Persistent cookies remain on the visitor's or user's device after the browser has been closed.
- Session cookies exist only during a visitor's or user's online session and disappear from the visitor's or user's device when they close the browser software.

2. **Web Beacons.** Web beacons are small strings of code that provide a method for delivering a graphic image on a Web page or in an email message for the purpose of transferring data. You can disable the ability of Web beacons to capture information by blocking cookies.

3. **Persistent Device Identifiers.** Persistent device identifiers are unique strings that are associated with the device that you use to connect to the Service. Persistent device identifiers can be modified or disabled by sophisticated users.

4. **Advertising Identifiers.** Advertising identifiers are unique strings associated with your device provided by the operating system. Advertising identifiers can be modified or disabled by users in the operating system settings. Please see Do Not Track below for more information about how to configure these settings.

5. Service providers, third parties and/or other parties may collect personally identifiable information about an individual user's online activities over time and across different Internet services when a user uses the Service.

6. Below are links to resources for opting out of online tracking.

Google Analytics collects information from visitors and users and reports trends without identifying individual visitors or users. Google Analytics uses its own cookie to track visitor and user interactions. Website owners can view a variety of reports about how visitors and users interact with their website so they can improve their website and how people find it. Google's privacy policy applies to their collection, use and disclosure of your information. Please review the following links to better understand their practices: <https://policies.google.com/privacy>, <https://policies.google.com/technologies/partner-sites>, <https://www.google.com/analytics/terms/> and <https://tools.google.com/dlpage/gaoptout>.

We use Google Analytics to better understand who is using the Service, and how people are using it. Google Analytics uses cookies and persistent device identifiers to collect and store such information as time of visit, pages visited, time spent on each page of the Service, IP address, and type of operating system used. We use this information to improve the Service and make it appealing to users.

7. Do Not Track. At this time, we do not respond to "do not track" signals sent from Web browsers or other mechanisms that provide users the ability to exercise choice regarding the collection of personally identifiable information about a user's online activities over time and across service provider, third party and/or other party Internet services.

SECURITY

We take administrative, technical and physical measures to help protect the information you provide through, or in connection with, the Service from accidental or unlawful destruction, loss or alteration and from unauthorized access, use, or disclosure. Please be aware, however, that no security measures can guarantee absolute security. No Internet, email or application transmission or method of electronic storage is ever fully secure or error free. Email or other communications, including without limitation, those sent through, or in connection with, the Service, may not be secure. You should use caution whenever submitting information through, or in connection with, the Service, and take special care in deciding which information you provide us with.

LINKS TO OTHER WEBSITES AND MOBILE APPLICATIONS

When you click on a link to any other website, application or content, you will leave the Service and go to another website or application and another entity can collect information from or about you. We have no control over, do not review, and cannot be responsible for, these websites or applications or their content. Please be aware that the terms of this Privacy Policy do not apply to these websites or applications or content, or to any collection of data after you click on links to these websites, applications or content. Please also read our TOS carefully.

YOUR CHOICES REGARDING YOUR INFORMATION

You have choices regarding your information on the Service.

1. Changing Your Information and Privacy Settings. You can make changes to your information, including accessing your information, correcting or updating your information or deleting your information, by editing your profile in the App.

2. Email Communications. When you receive promotional email communications from us, you can indicate a preference to stop receiving promotional email communications from us by following the "unsubscribe" instructions in a promotional email communication from us. However, we can send you email communications relating to the Service.

3. Push Notifications. You can at any time request opt out from further allowing us to send you push notifications by adjusting the permissions in your device.

4. Withdrawing Consent. You can withdraw your consent to our processing of your personal information at any time by contacting us admin@imcomingapp.com.

5. **Cookies and Other Technologies; Do Not Track.** Please see Cookies and Other Technologies; Do Not Track above.

6. **Retention.** Please see Retention below.

7. **California Rights.** Please see Your Rights-California Rights below.

8. **Europe Rights.** Please see Your Rights-Europe Rights, Your Rights-Processing and Your Rights-Cross-Border Transfers below.

9. **Korea Rights.** Please see Your Rights-Korea below.

YOUR RIGHTS

1. **Europe Rights.** The following rights apply in certain circumstances only to individuals in the European Economic Area, United Kingdom and Switzerland (collectively referred to herein as “Europe”).

- To request confirmation of whether or not we process your personal information, details of the information that we hold about you and how we use it and to access your personal information and to be provided with a copy, please submit a support request to admin@imcomingapp.com

- we are processing your personal information on the basis of legitimate interests and you object to such processing and we cannot demonstrate an overriding legitimate ground for the processing;

- where our processing of your personal information is for direct marketing purposes and you object to such processing;

- you have provided your personal information to us with your consent and you wish to withdraw your consent and there is no other ground under which we can process your personal information; or

- you believe the personal information we hold about you is being unlawfully processed by us.

- where you believe the personal information we hold about you is inaccurate and while we verify accuracy;

- we want to delete your personal information as the processing is unlawful but you want us to continue to store it;

- we no longer need your personal information for the purposes of our processing but you

require us to retain the information for the establishment, exercise or defense of legal claims; or

- where you have objected to us processing your personal information based on our legitimate interests and we are considering your objection.

- To lodge a complaint with a supervisory authority in an applicable European country if your request or inquiry is not satisfactorily resolved by us after submitting a support request at admin@imcomingapp.com for users of ImComing or contact using the app.

2. Processing. We process the information of individuals in Europe based on one or more of the following legal bases:

- Performance of a contract: we or a third party process your information to perform the contract that you have with us (for example, providing the Service to you).
- Legitimate interests: we or a third party can use your information where we or such third party have legitimate interests to do so (for example, analyzing users' behavior on the Service to improve our offerings and processing information for administrative, fraud detection and other legal purposes).
- Legal obligation: we may be required to use your information to comply with a legal obligation (for example, complying with law, in response to legal process or cooperating with government or law enforcement agencies or officials or service providers, third parties and/or any other parties).
- The processing is necessary to protect the vital interests of our users or of others (for example, processing personal information, including disclosing data with law enforcement agencies in case of threats to the safety of users or of others).

3. Cross-Border Transfers. For transfer of your personal information from a European country to a country that is not considered adequate, adequate measures have been put in place.

We participate in the EU-U.S. Data Privacy Framework ("EU-U.S. DPF"), the United Kingdom ("UK") Extension to the EU-U.S. DPF and the Swiss-U.S. Data Privacy Framework ("Swiss-U.S. DPF") as set forth by the U.S. Department of Commerce. We have certified to the U.S. Department of Commerce that we adhere to the EU-U.S. Data Privacy Framework Principles ("EU-U.S. DPF Principles") with regard to the processing of personal data received from the European Union in reliance on the EU-U.S. DPF and from the UK (and Gibraltar) in reliance on the UK Extension to the EU-U.S. DPF. We have certified to the U.S. Department of Commerce that we adhere to the Swiss-U.S. Data Privacy Framework Principles ("Swiss-U.S. DPF Principles") with regard to the processing of personal data received from Switzerland in reliance on the Swiss-U.S. DPF. If there is any conflict between the terms in this Privacy Policy and the

EU-U.S. DPF Principles and/or the Swiss-U.S. DPF Principles, the applicable Data Privacy Framework (“DPF”) Principles shall govern. To learn more about the DPF program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>. EU, UK and Swiss individuals with inquiries or complaints regarding our handling of personal data received in reliance on the EU-U.S. DPF, the UK Extension to the EU-U.S. DPF and the Swiss-U.S. DPF should first submit a support request at admin@imcomingapp.com for users of the ImComing or contact customer service from within any of our other services or products. We have further committed to cooperate and comply respectively with the advice of the panel established by the EU data protection authorities (DPAs), the UK Information Commissioner’s Office (ICO) and the Gibraltar Regulatory Authority (GRA) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) with regard to any complaints concerning our handling of personal data received in reliance on the EU-U.S. DPF, the UK Extension to the EU-U.S. DPF and the Swiss-U.S. DPF that we do not otherwise satisfactorily address with you directly. Under certain conditions, as more fully described at <https://www.dataprivacyframework.gov/s/article/ANNEX-I-introduction-dpf?tabset-35584=2>, you can pursue binding arbitration when other dispute resolution procedures have been exhausted.

Please see this Privacy Policy regarding:

- the types of personal data we collect,
- the purposes for collection and use of such personal data,
- the types of third parties to which we can provide personal data and the purposes for which we can do so; and
- the right of individuals to access their personal data and the choices and means we offer individuals for limiting the use and disclosure of their personal data.

When we receive personal data and then transfer it to a third party acting as an agent on our behalf, we have certain liability under the applicable DPF Principles if the agent processes the personal data in a manner inconsistent with the applicable DPF Principles, unless we prove we are not responsible for the event giving rise to the damage.

We are subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission (“FTC”). The FTC has jurisdiction over our compliance with the EU-U.S. DPF, the UK Extension to the EU-U.S. DPF and the Swiss-U.S. DPF. We may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

4. Korea Rights.

- For Korea Notice of Overseas Transfer, please see Where We Process and Store Your Information above. For any inquiries please send a request to admin@imcomingapp.com.

- you believe that it is no longer necessary for us to hold your personal information;
- we are processing your personal information on the basis of legitimate interests and you object to such processing and we cannot demonstrate an overriding legitimate ground for the processing;
- where our processing of your personal information is for direct marketing purposes and you object to such processing;
- you have provided your personal information to us with your consent and you wish to withdraw your consent and there is no other ground under which we can process your personal information; or
- you believe the personal information we hold about you is being unlawfully processed by us.

4. California Rights. Please see our Privacy Notice for California Residents.

Please see Information We Collect, How We Can Use Your Information, Where We Process and Store Your Information, How We Can Disclose Your Information and Cookies and Other Technologies; Do Not Track above and Your Choices Regarding Your Information above and Retention below.

RETENTION

We will retain your personal information for as long as reasonably necessary for the purposes described in this Privacy Policy, while we have a legitimate business need to do so in connection with your registered account, or as required by law (for example, for legal, tax, accounting or other purposes), whichever is the longer.

If you have elected to receive email communications from us, we retain information about your email preferences until you opt out of receiving these email communications and in accordance with our policies.

To determine the appropriate retention period for the categories of your personal information, we will consider the amount, nature, and type of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we use your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements. In certain circumstances, we can anonymize your personal information, subject to applicable law.

Please also see Your Choices Regarding Your Information and Your Rights above.

CHILDREN

We do not knowingly collect personal information from individuals under age 18. If you are under the age of 18, please do not access, use or submit any personal information through the Service. If you have reason to believe that we may have accidentally received personal information from an individual underage of 18, please submit a support request immediately through the contact us section of the app.

CHANGES TO PRIVACY POLICY

We reserve the right to update or modify this Privacy Policy at any time and from time to time and we can require your consent thereto. Please review this Privacy Policy periodically, especially before you provide any information. This Privacy Policy was made effective on the date indicated above.

PREVIOUS VERSIONS OF PRIVACY POLICY

N/A