

## Legal

TERMS OF USE

**PRIVACY POLICY**

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## PRIVACY POLICY

Last Updated: February 20, 2019

Thank you for using Rakuten Viki!

Viki, Inc. provides you with an interactive platform that allows you to access television shows, movies and other content, interact with other users and be part of an online community where you may provide subtitles for our content (“Rakuten Viki”, “We”, “Our” and/or “Us”).

Rakuten Viki is part of the Rakuten group, which includes the affiliates and subsidiaries of our parent company Rakuten, Inc., based in Tokyo, Japan. More information about Rakuten is available at <https://global.rakuten.com/corp/about/company> (“Rakuten Group”).

This Privacy Policy describes how We collect and process personal information about you, how We use and protect this information, and your rights in relation to this information. Personal information is information, or a combination of pieces of information that could reasonably allow you to be identified (“**Personal Information**”).

This privacy policy applies when you use Viki.com, Rakuten Viki branded applications, Soompi.com, Soompi branded applications, and other Rakuten Viki related sites, applications, communications and services (“**Services**”).

Please read this Privacy Policy, Our [Cookies Policy](#) and Our [Terms of Use](#) carefully.

## 1. INFORMATION WE COLLECT

We will collect Personal Information about you from a variety of sources, including information We collect from you directly, information We automatically collect from your use of the Services, and information we collect about you from other sources, described below.

### 1.1 Information We collect directly from you

#### a. **Registration information**

When you create an account, you provide Us with certain Personal information, such as your full name, email address, and password (encrypted);

#### b. **Profile information**

You may also complete a profile, which may include your name, gender, birth date, picture and any additional profile information you chose to provide. Please note that your profile information will be visible to other users of Our Services;

#### c. **Payment information**

We collect your payment information when you subscribe to certain plans (such as, Viki Pass Standard); and

#### d. **Other information**

You may choose to provide Us with certain information when you post or upload subtitles and/or content to the Services, fill out a form, submit a request to Our community support, respond to a survey, post to forums, submit ratings and reviews and participate in promotions, contests, sweepstakes and/or quizzes.

## 1.2 Information We automatically collect from your use of the Services

### a. Usage information

We automatically collect information about how you use the Services, such as pages you view, content you view or favorite, subtitles or segments of content you edit, genres you prefer and searches you make;

### b. Device information

We may collect certain technical information about your device, such as your IP Address, geolocation information (city and country), your browser type, language, your operating system and application version, device types, device model and manufacturer, device identifier and your device operating system type and version;

### c. Transactional information

We automatically collect certain information about your transactions on the Services such as amount charged, date and time; and

### d. Cookies and similar technologies

As further described in our [Cookies Policy](#), We and Our partners automatically collect information from cookies and similar technologies (such as cookies IDs and settings) to recognize you, track your behaviour on the Services and your device, and to serve you with tailored advertisements. For more information on how We use cookies and how you can manage them, please visit Our [Cookies Policy](#).

## 1.3 Information We collect from other sources:

### a. Registration through third parties

If you don't feel like creating an account from scratch, We provide you with the option to sign in through an account you already have with another service provider (such as: Facebook, Google and Rakuten ID). The third-party service may send us information such as your name, email address, date of birth, geographic location, interest, profile picture, list of friends and any other information you have made available on these third-party services. This information is controlled by the third-party service or as authorized by you via your privacy settings at the third-party service;

### b. Social media third parties

Some of Our Services allow you to post information on a public feature of Our Services or through social media sites, plugins or other applications. Don't forget this information is public on Our Services and depending upon your privacy settings, may also become public on the internet. We may also further use such public information you share for various reasons such as improving Our Services and providing you with relevant content. You can control what data you

share through privacy settings available on some social media sites. Please refer to those third-party privacy policies and terms of use to learn more about their privacy practices, as We don't control these; and

**c. Other sources**

We may receive additional information about you from third party service providers and/or partners, such as demographic data, your activities on and off Our Services through partnerships and Our third party advertisers.

## **2. HOW WE USE INFORMATION WE COLLECT**

The information We collect from you ensures you can use Our Services in a safe environment. As part of this mission, We may use your information for the following purposes:

**a. Services**

We may use your information to: enable you to access and use the Services, authenticate your identity when you log in to Our Services, personalize or otherwise customize your experience by, for example, providing you with content based on your search and preferences, determine your general geographic location to personalize Our Services, to recommend content and determine whether the content you have requested is available in your region, process your payment for the Services through third party service providers, and manage the accounts you hold with Us;

**b. Advertising**

We, and Our third-party advertisers, use your Personal Information in order to serve you with advertisements that may interest you (you can find below more information about Our third-party advertisers);

**c. Marketing**

We use your information to send you promotional messages, newsletters, marketing and other information that may be of interest to you based on your communication preferences, including information about Our affiliates and partners campaigns and services. We, and Our third-party business partners, also use your Personal Information, on and off Our Services, to serve you with advertisements of Our Services. From time to time, We, and our third-party service providers and/or business partners, may also use your information to administrate surveys, sweepstakes, contests, referral programs or other promotional activities or events managed by Us, Our affiliates and/or Our partners if you consent;

**d. Communication**

We use your information to contact you to maintain Our Services and to respond and resolve your support requests, questions and issues;

e. **Security**

We use your information if We think it is necessary to investigate and prevent security issues and abuse;

f. **Research and services improvement**

In an effort to provide you with the best Services, We may use your information to conduct research for further development of the Services; and

g. **Legal**

We may use your information to comply with legal obligations to which We are subject, protect Our Trademarks and enforce Our Terms of Use and cooperate with regulators and law enforcement bodies.

### 3. HOW WE SHARE INFORMATION

We may share your Personal Information with third parties under the following circumstances:

a. **With your consent**

We may share your information, if you consent, after letting you know what information will be shared and with whom and why;

b. **Service providers**

We share your Personal Information with Our service providers that perform business services and/or operations on Our behalf. For example, We may partner with other companies to process secure payments, provide authentication services, fulfill orders, perform analytics, send newsletters and marketing emails, administer Our promotions, sweepstakes, contests, and surveys, and support email and messaging services;

c. **Business partners**

We may share your Personal Information with Our business partners to perform business services upon the selected service or plan and/or your request. For example, We may partner with other companies to provide content, streaming and content delivery services, and targeted advertising services;

d. **Rakuten Group companies**

Rakuten, Inc. is Rakuten Viki's parent company. We work closely with Our affiliated businesses and companies that fall under the Rakuten Group family (together, "**Rakuten Affiliates**"). We may share your account credentials and other related Personal Information (such as, username, email address, encrypted password, first and last name) with the Rakuten Affiliates, so that you can use the same username and password to access all Rakuten Group products and services, and for the purposes of authentication, and deduplication. The other Rakuten Group websites and

services may request Personal Information from you if you use their services, and if you provide this information, then it will be governed by their respective privacy policies and not this Privacy Policy;

**e. Law enforcement agencies, courts, regulators and government authorities**

We may share your Personal Information with these parties where We believe this is necessary to comply with a legal or regulatory obligation, or otherwise to protect Our rights or the rights of any third party; and

**f. Asset purchasers**

We may share your Personal Information with any third-party that purchases, or to which We transfer, all or substantially all of Our assets and business. Should such a sale or transfer occur, We will use reasonable efforts to try to ensure that the entity to which We transfer your Personal Information uses it in a manner that is consistent with this Privacy Policy.

## **4. THIRD PARTY ADVERTISERS**

We permit advertisements to be delivered to you by third party advertisers (also called ad networks or network advertisers). These third party advertisers may use Personal Information (such as- cookies, platform device identifiers, software agents, and IP address), in order to deliver targeted advertisements, measure their effectiveness, and to understand the usage and visitation of Our Services and the other applications and websites tracked by these companies. We do not have access to or control over cookies, platform device identifiers, software agents, or other technologies that they may use. We are not responsible for the privacy practices of third party advertisers. For more information about how the online advertising industry uses information it collects to provide you with tailored advertisement, and to control whether you want to receive those relevant advertisement from Our third-party advertisers, please review the information at the following links: The [Network Advertising Initiative](#); and [Your Ad Choices](#).

## **5. THIRD PARTY WEBSITES**

Our Services may contain links to other third-party websites. We encourage you to be aware of these other third-party websites and their privacy statements, as We are not responsible for the privacy practices or the content of these third-party sites.

## **6. YOUR CHOICES AND YOUR RIGHTS OVER YOUR PERSONAL INFORMATION**

**a. Your choices**

You may in some cases have the option to decline providing Us information. However, your

choice to not provide information may impact your use of certain features or services. Please find below some choices you have over your Personal Information:

**i. Account**

You can change information about your account by accessing your Account and modifying the information listed in the 'Edit Profile' and/or 'About Me' tabs. You are not required to provide any information to Us that is unnecessary to provide the Services.

**ii. Marketing communication**

You can unsubscribe or opt-out of receiving marketing communications from Us by using the "Unsubscribe" link at the bottom of an automatic email, by modifying your email preferences in your "Account Settings", or by contacting Us through Our Services. Please note that even if you opt-out of receiving marketing communication, We may continue to send you non-marketing emails and other types of communications, as permitted by law, such as response to your support requests, or service email relating to your account.

**iii. Cookies**

You may control the use of cookies at the browser level. If you choose to disable cookies, it may limit your use of certain features or functions on Our Services. For more information on how we use cookies and how you can manage them please see Our [Cookie Policy](#).

**b. Your rights**

Subject to local law, you may have certain rights regarding information that We have collected and that is related to you. We encourage you to contact Us to update or correct your information if it changes or if you believe that any information that We have collected about you is inaccurate.

Please note that We will likely require additional information from you in order to honor your requests.

If you would like to exercise such rights, send Us an email at [privacy@viki.com](mailto:privacy@viki.com).

Please find below some rights applicable to certain territories:

**i. Rights applicable to European Union users**

**1. Data Transfer**

If you are visiting from the European Union ("EU") or other regions with laws governing data collection and use that may differ from EU or US law, please note that your Personal Information may need to be processed in countries where data protection and privacy regulations may not offer the same level of protection as in your home country. Please note that We may be transferring your Personal Information to the United States, Japan, Singapore and South Korea. In such cases,

We will require the recipient to provide appropriate protection for the Personal Information disclosed to it in compliance with applicable data protection laws.

As part of the Rakuten Group, Rakuten Viki relies on the Rakuten Binding Corporate Rules to safeguard international data transfers within the group. The Rakuten Binding Corporate Rules have been approved with the Data Protection Authority of Luxembourg and can be found at <https://corp.rakuten.co.jp/privacy/en/bcr.html>.

## **2. Legal basis for processing your Personal Information**

If you are visiting from the EU, We must have a legal basis to process your Personal Information. There are different legal bases that We rely on to use your Personal Information, namely:

### **a. Performance of a contract**

The use of your information may be necessary to perform the terms and conditions or other contractual obligations and policies under which We provide our Services to you;

### **b. Consent**

We will rely on your consent to use (i) technical information such as cookie and similar technologies; and (ii) your information for marketing and advertising purposes. You may withdraw your consent at any time by contacting Us using the information at the end of this Privacy Policy or by following an unsubscribe link in any marketing communication you receive from Us;

### **c. Legitimate interests**

We use your Personal Information for Our legitimate interests to improve our Services, security purposes, and to share information with Our affiliates for internal administration. In such circumstances it is for Us to ensure that these interests are not overridden by your data protection interests or fundamental rights and freedoms; and

### **d. Legal obligation and public interest**

In some cases, We may also have a legal obligation to collect your Personal Information, or may otherwise need your Personal Information to protect your vital interests or those of another person.

## **3. Your Choices under EU law**

If you are visiting from the EU, you may have certain rights, in accordance with the applicable local law and limitations, including the right to access your Personal



Information; to rectify the information We hold about you; to erase your Personal Information; to restrict our use of your Personal Information; to object to our use of your Personal Information; and to receive your Personal Information in a usable electronic format and transmit it to a third party (right to data portability). If contacting Us does not resolve your complaint, you have the right to make a complaint to your data protection authority.

## ii. Rights applicable to California Rights

If you are a California resident, you may request a list of all third parties to which Our Services have disclosed certain Personal Information during the preceding year for those third parties' direct marketing purposes. If you are a California resident and want such a list, please contact Us at [privacy@viki.com](mailto:privacy@viki.com), and ensure to include the statement "Your California Privacy Rights" in the body of your request, as well as your name, street address, city, state, and zip code.

## 7. SECURITY

We care about the security of your Personal Information. We implement technical and organizational measures to ensure a level of security appropriate to the risk to the Personal Information We process. These measures are aimed at ensuring the on-going integrity and confidentiality of your Personal Information. However, no company can guarantee that data may not be accessed, disclosed, altered, or destroyed by breach of any of Our physical, technical, or managerial safeguards. We need your help too: it is your responsibility to make sure that your Personal Information is accurate and that your password is unique, secure and not shared with third parties.

## 8. RETENTION

We will keep your Personal Information for as long as We have a relationship with you. We will only retain your Personal Information after this time if We are required to do so to comply with the local law, or if there are outstanding claims or complaints that will reasonably require your Personal Information to be retained.

## 9. CHILDREN'S PRIVACY

Our Services are not intended for children under the age of 13, or other minimum age for providing consent to data collection under local law. Therefore, We do not knowingly collect Personal Information via Our Services from anyone under 13 (or such other minimum age as may be restricted under local law). If a parent or a guardian believes that Rakuten Viki has in its database the Personal Information of

a child under the age of 13, please contact Us at [privacy@viki.com](mailto:privacy@viki.com).

## 10. CHANGES TO THIS PRIVACY POLICY

From time to time, as Our Services evolve, we may modify or update this privacy policy.

The most current version will govern Our use of your Personal Information and will always be available at [viki.com/privacy](https://viki.com/privacy), and older versions are available upon request. If We make changes that We think will have a substantial impact on your rights, We will notify you. Otherwise, you agree to accept any changes or updates to this privacy policy by continuing to use Our Services.

## 11. CONTACT US

If you still have questions or concerns regarding the way in which your Personal Information has been used, please feel free to send Us an email to [privacy@viki.com](mailto:privacy@viki.com); you can also reach Us by physical mail at the following address:

**Viki, Inc.**

Attention: Privacy Policy/Legal

800 Concar Drive, Suite 175

San Mateo,

California, 94402 USA

Choose your language : English



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