

Privacy Policy

Please read our Privacy Policy carefully as it describes our collection, use, disclosure, retention and protection of your personal information. This Policy applies to any website or service which references this Privacy Policy. Where you provide us with your personal information in any of the ways described in section 2 below, you agree that we may collect, store and use it (a) in order to perform our contractual obligations to you, (b) based on our legitimate interest for processing (i.e. for internal administrative purposes or for the detection or prevention of crime) or (c) based on your consent, which you may withdraw at any time, as described in this Privacy Policy.

1. Who we are

Our Privacy Policy applies to all products and services offered by Bokeh Photogenic Pvt Ltd (a company incorporated in India with company registration number U93090KA2019PTC121663 and whose registered office address 13th, 1st Main, Thimmenahalli, Bangalore-560040, but excludes any products or services that have separate privacy Policies which do not incorporate this Privacy Policy.

2. How we collect information

To the extent permissible under applicable law, we collect information about you and any other party whose details you provide to us when you:

- complete online forms, take part in surveys, enter any competitions or prize draws, download information such as white papers or other publications or participate in any other interactive areas that appear on our website;
- interact with us using social media;
- provide your contact details to us when accessing any websites or services we make available or when you update those details; and
- contact us offline, for example by telephone, email or post.

We also collect information from your devices (including mobile devices) and browsers you use to access and use any of our websites or services (for example, we may collect the device identification number and type, location information and connection information such as statistics on your page views, traffic to and from the sites, referral URL, ad data, and your IP address) and we will ask for your permission before we do

so. We may do this using cookies or similar technologies (as described in section 6 below).

We may enhance personal information we collect from you with information we obtain from third parties that are entitled to share that information; for example, information from data management platforms, but in each case as permitted by applicable laws.

If you intend to give us personal information about someone else, you are responsible for ensuring that you comply with any obligation and consent obligations under applicable data protections laws. In so far as required by applicable data protection laws, you must ensure that beforehand you have their explicit consent to do so and that you explain to them how we collect, use, disclose and retain their personal information or direct them to read our Privacy Policy.

3. How we use your information

To the extent permissible under applicable law, we use your information to:

- provide any information and services that you have requested or services that you have ordered;
- compare information for accuracy and to verify it with third parties;
- provide, maintain, protect and improve any products, services and information that you have requested from us;
- manage and administer your use of products and services you have asked us to provide;
- manage our relationship with you (for example, customer services and support activities);
- monitor, measure, improve and protect our content, website, and services and provide an enhanced, personal, user experience for you;
- undertake internal testing of our website, systems and services to test and improve their security and performance. In these circumstances, we would anonymise any information used for such testing purposes;
- provide you with any information that we are required to send you to comply with our regulatory or legal obligations;

- detect, prevent, investigate or remediate, crime, illegal or prohibited activities or to otherwise protect our legal rights (including liaison with regulators and law enforcement agencies for these purposes);
- contact you to see if you would like to take part in our customer research (for example, feedback on your use of our products and services);
- to monitor, carry out statistical analysis and benchmarking, provided that in such circumstances it is on an aggregated basis which will not be linked back to you or any living individual;
- deliver targeted advertising, marketing or information to you;
- deliver joint content and services with third parties with whom you have a separate relationship (for example, social media providers); and
- provide you with location based services (for example, advertising and other personalised content), where we collect geo-location data.

Our website, (including mobile applications) and services may contain technology that enables us to:

- check specific information from your device or systems directly relevant to your use of the websites, or services against our records to make sure the websites, or services are being used in accordance with our end-user agreements and to troubleshoot any problems;
- obtain information relating to any technical errors or other issues with our website and services;
- collect information about how you and users use the functions of the features of our website and services; and
- gather statistical information about the operating system and environment from which you access our applications or services.

You can manage your privacy settings within your browser or our website and services (where applicable).

In addition to the purposes described in this section 3, we may also use information we gather to deliver targeted advertising, marketing or information to you which may be useful, based on your use of the website or services or any other information we have

about you (depending on the websites or services, you may be able to configure these features to suit your preferences). Sections 5 and 6 of this Privacy Policy provide further details on how we will do this.

We may monitor and record our communications with you, including e-mails and phone conversations. Information which we collect may then be used for training purposes, quality assurance, to record details about our website and services you order from us or ask us about, and in order to meet our legal and regulatory obligations generally.

Mobile data

We may obtain information through mobile applications that you install on your mobile devices. These mobile applications may be our own mobile applications or those belonging to third parties. Where the mobile application belongs to a third party, you must read that third party's own privacy Policy as it will apply to your use of that third party mobile application. We are not responsible for such third party mobile applications and their use of your personal information.

Mobile applications may provide us with information related to a user's use of that mobile application and use of our applications and services accessed using that mobile application. We may use such information to provide and improve the mobile application or our own services. For example, activity undertaken within a mobile application may be logged.

4. Sharing your information

We may share your information with:

- customer relationship management software to provide you with any information, products or services that you have requested;
- our service providers and agents (including their subcontractors) or third parties which process information on our behalf (e.g. internet service and platform providers, advertising agencies, agency trading desks, supply side platforms and data management platforms) so that they may help us to provide you with the products, services and information you have requested or which we believe is of interest to you;
- partners, including website and mobile app publishers, resellers and developers that may help us to provide you with the products, services and information you have requested or which we believe is of interest to you;

- third parties where you have a relationship with that third party and you have consented to us sending information (for example social media sites or other third party application providers);
- third parties for marketing purposes (e.g. our partners and other third parties with whom we work and whose products or services we think will interest you);
- credit reference and fraud prevention agencies;
- law enforcement agencies so that they may detect or prevent crime or prosecute offenders;
- any third party in the context of actual or threatened legal proceedings, provided we can do so lawfully (for example in response to a court order);
- any third party in order to meet our legal and regulatory obligations, including statutory or regulatory reporting or the detection or prevention of unlawful acts;
- our own professional advisors and auditors for the purpose of seeking professional advice or to meet our audit responsibilities;
- another organisation if we sell or buy (or negotiate to sell or buy) any business or assets;
- another organisation to whom we may transfer our agreement with you; and
- Government departments where reporting is mandatory under applicable law.

We may share non-personally identifiable information about the use of our website, applications, products or services publicly or with third parties but this will not include information that can be used to identify you.

5. Marketing

From time to time, we may use your information to contact you with details about our products and services which we feel may be of interest to you. We may also share your information with other companies and carefully selected third parties so that they (or we) may contact you with information about their products or services which we feel may be of interest to you. You have the right at any time to stop us from contacting you for marketing purposes. You may also request at any time that we do not share your information with third parties referred to in this paragraph. If you wish to exercise these rights you can do so by selecting your contact preferences at the point where you

provide us with your information on our websites or services, using any preference centres we give you access to or by sending us an email to privacy@photoshooto.com. You can also unsubscribe from any email marketing using the links provided in the emails we send to you.

6. Your information and your rights

If you are based within the ODR (Online Dispute Resolution) or within another jurisdiction having similar data protection laws, in certain circumstances you have the following rights:

- the right to be told how we use your information and obtain access to your information;
- the right to have your information rectified or erased or place restrictions on processing your information;
- the right to object to the processing of your information e.g. for direct marketing purposes;
- the right to have any information you provided to us on an automated basis returned to you in a structured, commonly used and machine-readable format, or sent directly to another company, where technically feasible (“data portability”);
- where the processing of your information is based on your consent, the right to withdraw that consent subject to legal or contractual restrictions;
- the right to object to any decisions based on the automated processing of your personal data, including profiling; and
- the right to lodge a complaint with the supervisory authority responsible for data protection matters (e.g. in the India, the Information Commissioner’s Office).

If you request a copy of your information you may be required to pay a statutory fee.

If we hold any information about you which is incorrect or if there are any changes to your details, please let us know by so that we can keep our records accurate and up to date.

If you withdraw your consent to the use of your personal information for purposes set out in our Privacy Policy, we may not be able to provide you with access to all or parts of our website and services.

We will retain your personal information for the duration of our business relationship and afterwards for as long as is necessary and relevant for our legitimate business purposes, in accordance with our data retention, marking and destruction policy or as otherwise permitted applicable laws and regulation. Where we no longer need your personal information, we will dispose of it in a secure manner (without further Policy to you).

7. Changes to our privacy Policy

We may change our Privacy Policy from time to time. However we will not reduce your rights under this Privacy Policy. We will always update this Privacy Policy on our website, so please try to read it when you visit the website (the 'last updated' reference tells you when we last updated our Privacy Policy).

8. Security and storage of information

We will keep your information secure by taking appropriate technical and organisational measures against its unauthorised or unlawful processing and against its accidental loss, destruction or damage. We will do our best to protect your personal information but we cannot guarantee the security of your information which is transmitted to our website or services or to other websites, applications and services via an internet or similar connection. If we have given you (or you have chosen) a password to access certain areas of our websites or services please keep this password safe – we will not share this password with anyone.

If you believe your account has been compromised, please contact us at privacy@photoshooto.com.

9. Transfers outside of the Indian Economic Area

Personal information in the Indian Union is protected by data protection laws but other countries do not necessarily protect your personal information in the same way.

Our website and some of our applications or services or parts of them may also be hosted in India or otherwise outside of India. When you send an email to us, this will also be stored on email servers which are hosted with Google and therefore may be outside of the IEA(Indian Economic Area).

We may use service providers based outside of the IEA to help us provide our website and services to you and this means that we may transfer your information to service providers outside the IEA for the purpose of providing our advertising and services to you.

We take steps to ensure that where your information is transferred outside of the IEA by our service providers and hosting providers, appropriate measures and controls are in place to protect that information in accordance with applicable data protection laws and regulations. In each case, such transfers are made in accordance with the requirements of Regulations section 43A of the act provides compensation for damages caused by a failure to maintain reasonable security practices to protect sensitive personal data. In August 2017, the Indian Supreme Court declared the right to privacy to be a part of the fundamental right to life under Article 21 of the Indian Constitution.⁶ It held informational privacy to be a subset of this right to privacy, and noted that privacy includes the right to protect individual identity.

By using our website, products or services or by interacting with us in the ways described in this Privacy Policy, you consent to the transfer of your information outside the IEA in the circumstances set out in this Privacy Policy. If you do not want your information to be transferred outside the IEA you should not use our website, applications or services.

10. Other sites and social media

If you follow a link from our website or service to another site or service, this Policy will no longer apply. We are not responsible for the information handling practices of third party sites or services and we encourage you to read the privacy Policies appearing on those sites or services.

Our websites or services may enable you to share information with social media sites, or use social media sites to create your account or to connect your social media account. Those social media sites may automatically provide us with access to certain personal information retained by them about you (for example any content you have viewed). You should be able to manage your privacy settings from within your own third party social media account(s) to manage what personal information you enable us to access from that account.

11. Cookies, Analytics and Traffic Data

Cookies are small text files which are transferred from our websites or services and stored on your device. We use cookies to help us provide you with a personalised service, and to help make our websites and services better for you.

Our cookies may be **session cookies** (temporary cookies that identify and track users within our websites or services which are deleted when you close your browser or leave your session in the service) or **persistent cookies** (cookies which enable our websites or services to “remember” who you are and to remember your preferences within our websites or services and which will stay on your computer or device after you close your browser or leave your session in the application or service).

We use the following different types of cookies:

Strictly necessary cookies

These are cookies which are needed for our websites or services to function properly, for example, these cookies allow you to access secure areas of our website.

Performance cookies and analytics technologies

These cookies collect information about how visitors and users use our websites, applications and services, for instance which functionality visitors use most often, and if they get error messages from areas of the websites, applications or services. These cookies don't collect information that identifies a visitor or user. All information these cookies collect is aggregated and therefore anonymous. We only use these cookies to improve how our website, applications and services work.

Targeting or advertising cookies

These cookies are used to deliver adverts more relevant to you and your interests. They are also used to limit the number of times you see an advertisement as well as help measure the effectiveness of the advertising campaign. They are usually placed by advertisers, advertising agencies or ad servicing technologies. They remember that you have visited a website and this information is shared with other organisations such as advertisers.

Web beacons and parameter tracking

We also use cookies and similar software known as web beacons to count users who have visited our website after clicking through from one of our advertisements on another website or in emails. These web beacons collect limited information which does not identify particular individuals. It is not possible to refuse the use of web beacons. However, because they are used in conjunction with cookies, you can effectively disable them by setting your browser to restrict or block cookies.

IP Address and traffic data

We keep a record of traffic data which is logged automatically by our servers (both our web site servers and our ad serving technologies), such as your Internet Protocol (IP) address, device information, the website that you visited before ours and the website you visit after leaving our site. We also collect some site and service statistics such as access rates and page views. We are not able to identify any individual from traffic data or site statistics.

How to disable cookies

You may be able to configure your browser or our website or the websites of our partners to restrict cookies or block all cookies if you wish, however if you disable cookies you may find this affects your ability to use certain parts of our website, or services. For more information about cookies and instructions on how to adjust your browser settings to accept, delete or reject cookies, see the www.allaboutcookies.org website. To change your cookie preferences you may be able to use our consent manager which can be found [here](#).

12. Further information

If you have any queries about how we treat your information, the contents of this Policy, your rights under local law, how to update your records or how to obtain a copy of the information that we hold about you, please write to our Data Protection Officer at Bokeh Photogenic Pvt Ltd, 13th, 1st Main, Thimmenahalli Bangalore - 560040 or send an email to privacy@photoshooto.com