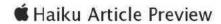
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By:

United States District Court Northern District of California ADEFENDANTA Case No. 4:20-cv-05640-YGR Case Title Epic Games, Inc. v. Apple, Inc. Exhibit No. DX-4400 Date Entered

Susan Y. Soong, Clerk

Deputy Clerk

App Store & Privacy

App Store is designed to protect your information and let you choose when you share.

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- · We collect your personal information so that we can provide you the content you purchase, download, or want to update in the Stores, which include App Store, iTunes Store, the Store in Apple Books, and iTunes U.
- · We also use information about your account, purchases, and downloads in the Stores to offer advertising to ensure that Search Ads in the App Store and ads in Apple News and Stocks, where available, are relevant to you. You have choices with respect to this advertising, as described below.
- We use information about your purchases, downloads, and other activities in the Stores to tailor features. and offer personalized recommendations for you. You can opt out of the use of this data for this purpose, as described below.
- · To help identify and prevent fraud, information about how you use your device, including the approximate number of phone calls or emails you send and receive, will be used to compute a device trust score when you attempt a purchase. The submissions are designed so Apple cannot learn the real values on your device. The scores are stored for a fixed time on our servers.
- To find ways to improve the Stores, we use information about your browsing, purchases, searches, and downloads. These records are stored with IP address, a random unique identifier (where that arises), and Apple ID when you are signed in to a Store.

Providing the Stores

We use your personal information to provide the services and features in the Stores. This information includes, for example, your account and payment information, which you can access and change in settings, and your purchase history.

When you download from a Store, or install an app on your Apple Watch, identifiers such as your device's hardware ID and IP address are logged by Apple along with your Apple ID.

Improving the Stores

To improve the experience in the Stores, we collect information about your usage of the Stores, including when

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you open or close a Store, what content you search for, and the content you view and download. We also collect information about your device such as the type of device, the version of your operating system, and the amount of free space on your device. We may use this information to assess whether requested content can be downloaded, to understand general trends in use of device storage, and whether your device is connected by Wi-Fi or cellular. For example, we may use this information in the following ways:

- · User search data makes it possible for us to offer trending searches.
- Knowing what content you view or download makes it possible for us to offer personalized features like "More Games You Might Like."
- Knowing the free space on your device allowed us to build the feature that lets you buy movies on your iPhone without downloading it at purchase.

Additionally, if you have Popular Near Me enabled in Location Services, your iPhone will periodically send locations of when and where you have purchased or used apps in an anonymous and encrypted form to Apple, and may then be used to offer geographically relevant apps and other Apple products and services, To access and change this in Settings, on iOS or iPadOS, go to Settings > Privacy > Location Services > System Services > Popular Near Me.

Personalizing the Stores

We use your interactions with the Stores to help you discover the content that's most relevant to you. For example, we recommend content that we think will be of interest to you based on what you've previously searched for, viewed, downloaded, updated, or reviewed in the Stores. We also use your purchase history and payment methods together with account information derived from your Apple ID. To make better recommendations, we also use aggregate information about app launches, installs, and deletions from users who choose to share device analytics with Apple. Personalization features can be disabled by sliding off the Personalized Recommendations switch for your Apple ID in the ITunes & App Store Settings.

Advertising

Search Ads is an easy way for developers to promote their apps within App Store search results, helping people discover apps. We use information about your device, account, purchases, downloads and search terms in the App Store to ensure that ads in the App Store are relevant. We create groups of people, called segments, who share similar characteristics and we use these groups for delivering targeted ads. Information about you is used to determine which segments you are assigned to, and thus, which ads you receive. To protect your privacy, targeted ads are only delivered if more than 5,000 people meet the targeting criteria.

When selecting which ad to display from multiple ads for which you are eligible, we may use some of the above mentioned information, as well as your App Store browsing activity, to determine which ad is likely to be most relevant to you. App Store browsing activity includes information like the content and apps you tap and view while browsing the App Store. This information is aggregated across users so that it does not identify you.

We also use similar information from the App Store to make ads in Apple News and Stocks more relevant, but in a way that is tied to an identifier specific to Apple News and not tied to your Apple ID.

If you do not want to receive ads targeted to your interests from Apple's advertising platform, you can choose to enable Limit Ad Tracking, which will opt your Apple ID out of receiving such ads on devices where you are signed in with the same Apple ID. If you choose to limit ad tracking, you will still receive ads based on search terms you enter.

Learn more About Advertising & Privacy in Search Ads and News at https://support.apple.com/HT205223

Learn about how to opt out of interest-based ads in the App Store and Apple News at https://support.apple.com/HT202074

Sharing with Third Parties

We are obligated to provide some non-personal information to strategic partners that work with Apple to provide our products and services, help Apple market to customers, and sell ads on Apple's behalf to display in the App Store and Apple News and Stocks. For example, we may share non-personal information about your content purchases with app developers so that they can measure the performance of their creative work, meet royalty and accounting requirements, and improve their products and services.

We may share information with developers to help them operate and improve their apps. Developers can access usage information, provided by users who opt in, that allows them to look at aggregated data from groups of users that have similar characteristics or behavior, as long the data comes from groups of no less than five users. Developers can access receipt information for purchases of their products and services in the Stores. Receipts do not include personal information; however, developers could seek to associate them with personal information from your use and download of their apps, if you have provided it to them.

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If you purchase a subscription in a third-party app, we create a Subscriber ID that is unique to you and the developer or publisher. You can learn more about Subscriber ID at https://support.apple.com/HT207233

Retention

We retain personal information associated with your purchases and downloads on the Stores for the periods specified by applicable laws relating to financial reporting, which vary by country. For most customers, that requires at least a ten-year retention period. We also retain a record of your purchase and downloads of content for at least as long as you have an account with us to allow you to download that content, again in line with our applicable terms. We retain other information such as browsing activity and searches for a shorter period. The period chosen takes account of applicable legal requirements to retain data and specific business use cases. However, some information, such as purchases but not your stored card details, may be retained as business records even after you close your account or stop using the Stores.

Preventing Fraud and Other Malicious Activity

We also collect personal information to prevent fraud and other malicious activity in the Stores and other Apple apps and services. This information includes device information, such as device type and software version, location information, if available, download and purchase history, and other interactions with the Stores.

We also compute a device trust score on your device when you attempt a purchase using information about how you use your device, including the approximate number of phone calls or emails you send and receive, The submission is designed so Apple cannot learn the underlying values on your device. The score is stored for a fixed time on our servers.

At all times Apple collects and uses information in accordance with our privacy policy located at www.apple.com/privacy

information allost products not manufactured by Apple, or independent subsites not controlled on tasted by Apple, is previded without recommendation or experienced. Apple as suppossibility with repart to the selection, performance, or use of third-servy relatives or specificial. Apple makes no representations recombing third-painty and other according or relability. Contact the vendor for additional attendance.

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