

## MARSHMALLOW PRIVACY POLICY

Wednesday, February 20, 2019

Marshmallow (“Marshmallow,” “we,” and “us”) respects the privacy of its users (“you”) and has developed this Privacy Policy to demonstrate its commitment to protecting your privacy. This Privacy Policy describes the information we collect, how that information may be used, with whom it may be shared, and your choices about such uses and disclosures. We encourage you to read this Privacy Policy carefully when using our application or services or transacting business with us. By using our website, application or other online services (our “Service”), you are accepting the practices described in this Privacy Policy.

If you have any questions about our privacy practices, please refer to the end of this Privacy Policy for information on how to contact us.

### Information we collect about you

**In General.** We may collect Personal Information, including Sensitive Data, and other information. “Personal Information” means individually identifiable information that would allow us to determine the actual identity of, and contact, a specific living person. Sensitive Data includes information, comments or content (e.g. photographs, video, profile, lifestyle) that you optionally provide that may reveal your ethnic origin, nationality, religion and/or sexual orientation. By providing Sensitive Data to us, you consent to the collection, use and disclosure of Sensitive Data as permitted by applicable privacy laws. We may also collect your geolocation information with your consent. We collect this information through our mobile application. By using the Service, you are authorizing us to gather, parse and retain data related to the provision of the Service. When you provide personal information through our Service, the information may be sent to our servers located in SEA related to the hosting and support of the application.

**Information you provide.** In order to register as a user with Marshmallow, you will be asked to sign in using your Facebook login or Gmail. If you do so, you authorize us to access certain Facebook account information, such as your public Facebook profile (consistent with your privacy settings in Facebook), your email address, gender, birthday, work history, and information about and photos of your Facebook friends who might be common Facebook friends with other MarshMallow users. You will also be asked to allow MarshMallow to collect your location

information from your device when you download or use the Service. In addition, we may collect and store any personal information you provide while using our Service or in some other manner. This may include identifying information, such as your name, address, email address and telephone number, and, if you transact business with us, financial information. You may also provide us photos, a personal description and information about your gender and preferences for recommendations, such as search distance, age range and gender. If you chat with other MarshMallow users, you provide us the content of your chats, and if you contact us with a customer service or other inquiry, you provide us with the content of that communication.

**Use of technologies to collect information.** We use various technologies to collect information from your device and about your activities on our Service.

**Information collected automatically.** We automatically collect information from your browser or device when you visit our Service. This information could include your IP address, device ID and type, your browser type and language, the operating system used by your device, access times, your mobile device's geographic location while our application is actively running, and the referring website address.

**Cookies and use of cookie and similar data.** When you visit our Service, we may assign your device one or more cookies or other technologies that facilitate personalization to facilitate access to our Service and to personalize your experience. Through the use of a cookie, we also may automatically collect information about your activity on our Service, such as the pages you visit, the time and date of your visits and the links you click. If we advertise, we (or third parties) may use certain data collected on our Service to show you MarshMallow advertisements on other sites or applications.

**Pixel tags.** We embed pixel tags (also called web beacons or clear GIFs) on web pages, ads, and emails. These tiny, invisible graphics are used to access cookies and track user activities (such as how many times a page is viewed). We use pixel tags to measure the popularity of our features and services. Ad companies also use pixel tags to measure the number of ads displayed and their performance (such as how many people clicked on an ad).

**Mobile device IDs.** If you're using our app, we use mobile device IDs (the unique identifier assigned to a device by the manufacturer), or Advertising IDs (for iOS 6 and later), instead of cookies, to recognize you. We do this to store your preferences and track your use of our app. Unlike cookies, device IDs cannot be deleted, but Advertising IDs can be reset in “Settings” on your iPhone. Ad companies also use device IDs or Advertising IDs to track your use of the app, track the number of ads displayed, measure ad performance and display ads that are more relevant to you. Analytics companies use device IDs to track information about app usage.

**Information collected by third-parties for advertising purposes.** We may allow service providers, advertising companies and ad networks, and other third parties to display advertisements on our Service and elsewhere. These companies may use tracking technologies, such as cookies or web beacons, to collect information about users who view or interact with their advertisements. We do not provide any non-masked or non-obscured personal information to third parties. Some of these third-party advertising companies may be advertising networks that are members of the Network Advertising Initiative, which offers a single location to opt out of ad targeting from member companies ([www.networkadvertising.org](http://www.networkadvertising.org)). Opting out will not decrease the number of advertisements you see. To opt-out of cookies that may be set by third party data or advertising partners, please go to <http://www.aboutads.info/choices/>.

## **How we use the information we collect**

**In General.** We may use information that we collect about you to:

deliver and improve our products and services, and manage our business;

manage your account and provide you with customer support;

perform research and analysis about your use of, or interest in, our or others' products, services, or content;

communicate with you by email, postal mail, telephone and/or mobile devices about products or services that may be of interest to you either from us or other third parties;

develop, display, and track content and advertising tailored to your interests on our Service and other sites, including providing our advertisements to you when you visit other sites;

website or mobile application analytics;

verify your eligibility and deliver prizes in connection with contests and sweepstakes;

enforce or exercise any rights in our Terms of Use; and

perform functions or services as otherwise described to you at the time of collection.

**Job applicants.** If your Personal Information is submitted when applying for a position with our company, the information will be used solely in connection with considering and acting upon your application. We may retain your Personal Information, but only for the purpose of considering your application for current or future available positions. This information, which may include your name and contact information, prior education and experience, and other information you provide to us, may be shared with third-party service providers retained by us to collect, maintain and analyze candidate submissions for job postings.

In all circumstances, we may perform these functions directly or use a third party vendor to perform these functions on our behalf who will be obligated to use your personal information only to perform services for us. Also, if you access our Service from a third party social platform, such as Facebook, we may share non-personal information with that platform to the extent permitted by your agreement with it and its privacy settings.

### **With whom we share your information**

**Information Shared with Other Users.** When you register as a user of MarshMallow, your MarshMallow profile will be viewable by other users of the Service. Other users (and in the case of any sharing features available on MarshMallow, the individuals or apps with whom a MarshMallow user may choose to share you with) will be able to view information you have provided to us directly or through Facebook, such as your Facebook photos, any additional photos you upload, your name, your age. Your job title, approximate number of miles away from your venue of choice, your chosen venue, and information you have in common with the person viewing your profile, such as

common Facebook friends. If you use voting buttons to say “yes” to a person, you will be able to chat with that person if they use voting buttons to say “yes” to you, e.g., when you have “matched.” After going through the Fancies me process. If you chat with your match, of course your match will see the content of your chat.

**Personal information.** We do not share your personal information with others except as indicated in this Privacy Policy or when we inform you and give you an opportunity to opt out of having your personal information shared. We may share personal information with:

**Service providers.** We may share information, including personal and financial information, with third parties that perform certain services on our behalf. These services may include fulfilling orders, providing customer service and marketing assistance, performing business and sales analysis, ad tracking and analytics, member screenings, supporting our Service functionality, and supporting contests, sweepstakes, surveys and other features offered through our Service. These service providers may have access to personal information needed to perform their functions but are not permitted to share or use such information for any other purposes.

**Other Situations.** We may disclose your information, including personal information:

In response to an investigative demand, a court order, or a request for cooperation from a law enforcement or other government agency; to establish or exercise our legal rights; to defend against legal claims; or as otherwise required by law. In such cases, we may raise or waive any legal objection or right available to us.

When we believe disclosure is appropriate in connection with efforts to investigate, prevent, or take other action regarding illegal activity, suspected fraud or other wrongdoing; to protect and defend the rights, property or safety of our company, our users, our employees, or others; to comply with applicable law or cooperate with law enforcement; or to enforce our Terms of Use or other agreements or policies.

In connection with a substantial corporate transaction, such as the sale of our business, a divestiture, merger, consolidation, or asset sale, or in the unlikely event of bankruptcy.

## **Data retention**

We keep your information only as long as we need it for legitimate business purposes and as permitted by applicable legal requirements. If you close your account, we will retain certain data for analytical purposes and recordkeeping integrity, as well as to prevent fraud, enforce our **Terms of Use**, take actions we deem necessary to protect the integrity of our Service or our users, or take other actions otherwise permitted by law. In addition, if certain information has already been provided to third parties as described in this Privacy Policy, retention of that information will be subject to those third parties' policies.

## **Your choices about collection and use of your information**

You can choose not to provide us with certain information, but that may result in you being unable to use certain features of our Service because such information may be required in order for you to register as user; purchase products or services; participate in a contest, promotion, survey, or sweepstakes; ask a question; or initiate other transactions.

Our Service may also deliver notifications to your phone or mobile device. You can disable these notifications by going into "App Settings" on the app or by changing the settings on your mobile device.

You can also control information collected by cookies. You can delete or decline cookies by changing your browser settings. Click "help" in the toolbar of most browsers for instructions.

## **How we protect your personal information**

We take security measures to help safeguard your personal information from unauthorized access and disclosure. However, no system can be completely secure. Therefore, although we take steps to secure your information, we do not promise, and you should not expect, that your personal information, chats, or other communications will always remain secure. Users should also take care with how they handle and disclose their personal information and should avoid sending personal information through insecure email.

## **Information you provide about yourself while using our Service**

We provide areas on our Service where you can post information about yourself and others and communicate with others. Such postings are governed by our **Terms of Use**. Also, whenever you voluntarily disclose

personal information on publicly-viewable pages, that information will be publicly available and can be collected and used by others. For example, if you post your email address, you may receive unsolicited messages. We cannot control who reads your posting or what other users may do with the information you voluntarily post, so we encourage you to exercise discretion and caution with respect to your personal information.

### **Children's privacy**

Although our Service is a general audience Service, we restrict the use of our service to individuals age 18 and above. We do not knowingly collect, maintain, or use personal information from children under the age of 18.

### **No Rights of Third Parties**

This Privacy Policy does not create rights enforceable by third parties or require disclosure of any personal information relating to users of the website.

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

We will occasionally update this Privacy Policy to reflect changes in the law, our data collection and use practices, the features of our Service, or advances in technology. When we post changes to this Privacy Policy, we will revise the “last updated” date at the top of this Privacy Policy, which will be posted on the Services under “Settings” and also within the Mobile Application and you should regularly check for the most recent version, which is the version that applies. If we make any material changes to this Privacy Policy, we will notify you of the changes by reasonable means, which could include notifications through the Services or via email. Please review the changes carefully. Your continued use of the Services following the posting of changes to this policy will mean you consent to and accept those changes. If you do not consent to such changes you can delete your account by following the instructions under Settings.

### **How to contact us**

If you have any questions about this Privacy Policy please contact using the in-app option within the MarshMallow application.