

## **PEEKSHARE PRIVACY POLICY**

Effective Date: *[July 2, 2014]*.

### **Introduction**

Welcome! You are interacting with our Service (defined below), which is owned and operated by Peekshare, Inc. (“**Peekshare**” or “**we**,” “**our**” or “**us**”). This “**Privacy Policy**” governs your use of any online service location (e.g., our mobile app) that posts a link to this Privacy Policy, and also applies to your use of interactive features, widgets, plug-ins, applications, content, downloads and/or other services that posts a link to this Privacy Policy (collectively, the “**Service**”), regardless of how you access or use them, whether via personal computers, mobile devices or otherwise, but does not apply to data we receive from third parties, unless we combine such data with Personal Information (defined below) that we have ourselves collected under this Privacy Policy. This Privacy Policy does not apply to our data collection activities offline or otherwise outside of our Service (unless otherwise stated below), and does not govern the data practices of third parties that may interact with our Service.

To the extent we provide you notice on our Service of different or additional privacy policies or practices (e.g., at the point of our collection), those additional terms shall govern such data collection and use.

In addition, please review the Service’s Terms of Service [www.peekshare.com/terms](http://www.peekshare.com/terms), which governs your use of the Service. ***By using our Service, you consent to our Privacy Policy and Terms of Service and our collection, use and sharing of your information and data, and other activities, as described below.***

#### **1. What Information Does the Service Collect?**

##### **(a) Information You Provide to Us**

**Personal Information.** On the Service, we may ask you to provide us with certain categories of information such as personally identifiable information, which is information that identifies you personally, such as your first and last name, date of birth, phone number and e-mail address (“**Personal Information**”). We may collect this information through various forms and in various places on the Service, including sign up screens, or when you otherwise interact with the Service.

##### **(b) Information Collected or Stored As You Access and Use the Service**

In addition to any Personal Information or other information that you choose to submit to us via our Service, we and our third-party service providers may use a variety of technologies that automatically (or passively) store or collect certain information whenever you visit or interact with the Service (“**Usage Information**”). This Usage Information may be stored or accessed using a variety of technologies that may be downloaded to your personal computer, browser, laptop, tablet, mobile phone or other device (a “**Device**”) whenever you visit or interact with our Service. To the extent we associate Usage Information with your Personal Information we collect directly from you on the Service, we will treat it as Personal Information.

This Usage Information may include:

- your IP address, UDID or other unique identifier (“**Device Identifier**”). A Device Identifier is a number that is automatically assigned to your Device used to access the Service, and our computers identify your Device by its Device Identifier;
- your Device functionality (including browser, operating system, hardware, mobile network information);

- the areas within our Service that you visit and your activities there, including remembering you and your preferences;
- your Device location;
- your Device characteristics; and
- certain other Device data, including the time of day, among other information.

Certain features of the Services require access to your Device's native phonebook and image storage applications (e.g., to find friends, to send a photo from, or store a photo in, your photo gallery). If you choose to find friends, the names and phone numbers in your Device's native phonebook will be transmitted to Peekshare. If you later decide to revoke your consent and prevent us from continuing to access your phonebook and image storage applications, you can do so by either changing the settings on your device, if this settings option is provided by your device operating system, or by following the standard uninstall process and removing our Services from your device.

We may use various methods and technologies to store or collect Usage Information (“**Tracking Technologies**”). Tracking Technologies may set, change, alter or modify settings or configurations on your Device. Some of these Tracking Technologies include, without limitation, the following (and subsequent technology and methods later developed):

**Recognition Technologies.** Technologies, including application of statistical probability to data sets, which attempt to recognize or make assumptions about users and devices (e.g., that a user of multiple devices is the same user).

We may use Tracking Technologies for a variety of purposes, including:

**Strictly Necessary.** We may use cookies or other Tracking Technologies that we consider are strictly necessary to allow you to use and access our Service, including cookies required to prevent fraudulent activity or improve security.

**Performance-Related.** We may use cookies or other Tracking Technologies that are useful in order to assess the performance of the Service, including as part of our analytic practices or otherwise to improve the content, products or services offered through the Service.

**Functionality-Related.** We may use cookies or other Tracking Technologies that are required to offer you enhanced functionality when accessing the Service, including identifying you when you sign-in to our Service or keeping track of our specified preferences, including in terms of the presentation of content on our Service.

**Targeting-Related.** We may use Tracking Technologies to deliver content, including ads, relevant to your interests on our Service and third-party sites based on how you interact with our advertisements or content. This includes using Tracking Technologies to understand the usefulness to you of the advertisements and content that have been delivered to you. Further information on this, and your opt-out choices, is found in Section 5 below.

We obtain your consent to our information storage or collection Tracking Technologies by providing you with transparent information in our Privacy Policy and providing you with the opportunity to make a choice to disable such technologies as set forth above. Please note that we are not required to obtain your consent to the information collection Tracking Technologies identified above that are strictly necessary.

**(c) Information Third Parties Provide About You**

We may receive information about you from your friends and others that use the Service, such as when they submit content to us or post on the Service. Additionally, we may, from time to time, supplement the information we collect directly from you on our Service with outside records from third parties for various purposes, including to enhance our ability to serve you, to tailor our content to you and to offer you opportunities that may be of interest to you. To the extent we combine information we receive from those sources with your Personal Information we collect on the Service, it will be treated as Personal Information and we will apply this Privacy Policy to such combined information, unless we have disclosed otherwise. In no other circumstances do our statements under this Privacy Policy apply to information we receive about you from third parties, even if they have used our technology to collect it and share it with us.

**(d) Interactions with Third-Party Services**

The Service may include functionality that allows certain kinds of interactions between the Service and a third-party web site or application. The use of this functionality may involve the third-party operator providing certain information, including Personal Information, to us. For example, when you register with the Service, you may have an option to use your Facebook, Google or other account provided by a third-party site or application to facilitate the registration and log-in process on the Service, or otherwise link accounts. If we offer and you choose to use this functionality to access or use our Service, the third-party site or application may send Personal Information about you to us. If so, we will then treat it as Personal Information under this Privacy Policy, since we are collecting it as a result of your accessing of and interaction on our Service. In addition, we may provide third-party sites' interfaces or links on the Service to facilitate your sending a communication from the Service. For example, we may use third parties to facilitate emails, tweets or Facebook postings. These third parties may retain any information used or provided in any such communications or other activities and these third parties' practices are not subject to our Privacy Policy. Peekshare may not control or have access to your communications through these third parties. Further, when you use third-party sites or services, you are using their services and not our services and they, not we, are responsible for their practices. You should review the applicable third-party privacy policies before using such third-party tools on our Service.

**2. How Do We Use the Information Collected?**

We may use your Personal Information or Usage Information that is subject to this Privacy Policy: (1) to provide you with information or services that you have requested or agreed to receive including to send you electronic newsletters, or to provide you with special offers or promotional materials on behalf of us or third parties; (2) to enable you to participate in a variety of the Service's features; (3) to process your registration with the Service, including verifying your information is active and valid; (4) to improve the Service or our services, to customize your experience on the Service, or to serve you specific content that is relevant to you; (5) to contact you with regard to your use of the Service and, in our discretion, changes to the Service and/or Service's policies; (6) for internal business purposes; and (7) for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Policy.

**3. How and When Do We Share Information with Third Parties?**

We may share non-Personal Information, such as aggregated user statistics, with third parties. We may share your Device Identifiers with third parties along with data related to you and your activities. We do not share your Personal Information that we have collected directly from you on our Service with third parties for those third parties' direct marketing purposes unless we have given you the choice to consent or withhold consent to such sharing at the time you provide your Personal Information, in which case we will honor your choice. In addition, we may share the information we have collected about you, including Personal

Information, as disclosed at the time you provide your information and as described below or otherwise in this Privacy Policy. Peekshare may disclose your information as follows:

**(a) When You Request Information From or Provide Information to Third Parties.** You may be presented with an option on our Service to receive certain information and/or marketing offers directly from third parties or to have us send certain information to third parties or give them access to it. If you choose to do so, your Personal Information and other information may be disclosed to such third parties and all information you disclose will be subject to the third-party privacy policies and practices of such third parties. In addition, third parties may store, collect or otherwise have access to your information when you interact with their Tracking Technologies, content, tools apps or ads on our Service or link to them from our Service. This may include using third-party tools such as Facebook, Twitter, Pinterest or other third-party posting or content sharing tools and by so interacting you consent to such third party practices. We are not responsible for the privacy policies and practices of such third parties and, therefore, you should review such third-party privacy policies and practices of such third parties prior to requesting information from or otherwise interacting with them.

**(b) Third Parties Providing Services on Our Behalf.** We may use third-party vendors to perform certain services on behalf of us or the Service, such as hosting the Service, designing and/or operating the Service's features, tracking the Service's activities and analytics, and enabling us to send you special offers or perform other administrative services. We may provide these vendors with access to user information, including Device Identifiers and Personal Information, to carry out the services they are performing for you or for us. Third-party analytics and other service providers may set and access their own Tracking Technologies on your Device and they may otherwise collect or have access to information about you, potentially including Personal Information, about you. We are not responsible for those third party technologies or activities arising out of them. We are not responsible for the effectiveness of or compliance with any third parties' opt-out options.

**(c) To Deliver Push Notifications/Alerts, and to Deliver Social Content and Advertising.** Peekshare may send push notifications, or alerts, to your Device; these notifications and alerts can be provided to specific users, or provide notifications that new messages can be received. You can deactivate these messages at any time by changing the notification settings on your Device. Additionally, we, and others we work with (e.g., third party publishers, advertisers and advertising services providers) may use your Personal Information and/or Usage Information we have collected in connection with the Service to target and deliver content and advertisements to you and other users, both on and off of our Service. Further, by using the Service, you consent to the use of your Personal Information and your Service activity information (including regarding your content consumption) in, or in connection with, sponsored content and advertisements shown to your connections or other users. However, we may, from time to time, offer you options to manage this type of social sharing via the Settings tab within the application, and we will, make reasonable good faith efforts to respect settings. However, we do not guarantee that your setting selections will be effective immediately or be error free when delivering social content and advertisements.

**(d) To Protect the Rights of Peekshare and Others.** To the fullest extent permitted by applicable law, we may also disclose your information if we believe in good faith that doing so is necessary or appropriate to: (i) protect or defend the rights, safety or property of Peekshare or third parties (including through the enforcement of this Policy, our Terms of Service [<http://www.peekshare.com/terms>], and other applicable agreements and policies); or (ii) comply with legal and regulatory obligations (e.g., pursuant to law enforcement inquiries, subpoenas or court orders). We attempt to notify users about legal demands for their data when appropriate in our judgment, unless prohibited by law or court order or when the request is an emergency. In light of our principles, we may dispute such demands when we believe, in our discretion, that the requests are overbroad, vague or lack proper authority, but do not commit to challenge every demand.

(e) **Business Transfer.** We also reserve the right to disclose and transfer all such information: (i) to a subsequent owner, co-owner or operator of the Service or applicable database; or (ii) in connection with a merger, consolidation, restructuring, the sale of substantially all of our interests and/or assets or other corporate change, including, during the course of any due diligence process.

#### 4. **What About Information I Disclose Publicly Or To Others?**

(a) **User-Generated Content and Public Information.** The Service may permit you to submit ideas, photographs, user profiles, writings, music, video, audio recordings, computer graphics, pictures, data, questions, comments, suggestions or other content, including Personal Information (collectively, “**User Content**”), such as on blogs and message boards. We or others may store, display, reproduce, publish, distribute or otherwise use User Content online or offline in any media or format (currently existing or hereafter developed) and may or may not attribute it to you. Others may have access to this User Content and may have the ability to share it with third parties. Please think carefully before deciding what information you share, including Personal Information, in connection with your User Content. Please note that Peekshare does not control who will have access to the information that you choose to make public, and cannot ensure that parties who have access to such publicly available information will respect your privacy or keep it secure. We are not responsible for the privacy or security of any information that you make publicly available on the Service or what others do with information you share with them on the Service. We are not responsible for the accuracy, use or misuse of any User Content that you disclose or receive from third parties through the Service.

(b) **Name and Likeness.** We may also publish your name, voice, likeness and other Personal Information that is part of your User Content, and we may use the content, or any portion of the content, for advertising, marketing, publicity and promotional activities. For full terms and conditions regarding User Content you submit to the Service, please review our Terms of Service [<http://www.peekshare.com/terms>].

#### 5. **How Do I Change My Information and Communications Preferences?**

You are responsible for maintaining the accuracy of the information you submit to us, such as your contact information provided as part of registration. The Service may allow you to review, correct or update Personal Information you have provided through the Service’s application **registration** forms or otherwise, and you may provide registration updates and changes through the application as well. Special requests for updating Personal Information can be sent to [support@peekshare.com](mailto:support@peekshare.com). For emailed requests, we will make good faith efforts to make requested changes in our then active databases as soon as reasonably practicable (but we may retain prior information as business records). With respect to our mobile and other applications, you can prospectively stop all collection of information by the application by uninstalling the application. You may use the standard uninstall process as may be available as part of your applicable Device or potentially via the appropriate application or app marketplace. Please note that it is not always possible to completely remove or delete all of your information from our databases and that residual data may remain on backup media or for other reasons. When you edit your Personal Information or change your preferences on the Service, information that you remove may persist internally for Peekshare’s administrative purposes. You may cancel or modify our e-mail marketing communications you receive from us by following the instructions contained within our promotional e-mails or in some cases by logging into your Service account and changing your communication preferences. This will not affect subsequent subscriptions and if your opt-out is limited to certain types of e-mails the opt-out will be so limited. If you subscribe to text messages from us, you can terminate a particular text message subscription by reply texting “STOP.” Subsequent or different subscriptions will be unaffected. Please note that we reserve the right to send you certain communications relating to your account or use of our Service, such as administrative and service announcements and these transactional account messages may be unaffected if you choose to opt-out from receiving our marketing communications. If you have any questions about the Privacy Policy or practices described in it, you should contact us at [support@peekshare.com](mailto:support@peekshare.com).

**6. What About Transfer of Information to the United States?**

Our Service is operated in the United States and intended for users located in the United States. If you are located outside of the United States, please be aware that information we collect, including Personal Information, will be transferred to, and processed, stored and used in the United States. The data protection laws in the United States may differ from those of the country in which you are located, and your Personal Information may be subject to access requests from governments, courts, or law enforcement in the United States according to laws of the United States. By using the Service or providing us with any information, you consent to the transfer to, and processing, usage, sharing and storage of your information, including Personal Information, in the United States as set forth in this Privacy Policy.

**7. What Should Parents Know About Children?**

We understand the importance of protecting children’s privacy in the interactive world. We are a general audience service and do not use the Service to knowingly collect personal information from children under the age of thirteen (13) that requires parental notice and consent under the Children’s Online Privacy Protection Act (“COPPA”) without such parental consent. If you are a child under 13 years of age, you are not permitted to use the Service and should not send any information about yourself to us through the Service.

In the event that we become aware that we have collected personal information from any child, we will dispose of that information in accordance with COPPA and other applicable laws and regulations. If you are a parent or guardian and you believe that your child under the age of 13 has provided us with personal information without COPPA-required consent, please contact us at [support@peekshare.com](mailto:support@peekshare.com).

**8. What About Security?**

We endeavor to incorporate commercially reasonable safeguards to help protect and secure your Personal Information. However, no data transmission over the Internet, mobile networks, wireless transmission or electronic storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure the security of any information you transmit to us, and you use our Service and provide us with your information at your own risk.

**9. What About Changes to the Privacy Policy?**

We reserve the right to change this Privacy Policy at any time. Any changes will be effective immediately upon the posting of the revised Privacy Policy and your use of our Service indicates your consent to the privacy policy posted at the time of use. However, we will not use your previously collected Personal Information in a manner materially different than represented at the time it was collected without your consent. To the extent any provision of this Privacy Policy is found by a competent tribunal to be invalid or unenforceable, such provision shall be severed to the extent necessary for the remainder to be valid and enforceable.