

# Privacy Policy

Podlabs, (“Podlabs”, “we”, “us”, “our”) has developed a unique type of emotion, mood , cognitive and behavioural state reporting artificial intelligence software that is used in a variety of ways, including analyzing viewers reactions to digital content, brand commercials and analyzing emotional, cognitive and behavioural states of drivers and passengers in automobiles.

If you have questions or concerns about your privacy, please notify us by contacting <https://podlabs.in/contact-us/>

## Information Collection--

We collect information related to individuals who access our products and services (our “Products”), such as our customers’ employees or others authorized by our customers to use our Products. This may include information to provide log-in credentials and for billing and support purposes. This information may include names, email addresses, physical addresses, and phone numbers. For billing purposes, it may also include financial and payment processing information, including transaction information, bank or credit card account information, and authentication information. We also collect information related to individuals’ use of our Products.

We collect information related to persons who we believe might be interested in our Products and media and industry contacts for use in marketing and promotional activity. This information may include names, email addresses, physical addresses, phone numbers, employer, and job title.

We collect video and audio recordings which our Products analyze to detect the emotions, Moods, Cognitive state and behavioural trait of the subjects of those recordings. This may include metadata related to such recordings, such as the location the recording was made. When our technology analyzes these recordings, data related to facial expressions is created and stored, but such data is separated from any personal information by which the subjects could be identified.

We also receive information related to uses of our technology and video and audio recordings from app developers who use our SDKs to integrate Podlabs technology into their applications.

We collect information from visitors to our website, including the pages visited, how long individuals viewed each page, the devices used when visiting our website, and information from “cookies” (see below).

We also collect and retain personal information relating to our employees as necessary to run our business and personal information submitted by job applicants.

## **How do we use this information?**

We use this information:

- to communicate with our customers regarding their use of our Products,
- to provide technical support to our customers,
- to bill our customers and communicate with them regarding their accounts,
- to provide information and engage in marketing activities regarding our Products,
- to enable use of our Products
- to improve our Products,
- for job applicants, to use in the hiring process, and
- for employees, to use in connection with their employment with Podlabs.

## **How long do we keep this information?**

Information related to an individual associated with one of our customers is retained while the customer relationship is in place (and to complete any post-termination transactions or wind-down of activities) or until we are advised that the individual is no longer associated with that customer.

Information related to individuals who are contacted for marketing and promotional purposes is retained until they indicate they no longer wish to be contacted (e.g., unsubscribing from email solicitations).

Information related to individuals may also be deleted when the purpose for which the information was being used no longer exists.

## **When do we share personal information?**

We do not sell or rent your personal information to third parties for purposes unconnected to our uses of the information described above. However, we may provide personal information to other parties to help us accomplish the uses described above. Such sharing of information includes:

- parties which we contract with to help us provide the Products, including subcontractors, agents and third party service providers (such as data centers),
- parties who assist us in our marketing and promotional programs, and
- parties which assist us with payment processing services.

We provide the third parties with the minimum amount of personal information necessary to fulfill the terms of the predetermined service or transaction, and none of these third parties are permitted to use your personal information except for the purpose of providing a specific service on behalf of Podlabs.

We may also provide information to third parties in connection with legal matters, which includes:

- providing information where we are legally obligated to do so (such as court orders), and
- in connection with the investigation, prevention or assisting law enforcement with respect to suspected or known illegal activities, fraud, threats, violations of our terms of service, or as otherwise required by law.

## **How can I manage my personal information retained by Podlabs?**

You are in control of whether or not you give us personal information, and you are free at any time to ask us to delete any personal information you have provided. EU individuals have the right to access their personal information. Upon request, and with consent of our customers, Podlabs will grant individuals access to personal information that it holds about them. Please contact us at <https://podlabs.in/contact-us/> to access, edit or delete your personal information. Please note that in the event of a deletion, Podlabs may need to retain some personal information for the period of time necessary for legal proceedings, legal or audit requirements or for settling your account.

To contact us via the postal service send a letter to:

Privacy Officer, Podlabs

Survey No 53/B, Plot No 3, Santanagar,

Aranyeshwar, Pune 411009

Maharashtra , India

## **How do we secure your information?**

Podlabs is committed to protecting the Personal Information you share with us. We utilize a combination of industry-standard security technologies, procedures, and organizational measures to help protect your Personal Information from unauthorized access, use or disclosure.

When we transfer credit card information over the Internet, we protect it using Secure Sockets Layer (SSL) encryption technology. While we strive to protect your Personal Information, we cannot ensure the security of the information that you transmit to Podlabs, please make sure that you protect yourself by never sending Personal Data over an unsecure connection.

## **Provisions Specific to EU Citizens**

### **Rights of EU Citizens Under the GDPR**

If you are a citizen of the European Union you have certain rights relating to how others handle your personal information. These rights are:

1. The right to be informed how your personal information is being used.
2. The right of access your personal information and how it is processed.
3. The right to rectify personal information which is inaccurate or incomplete.
4. The right to erasure – also known as ‘the right to be forgotten’, this refers to an individual’s right to having their personal data deleted or removed.
5. The right to restrict processing, that is, the right to block or suppress processing of your personal data.

6. The right to data portability – this allows individuals to retain and reuse their personal data for their own purpose.
7. The right to object, in certain circumstances, to use of your personal data in a manner different from the purpose for which it was provided.
8. Right to prevent automated decision making or profiling based on your data without human intervention.

## **Identity of Data Controller**

When an individual is providing personal information in connection with use of our Products in their capacity as an authorized user of a company which does business with Podlabs, the data controller is generally going to be that company.

If an individual is providing personal information directly to Podlabs, for example, as an Podlabs employee, a visitor to Podlabs's website, or a party consenting to receive information regarding Podlabs and its Products, then Podlabs is generally going to be the data controller. In circumstances where Podlabs is the data controller, you can contact us at the email and physical addresses provided above in the section named "How can I manage my personal information retained by Podlabs?"

"Personal Information" is any information that can be used to identify an individual, and may include, but is not limited to, name, email address, postal or other physical address, credit or debit card number, title, and other information required to provide or deliver a Product, or carry out a transaction you have explicitly requested. If you give us Personal Information, we will treat it according to this policy.

## **Definition of the Parties Who Use Our Services and/or Access our Site:**

*Customers* are companies that have licensed Podlabs's technology for use in conjunction with products and services they offer to other companies or individuals. Examples of Podlabs Customers are advertising agencies and/or public relations firms that contract with us to use Podlabs technology to analyze videos of individuals viewing advertisements and other digital content on behalf of their Clients. In the course of fulfilling our contractual obligations with our Customers, it will sometimes be necessary for us to receive and maintain personal contact information. Podlabs Customers may be granted access to protected areas of the website. In order to do so, they may need to activate an Podlabs Web account that requires the use and storage of some Personal Information.

Podlabs provides its market research Customers with both technical and non-technical support options. Podlabs may also store relevant Personal Information to manage Customer feedback.

*Clients* refers to the parties who are represented by our Customers. Podlabs does not have a direct relationship with these entities.

*Individuals* refers to the people who serve as data subjects for our Customers and/or their Clients. Facials videos of Individuals will be analyzed using Podlabs's technology to evaluate the Individuals' emotional response to advertisements or other digital content. Individuals may also provide personal information in connection with this activity. Most, if not all, of the individuals have been solicited by our Customers or their Clients and have entered into agreements with our Customers or their Clients which describe the terms under which they will act as data subjects. As with the Clients, we have no direct relationship with these Individuals and the identifying information they provide may be forwarded to us by our Customers. Occasionally, Individuals may come to our site of their own accord to investigate our product or learn more about our specific technology.

Individuals may also from time, to time, include our employees who serve as beta testers for quality control purposes. In the case of our employee data, nothing within this context is HR data that is subject to the employment relationship, and they are not part of any market studies conducted by our Customers.

## **Collection and use of your Personal Information**

The reasons we collect and use your Personal Information are outlined below.

If you enroll under "Get more information", You may receive periodic calls or emails from our team in order to facilitate your request. Podlabs may provide enrollees with the latest product announcements, software updates, software and system enhancements, special offers, and other information. Enrollees may also be contacted by Podlabs or its trusted partners with offers to participate in surveys aimed at improving our Products.

If you are an Podlabs Customer, you may provide us the names of individuals within your company, as well as physical addresses, payment information, email addresses and or telephone number. Podlabs may need to use this information to verify credit card information, process payments and to provide services and support. Podlabs may make use of a trusted third party to process your payment and in these cases we will share your billing information with that party. If you are an Podlabs Customer you may also receive product updates or other information from our team.

Podlabs offers Professional Services as well as software products. If you or your company have entered into an Podlabs Professional Services agreement please be aware that the terms of that agreement may include provisions that require the collection of Personal Information. These terms may take precedence over this Policy.

#### CHOICE:

If you ever opted in to receive mail from Podlabs and now want to opt out, send an email including your name and email address to [unsubscribe@Podlabs.com](mailto:unsubscribe@Podlabs.com). If you receive an email using the Podlabs name that you suspect might be spam, please contact us at <https://podlabs.in/contact-us/>

### **Participating in opt-in video collection**

Podlabs provides people with opportunities to participate in interactive web applications in which data will be collected. Data will never be collected without informed consent. The data may include a subset of the following categories:

Video from a participant's web-cam

Affective data derived from video

By Its nature, video data of Individuals is personal so Podlabs takes the process of recording participant video very seriously. Podlabs will never associate data with an Individual without the Individual's consent. By default Podlabs will only use video data to analyze the Individual's emotional reaction to content the Individual is viewing and to train its computer algorithms around measurement and communication of emotion and will not share video data that has not been anonymized with outside groups. On occasion, Podlabs provides people with an opportunity to explicitly opt-in to allow for their video data to be used in broader research or experimental purposes. Likewise, visitors to our website who view our demo, in which they are recorded watching a sample ad, will be explicitly cued to opt-in prior to the beginning of the session.

### **Anonymous information collection**

In some instances, Podlabs may collect non-personal aggregate or demographic data through cookies, web logs, and web beacons. This information may be used to better understand and improve the usability, performance, and effectiveness of the website. Please read the "Cookies" section below for more information.

In addition, by using some of our Products, anonymous network information (not including Personal Information) may be transmitted back to us such as Product usage information. This information is transmitted back to us so we can determine how users are interacting with our Products, to assist us as we consistently improve our Products and to correct any problems that may occur.

## **Cookies web logs and web beacons**

Like many websites, Podlabs uses technologies, such as cookies and web beacons, which allow us to make your visit to our website easier, more efficient and more valuable by providing you with a customized experience and recognizing you when you return.

Our cookies do not read personal data off of your hard disk or read cookie files created by other sites. The only Personal Information that a cookie can contain is that which you explicitly consent to supply. Accepting the cookies used on our website may give us access to information about your browsing behavior while on our web pages, which we may use to personalize your experience and track user traffic patterns. We do this in order to determine the usefulness of our website information based on the needs of our users, and to assess how effectively our navigational structure helps users reach needed sources of information. You may browse most of Podlabs's website without accepting cookies from Podlabs; however, some website functionality may be lost by disabling cookies on your computer. Other Podlabs web pages, particularly those that require a login and password, require cookies and cannot be used when you have disabled cookies in your browser.

Web logs and web beacons are ways of gathering basic statistics and managing cookies, and do not extract any extra information from your computer. Turning off your browser's cookies will prevent web logs and beacons from tracking your specific activity.

If you prefer not to receive cookies while browsing our website or via HTML-formatted emails, you can set your browser to prompt you before it accepts cookies or refuse the cookie when your browser alerts you to its presence. You can also refuse all cookies by turning them off in your browser.

## **Linked websites and third party services**

Our websites and services may provide links to third-party websites and services that are outside our control and not covered by this policy. We encourage you to review the privacy policies posted on these (and all) sites you visit or services you use.



## **Children's privacy**

Podlabs's website does not knowingly collect Personal Information from children under the age of 13, without parental consent. If we learn that we have collected Personal Information on a child under the age of 13, without parental consent, we will erase that data from our systems.

## **Consent to the transfer, processing and storage of Personal Information:**

We reserve the right to transfer your Personal Information gathered from our website (this includes video as well as demographic information) to any Podlabs affiliate worldwide, as well as to third parties acting on our behalf, for the purposes of processing or storage of data. By providing any of your Personal Information, you fully understand and consent to such transfer, processing and storage of such information.

Podlabs is required to disclose personal information to public authorities if they provide lawful requests for reasons of national security or law enforcement.

## **Accessing and updating your Personal Information**

You are in control of whether or not you give us Personal Information, and you are free at any time to ask us to delete any personal information you have provided. EU individuals have the right to access their personal information. Upon request, and with consent of our Customers, Podlabs will grant individuals access to personal information that it holds about them. Please contact us at <https://podlabs.in/contact-us/> to access, edit or delete your personal information. Please note that in the event of a deletion, Podlabs may need to retain some Personal Information for the period of time necessary for legal proceedings, legal requirements or for settling your account.

## **Unsubscribing**

Podlabs does not give out your Personal Information without your prior consent. By signing up for email notifications you are consenting to being contacted by the Podlabs sales and marketing team or their representatives.

Each promotional email from Podlabs or from parties to whom Podlabs has given your email address with your prior consent includes instructions on how you can unsubscribe from that category of mailing or from receiving email from that third party.

You may also unsubscribe from Podlabs's promotional emails by sending an email, including your name and email address to [unsubscribe@Podlabs.in](mailto:unsubscribe@Podlabs.in), or a letter to:

## **Sharing your Personal Information**

We do not sell or rent your Personal Information to others unless you have granted us permission to do so in advance. We may share your Personal Information within Podlabs and its affiliated companies and with third party service providers only for purposes of data processing or storage that are in accord with your informed consent. By using the products, Customers are consenting to the terms of this privacy policy.

If necessary to provide you with a Product or transaction you request, then we may also share your Personal Information with business partners, service vendors, authorized third-party agents or contractors.

We provide the third parties with the minimum amount of Personal Information necessary to fulfill the terms of the predetermined service or transaction, and no third parties are permitted to use your Personal Information except for the purpose of providing a specific service on behalf of Podlabs.

Under certain circumstances, Podlabs may be legally obligated to disclose your Personal Information (e.g. court orders, etc.). At our discretion, we also may elect to exercise our legal rights to defend against legal claims.

We may collect and possibly share Personal Information and any other additional information available to us in order to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of Podlabs's Terms of Service, or as otherwise required by law.

While navigating Podlabs's web site or computer-based Products, you may be directed to content or functionality that is hosted by a third-party supplier. When Personal Information is collected on behalf of Podlabs exclusively, Podlabs's Privacy Policy will be referenced and will dictate how your Personal Information will be used. For other, non-Podlabs sites or services, the site or service provider's privacy policy should be consulted.

**We will ask for your consent before we use or share your Personal Information for any purpose other than the reason you provided it or as otherwise provided by this policy. In order to let us know your preferences, we will**

**require an action on your part, such as checking the appropriate option, to indicate your consent.**

## **Security of your Personal Information**

Podlabs is committed to protecting the Personal Information you share with us. We utilize a combination of industry-standard security technologies, procedures, and organizational measures to help protect your Personal Information from unauthorized access, use or disclosure.

When we transfer credit card information over the Internet, we protect it using Secure Sockets Layer (SSL) encryption technology. While we strive to protect your Personal Information, we cannot ensure the security of the information that you transmit to Podlabs, please make sure that you protect yourself by never sending Personal Data over an unsecure connection.

## **Consent to the transfer, processing and storage of Personal Information:**

We reserve the right to transfer your Personal Information gathered from our website to any Podlabs affiliate worldwide, as well as to third parties acting on our behalf, for the purposes of processing or storage. By providing any of your Personal Information, you fully understand and consent to such transfer, processing and storage of such information.

We will comply with a request from a consumer to delete information concerning them subject to the exceptions in the CCPA. We do not sell personal information, as “sell” is defined in the CCPA. We will not discriminate in a manner which violates the CCPA against a consumer exercising his or her rights under the CCPA.