



# Privacy and Cookie Policy

Last Update 31 August 2020

This privacy and cookies policy ("Privacy Policy") details data used on [www.stylchi.com](http://www.stylchi.com) (the "Website"). When you use our website and services, you're trusting us with your information. We understand this is a big responsibility and we work hard to protect your information and put you in control. This Privacy and Cookie Policy explains how and why we collect and use personal information, and what we do to ensure it is kept private and secure and in compliance with the applicable laws.

This Privacy Policy is meant to help you understand what information we collect, why we collect it, and how you can update, manage, export, and delete your information.

For the purposes of data protection law, we (Stylchi OÜ) will be a controller of the personal information we hold about you. This means we make decisions about how and why your information is used, and have a legal duty to make sure that your rights are protected when we use it.

We are committed to protecting the privacy of our users and customers. This Privacy Policy is intended to inform you how we gather, define, and use information that could identify you, such as your name, email address, address, other contact details or online identifiers, other information that you provide to us when using the Platform ("Personal Information") and also what Cookies we use. Please take a moment to read this Privacy Policy carefully.

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## 1. Definitions

When we use a capitalised term in this Privacy Policy, it will have the meaning given to it in the table below:

**“Affiliate”** means in relation to Stylchi any entity that from time to time directly or indirectly controls, is controlled by, or is under common control with Stylchi;

**“End User”** means an individual using any of our Website and Services;

**“Stylchi”** means Stylchi OÜ, Lastekodu 18, Tallinn 10113;

**“Partner”** means a business owner or a freelancer who uses the Stylchi website to receive bookings from customers and engage with customers;

**“Privacy Policy”** means this Privacy Policy which may be amended from time-to-time;

**“Services”** means any of the services we provide to Partners or individuals through our Websites; and

**“Websites”** means [www.Stylchi.com](http://www.Stylchi.com) and including all subdirectories, subdomains, and mobile sites thereof.

## 2. Who Should Read This Privacy Policy?

This Privacy Policy will apply to you if you are any of the following:

- a Partner on the Stylchi platform;
- an End User; or
- a visitor of our Website



By accessing or using the Services or any of our Websites, you agree to the terms of this Privacy Policy. If we make any significant changes to this Privacy Policy, we will notify you through email or directly through our Website.

If you have any questions about our Privacy Policy, don't hesitate to get in touch with us. Please feel free to reach out to us at [hello@Stylchi.com](mailto:hello@Stylchi.com).

### 3. The Personal Information

We collect personal information (meaning anything that could identify you either by itself or when combined with other information we are able to gain access to), as described below.

#### **What information do we collect?**

**When you visit and/or use our Platform or contact us, we may collect the following information:**

- Personal Information that you choose to share with us when you register for an account, subscribe to emails, newsletters and alerts and which you provide to us when using our services, including information entered into our booking platform and included in your comments, reviews or survey responses. In the course of making a booking or submitting reviews, you might voluntarily provide us with sensitive personal data if relevant to the service that you are requesting or reviewing (relating to your health for example).
- Where you are utilising our online payment facility, we may store (via ourselves or our appointed payment processor) your credit and debit card details on a secure encrypted basis.
- If you choose to communicate with us (for example, through the Platform, live chat, email, telephone, SMS, or social media) we will record the fact that you have contacted us, the content of your and our communication, your contact details, and other unique identifiers including IP address and display name.
- Information about your visits to and use of the Platform, such as information about the device and browser you are using, your IP address and location, the date and time that you visited, the duration of your visit, the referral source and website navigation paths of your visit and your interactions on the Platform including the salons and treatments you are interested in. Please note that we may associate this information with your Stylchi account. Please see the cookies section of this Privacy Policy for further information on the purposes for which we collect and use this information.



It is important that all the Personal Information you give us when you register as a user or otherwise when you use the Platform is correct and accurate. This includes, by way of example only, ensuring that we have your correct contact (including email) details at all times.

If you plan to submit someone else's Personal Information to us, for instance when making a booking on their behalf, you should only provide us with that third party's details with their consent and after they have been given access to information about how we will use their details, including the purposes set out in this Privacy Policy.

**When you are using our services, we may collect the following information:**

- Areas of interest: including the types of Partner offerings that interest you;
- Referrals: information about friends who referred you, or who you have referred to Stylchi;
- Correspondence: copies of correspondence, text, email and other communications you have with us or with Partners;
- Participation: we will collect and retain the comments you make to the forums, bulletin boards, discussion groups, chat rooms, reviews, or other methods of communication that may be offered on or through our marketplace from time to time, including those you make on our social media pages;
- Transaction details: information about how you interact with the Stylchi website, such as Partner offerings you view, purchase, redeem, and/or post, and the Partners you add to your favourites page; and
- Financial account information: we collect minimal financial information as needed for our payment processing partners in order to provide payment functionality to our Partners (such as your credit or debit card number, expiration date, and card verification number).

**When you are joining our platform as a Partner, we may collect the following information:**

If you are a Partner, we will collect the following details about you:

- bank details: in order to submit payments to you, we need to collect your bank account and sort code;
- business-related information: your business name, a description of your business, titles, names, and bios of your staff members;
- availability and scheduling information: information about your business calendars and staff availability from your Stylchi account;



- social media information: information from your Facebook page, Instagram profile and additional publicly available data; and
- customer information: where you upload your customer database to our servers, we will retain the personal information it contains subject to our Data Retention Policy in Section 8.

## 4. How We Use Your Personal Information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- where we need to perform a contract with you (e.g. to create an appointment or to process a payment);
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests (see the "Legitimate Interests" section below); and
- where we need to comply with a legal or regulatory obligation.

### **We may use personal information held about you in order to:**

- provide you with offers for products and services from participating Partners, including offers based on variables such as stated and anticipated customer interests, personal characteristics, or location;
- recommend certain Partners offerings to you (e.g., to suggest Partners to add to your favourites page or remind you when it's time to rebook a service);
- facilitate and fulfil requests for appointments for Partner offerings, including their purchase and redemption;
- evaluate the eligibility of customers for certain offers, products or services, and evaluate the types of offers, products or services that may be of interest to End users;
- track redemption of Partner offerings and perform other analytics;
- improve our Services, including performing analysis, tracking your use of the Services for the purposes of displaying advertising and content;
- provide customer support, including to our Partners or business partners;



- communicate and provide additional information that may be of interest to you or Partner clients about Stylchi and our Partners and business partners, such as Stylchi news, special offers and coupons, announcements, and marketing materials;
- send you reminders, technical notices, updates, security alerts and support and administrative messages;
- provide advertisements to you through the Services, email messages, text messages, applications, or other methods of communication;
- administer surveys, sweepstakes, contests, or other promotional activities or events sponsored by us or our partners;
- manage our everyday business needs such as administration of the Services, forum management, fulfilment, analytics, fraud prevention, enforcement of our corporate reporting obligations, terms of use, or to comply with the law.

Your information will be treated in accordance with applicable data protection law.

### **Sharing personal data with Third Parties**

We treat the security and method of processing your Personal Information very seriously, and we will never sell your Personal Information under any circumstances.

However, we may disclose your Personal Information to selected third parties, including in the following situations:

- To third-party service providers that perform functions on our behalf in relation to the Platform or otherwise in connection with the running of our business, recruiting candidates and for the provision of Stylchi's services (for example, processing credit card payments, website hosting, conducting surveys and market research, providing social media analysis, providing marketing email services, data analysis tools and to manage customer services communications including telephone calls and live chat).
- To our Partners with whom you book services whether via our Website or Apps, where we act as a commercial booking agent, or directly with the Partner via our Partner Platform or Widgets, where we act solely as a technology provider. Your information is shared with Partners in order that:
  - bookings can be facilitated and, if necessary, contact made in advance of your appointment;



- they can improve the services they offer to their customers and business operations by providing statistical data regarding customers, both on an aggregated basis and on an individual level.
- To third party brands with which we collaborate on products, services, competitions and campaigns
- To third party salon software providers used by our Partners to ensure that those third party software solutions and Connect each display real-time availability to customers
- To Media agencies and advertising partners in order to run targeted marketing campaigns (please see the Cookies section of this Privacy Policy for further information on online advertising practices)
- To other third parties, for the purpose of facilitating our business and improving our products, content, services or advertising including, by way of example only, sending email communications or publishing reviews of our or our Partners' products and services
- If we buy, sell or transfer any business or assets or if go into insolvency, bankruptcy or receivership. If this should happen, we may need to disclose your Personal Information to the seller or buyer of such business or assets, as appropriate
- If we are under a duty to disclose or share your Personal Data to comply with any legal obligation or in order to enforce or apply our terms and conditions and other agreements or protect the rights, property, or safety of our customers, or others. This includes exchanging information with other companies and organisations for fraud protection and credit risk reduction
- To government authorities, and to other third parties as required or permitted by law, including but not limited to in response to court orders. We also may disclose user information when we have reason to believe that someone is causing injury to or interference with our rights or property, other users of our Platform, or anyone else that could be harmed by such activities.

Please note: by posting any Personal Information in any publicly accessible area of our Platform (such as review sections), such information may be collected by third parties over which we have no control. We are not responsible for the use of such information by such third parties.

Please therefore exercise all due care and consideration before disclosing any Personal Information that will be disclosed on public areas. You should also avoid disclosing on public areas any Personal Information that may be used to identify you (such as your name, age, home or work address or name of your employer).

## **Stripe**



We use a third-party payment processor, Stripe, to process all payments made by you on our Website. Stylchi does not store credit card details and instead relies on Stripe for this. We obtain limited information from Stripe such as the last four digits, the country of issuance and the expiration date. The processing of such data by Stripe is covered by their privacy policy which may be viewed here: <https://stripe.com/privacy>

Stripe's services in Europe are provided by a Stripe affiliate, Stripe Payments Europe Limited, an entity located in Ireland. In providing its payment processing services, Stripe Payments Europe Limited transfers personal data to Stripe, Inc. in the US. For further information about the safeguards used when your information is transferred outside the European Economic Area, see the section of Stripe's privacy policy entitled "International Data Transfers."

### **PayPal Transactions**

Please note that all PayPal transactions are subject to the PayPal Privacy Policy which can be found here: <https://www.paypal.com/uk/webapps/mpp/ua/privacy-full>. Please ensure that you are happy with the terms of the PayPal Privacy Policy if you wish to use PayPal to complete any transactions through the Platform

We may receive personal information about you from other sources with which you have registered, Partners, business partners, affiliate entities (collectively, "Partners"), or other third parties. For example, if an End User creates an account on Stylchi through one of our registration partners, such as Google or Facebook, we may collect personal information from those websites. We may associate this information with the other personal information we have collected about you.

### **5. Information About Others**

Through your use of the Services, we may also collect information from you about someone else. If you provide Stylchi with personal information about someone else, you must ensure that you are authorised to disclose that information to Stylchi and that, without Stylchi taking any further steps required by applicable data protection or privacy laws, Stylchi may collect, use and disclose such information for the purposes described in this Policy. See Section 3 for more referrals. If Stylchi has been given personal information about you by another user and you would not like us to retain it, please contact us using the details given in Section 2 above, and we will delete it.

## **5. Legitimate Interests**





We may rely on legitimate interests to process your personal information, provided that your interests do not override our own. Where we rely on legitimate interests, these interests are:

- providing, maintaining, and improving the Services to meet the needs of our End Users and Partners;
- understanding how the Services are used to improve their performance in the future;
- customising the Services to provide you with better user experience;
- marketing to inform End Users and Partners about other Services we offer that might benefit or interest them;
- providing advertising;
- detecting, preventing, or otherwise addressing fraud, abuse, security, or technical issues with our services; and
- enforcing legal claims.

## 6. Keeping Your Personal Information Safe

We employ a variety of physical and technical measures to keep your personal information safe and to prevent unauthorised access to, use or disclosure of it. Databases are stored on secure servers and we control who has access to them (using both physical and electronic means).

Where we have given you (or where you have chosen) a password which enables you to access our Services, you are responsible for keeping this password confidential. We ask you not to share a password with anyone. We cannot absolutely guarantee the security of the internet, external networks, or your own device, accordingly any online communications (e.g. information provided by e-mail, or through our Website) are at your own risk.

## 7. Storage and Retention

**Where we store your personal information**



Where possible, our data is hosted and stored within the European Economic Area or with partners protected by Privacy Shield agreements. When necessary, the information that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"), and may also be processed by staff operating outside the EEA who work for us or for one of our partners. Whenever data is transferred outside of the EEA, we will take all steps reasonably necessary to ensure that any transferred personal information is treated securely and in accordance with applicable data protection laws.

### **Data Retention**

Stylchi will store personal data as long as Partner accounts continue to use our software, and for a period of not more than 24 months thereafter. Users may elect to have their data removed from Stylchi by contacting us on Stylchi.com. In the case that a Partner explicitly indicates their intention to cease to use our software and have their data deleted, personally identifiable information stored with their account shall be encrypted and/or removed. Other information related to activity on the Apps or Websites will be retained for reporting and analytical purposes, or other purposes as set forth in Section 9.

## **8. Disclosing Your Personal Information**

Except as otherwise stated in this Privacy Policy, we do not sell, trade, rent, or otherwise share the personal information that we collect with third parties unless you ask or authorise us to do so. However, there are occasions where we may need to disclose your personal information.

Where we do so, any such disclosure will be on the basis that these third parties are required to keep the information we give them confidential and secure, and will not use it for any other purpose than to carry out the services they are performing for us. We may disclose personal information as follows:

- to affiliated companies (e.g., subsidiaries and other companies owned by or controlled by Stylchi);
- to service providers that are hired by us to provide administrative and communication services on our behalf, such as website hosting, the processing and delivery of mailings, providing customer support, or providing credit card processing services;
- to Partners where you have purchased services from a Partner through Stylchi, or participated in an offer, contest or other activity sponsored or offered through Stylchi on behalf of the Partner. We may also provide Partners with other personal information about you on your Stylchi account to send customised offers, to validate the purchases, to aid and troubleshoot redemption, to combat fraud, as part of legal proceedings affecting Stylchi and the Partner, to



facilitate a direct relationship between Partners and customers, and to enable Partners to communicate electronically with customers who make purchases from the Partner;

- when you rate or review a Service which you have purchased, your rating, review, photo, your first name and last initial will be published on the Stylchi Website and may appear on third party websites. For Partners whose businesses have received reviews on the Stylchi Marketplace, these reviews may be syndicated on third party websites;
- to business partners and other advertisers as part of an offer, contest, distribution partnership, or other activity that is provided by or in conjunction with Stylchi and its business partners and in which you have elected to participate. For example, if you are referred to Stylchi from a business partner's website or through an invitation facilitated by or in conjunction with a Stylchi business partner, Stylchi may provide that business partner with contact information and transactional information;
- to the public when any user of the Stylchi Website accesses your favourite page. You may, however, hide this information from the public by marking your favourites page as private;
- to third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal information in the same way as set out in this policy; and
- to our professional advisors.

### **If You Are a Partner**

We may share some or all of your personal information, including but not limited to booking information, staff member names, Partner offerings, ratings and reviews, prices and discounts, appointment availability, and related data (collectively "Partner Information") with end-users who have signed up or registered for Stylchi and with Stylchi business partners and affiliates with which Stylchi is working:

- we may feed Partner information to third party websites (excluding customer lists), which may result in Partner information appearing on a third-party website, mobile application or in search engine results; and such results may include a corresponding link to schedule an appointment through Stylchi;
- Stylchi may contact Partner employees through email to invite them to create a Stylchi account with a restricted login;
- we may use certain contact information to promote your goods and services through a variety of online and offline advertising and promotional media, including, but not limited to Google,



Google AdWords, Facebook Ads, Twitter, e-mail distribution lists, and third-party business partners and affiliates; or

- if you have participated in any joint Partner offerings or promotions with other Partners, Stylchi may disclose your personal information to its Partners and/or advertisers, as part of such offer, contest, or other activity that is provided by or in conjunction with Stylchi and its business partners and in which you have elected to participate.

### **Aggregated Data**

We may use aggregated non-personally identifiable data to:

- assist us to better understand how our customers are using the Services,
- provide our customers with further information regarding the uses and benefits of the Services,
- enhance small business productivity, including by creating useful business insights from that aggregated data and allowing you to benchmark your business's performance against that aggregated data, and
- otherwise to improve the Services.

## **9. Disclosures Required by Law**

We are subject to the law like everyone else. We may be required to give information to legal and/or regulatory authorities if they so request, or if they have the proper authorisation such as a search warrant or court order.

We also may need to retain and disclose certain personal information about you to legal and/or regulatory authorities and to appropriate agencies to conduct anti-money laundering checks and to assist with fraud prevention. We will disclose this information as is required by law.

## **10. Links to Third Party Websites**

This Privacy Policy applies solely to the personal information collected by Stylchi and does not apply to third party websites. Stylchi is not responsible for the privacy policies of third party websites. You should read the privacy policies of other websites before providing them with any personal information about you.



## 11. Your Rights

In relation to the personal information we hold about you, you may be entitled to ask us:

- For a copy of your personal information
- To correct, erase or restrict the processing of your personal information
- To obtain personal data which you provide to us for a contract or with your consent in a structured, machine-readable format and to ask us to transfer this information to another organisation
- To object to the processing of your personal data in some circumstances (in particular, where we don't have to process the data to meet a contractual or other legal requirements, or where we are using the data for direct marketing).

In the first instance, you may be able to view or change the information you have provided us with by logging in to your online account.

Your rights in relation to your personal information are limited in some situations. For example, if fulfilling your request would reveal personal data about another person or if we have a legal requirement or a compelling legitimate ground we may continue to process Personal Information which you have asked us to delete. You also may have the right to make a complaint if you feel your personal information has been mishandled. We encourage you to come to us in the first instance but, to the extent that this right applies to you, you are entitled to complain directly to the relevant supervisory authority.

If you wish to exercise any of the above rights, please contact us at [hello@Stylchi.com](mailto:hello@Stylchi.com). Please note, however, that no financial information will be provided without verification.

If you are not happy with our response, or you believe that your information protection or privacy rights have been infringed, you should contact the EU Information Commissioner's Office, which oversees information protection compliance in the European Union. Details of how to do this can be found at <https://edps.europa.eu/>.

## 12. Updating this Privacy Policy

We may update this Privacy Policy at any time. When we do, we will post a notification on the main page of our Website and we will also revise the updated date at the bottom of this page.

We encourage users to frequently check this page for any changes to stay informed about how we are helping to protect the personal information we hold.



## 13. Our Policy on cookies

In common with other commercial websites and apps, our Platform use standard technologies including cookies and similar tools including web server logs, web beacons, tokens, pixel tags, local storage, device identifiers and tracking IDs (together referred to as "**Cookies**" in this Privacy Policy) to enhance your user experience, improve our site and provide tailored offers on Stylchi and other sites.

Please see the table below for a live breakdown of the Cookies that are used on our Platform:

• **Strictly necessary cookies.** These are cookies that are required for the operation of our Websites. They include, for example, cookies that enable you to log into secure areas of our Websites.

### Cookies used

- `OptanonConsent`
- `OptanonAlertBoxClosed`
- `_dc_gtm_UA-3992576-19`

• **Analytical/performance cookies.** These cookies allow us to recognise and count the number of visitors and to see how visitors move around our Websites. This helps us to improve the way they work, for example, by ensuring that users are finding what they are looking for easily. We use these to remember who you are and keep track of your preferences, e.g. the cities for which you want to be shown Partner offerings. We may also collect information about the website you were visiting before you landed on one of our own, and the website you visit after you leave our own, if this information is supplied to us by your browser.

### Cookies used

- `catAccCookies`
- `_sp_ses.500d`
- `__distillery`
- `__zlcmid`
- `__stripe_sid`
- `__stripe_mid`
- `wordpress_google_apps_login`
- `_sp_id.500d`



• **Targeting and Remarketing Cookies** from Third-party Advertising Networks. Stylchi has relationships with third-party advertising companies to place advertisements on our behalf onto other websites, and to perform tracking and reporting functions for our platform and our advertisements. These third parties may place cookies on your device which automatically collect information about your visit to one of our Websites, your IP address, your ISP and the browser you use. Information collected may be used, among other things, to deliver advertising targeted to your interests and to better understand the usage and visitation patterns of our platform and Websites.

#### Cookies used

- `_fbp`
- `visitor_id657993-hash`
- `visitor_id657993`
- `_gcl_au`

#### Categories

#### Cookies

fast.wistia.com

- `wistia-http2-push-disabled`

bing.com

- `MUID`

google.com

- `NID`

# Stylchi

pardot.com

- visitor\_id657993-hash
- visitor\_id657993

bluekai.com

- bku
- bkdc
- bkpa

pi.pardot.com

- lpv657993
- pardot

atdmt.com

- AA003
- ATN

youtube.com

- VISITOR\_INFO1\_LIVE
- PREF
- GPS
- YSC



# Stylchi

crwdcntrl.net

- \_cc\_cc
- \_cc\_id
- \_cc\_dc
- \_cc\_aud

linkedin.com

- lidc
- bcookie
- UserMatchHistory

go.affec.tv

- pt
- ck
- oo

eyeota.net

- mako\_uid

t.sharethis.com

- pxcelPage\_c010
- pxcelBcnLcy

# Stylchi

mathtag.com

- uuidc
- uuid

ml314.com

- pi

ps.eyecta.net

- ONPLFTRH

exelator.com

- hsk\_350
- ud
- EE

sharethis.com

- \_\_stid

bat.bing.com

- MUIDB

# Stylchi

rlcdn.com

- rlas3
- pxrc

weborama.fr

- AFFICHE\_W

rfighub.com

- smd
- rud
- eud
- euds
- ruds

doubleclick.net

- test\_cookie
- IDE

tapad.com

- TapAd\_DID
- TapAd\_3WAY\_SYNC
- TapAd\_TS

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facebook.com

- fr

adsrvr.org

- TDID
- TDCPM

ads.avocet.io

- uuid

agkn.com

- ab

adnxs.com

- uuid2

ads.linkedin.com

- lang

The third-party companies that we use for targeting and advertising purposes have their own privacy policies which you should read in detail.



## 14. Our Policy on User Generated Content

Please read this User Generated Content Policy carefully before you submit UGC to our Website, as this policy and our Website Terms of Use will apply to your use of our Website and the UGC you submit to it or them.

### 1) **Your UGC**

- a) All content submitted to our Website or via our Apps by you (or on your behalf) via your User account (or other social media account, if applicable), including without limitation, your name, biographical information and all other names, usernames, pseudonyms, text, likenesses, graphics, logos, marks, images, photographs, code, and all other information and material shall be called your **"UGC"** for short.
- b) You agree to submit UGC to the Website and via our Apps in accordance with the following rules (in particular, the Legal Standards and the Review Guidelines, as those terms are defined below). Please use caution and common sense when submitting UGC to the Website or via our App.
- c) Publication of your UGC will be at our sole discretion and we are entitled to make additions or deletions to your UGC prior to publication, after publication or to refuse publication.
- d) Please note, any UGC you submit to our Website or via our Apps will be considered non-confidential and non-proprietary.

### 2) **Rights, permissions & waivers**

- a) You hereby grant to Stylchi OÜ and any of our group companies and affiliates a non-exclusive, perpetual, irrevocable, transferable, royalty-free licence (including full rights to sub-license) to use, reproduce and publish your UGC (including, without limitation, the right to adapt, alter, amend or change your UGC) in any media or format (whether known now or invented in the future) throughout the world without restriction.
- b) You warrant, represent and undertake to us that all UGC you submit is your own work or that you have obtained all necessary rights and permissions of the relevant owner of the work and that you have all relevant rights in your UGC to enable you to grant the rights and permissions in this clause 2.
- c) Where your UGC contains images of people or names or identifies individuals, you warrant, represent and undertake to us as follows:
  - i) that all featured or identified individuals that are over the age of 18 and have expressly consented to their appearance in the UGC and to you submitting the UGC to our Website or via our Apps, and
  - ii) where featured or identified individuals are under the age of 18, that you either:



- are the parent or legal guardian or such featured or identified individuals, or
  - have obtained the express consent from a parent or legal guardian of such featured or identified individuals to their appearance in the UGC and to you submitting the UGC to our Website or via our Apps.
- d) You hereby unconditionally and irrevocably waive and agree not to assert (or procure the same from any third party where applicable) any and all moral rights and any other similar rights and all right of publicity and privacy in any country in the world in connection with your UGC, to the maximum extent permissible by law.

### 3) Content standards – legal standards

- a) You warrant, represent and undertake to us that your UGC (including its use, publication and/or exploitation by us) shall not:
- i) infringe the copyrights or database rights, trademarks, rights of privacy, publicity or other intellectual property or other rights of any other person or entity; and/or
  - ii) contain any material which is defamatory of any person; and/or
  - iii) contain misleading or deceptive statements or omissions or misrepresentation as to your identity (for example, by impersonating another person) or your affiliation with any person or entity; and/or
  - iv) breach any legal or fiduciary duty owed to a third party, such as a contractual duty or a duty of confidence; and/or
  - v) advocate, promote, or assist discrimination based on race, sex, religion, nationality, disability, sexual orientation or age; and/or
  - vi) contain any malicious code, such as viruses, worms, Trojan horses or other potentially harmful programmes, codes or material; and/or
  - vii) violate any other applicable law, statute, ordinance, rule or regulation, (together, or individually the "**Legal Standards**").
- b) If your UGC contains any material that is not owned by or licensed to you and/or which is subject to third party rights, you are responsible for obtaining, prior to submission of your UGC, all releases, consents and/or licenses necessary to permit use and exploitation of your UGC by us without additional compensation. Please see clause 2 above for further details.

### 4) Content standards – review guidelines

- a) You warrant, represent and undertake to us that your UGC:



- i) is accurate, where it states facts; and/or
- ii) is genuinely held, where it states opinions (for example, in product or services reviews).

**Any UGC which is in breach of our Review Guidelines or is otherwise:**

- iii) is obscene, hateful, inflammatory, offensive or in any other way falls below commonly accepted standards of taste and decency in the EU; and/or
- iv) is reasonably likely to harass, upset, embarrass or alarm a person (including, by way of example only, so-called "trolling" or cyber-bullying); and/or
- v) is threatening, abusive or invades another's privacy, or causes annoyance, inconvenience or anxiety; and/or
- vi) is sexually explicit; and/or
- vii) advocates, promotes, assists or depicts violence; and/or
- viii) advocates, promotes or assists any illegal activity or unlawful act or omission; and/or
- ix) could be deemed to be unsolicited or unauthorised advertising, promotional material, junk mail, or spam (including without limitation chain letters, pyramid schemes or other forms of solicitation or advertisements, commercial or otherwise); and/or
- x) gives the impression that it emanates from Stylchi or is endorsed or connected with us if this is not the case, will be removed from the Site.

**5) Consequences of breach**

- a) We will determine, in our discretion, whether you have failed to comply with this UGC Policy when submitting UGC to our Website or via our Apps. If you have failed to comply, we reserve the right in our sole discretion to suspend you from using the Website and/or our Apps without notice to you and/or to edit or remove (in whole or part) any of your UGC from our Website and our Apps on a temporary or permanent basis.
- b) Notwithstanding clause 5.1 above, if you or your UGC does not comply with this UGC Policy, and as a result of this, we suffer any loss or damage, you will be liable to us and hereby agree to indemnify us for any such loss or damage. This means that you will be responsible for any loss or damage we suffer as a result of your failure to comply with this UGC Policy, including but not limited to our Legal Standards and/or Review Guidelines.
- c) We also reserve the right:



- i) to pass on any UGC that gives us concern to the relevant authorities; and
- ii) to disclose your identity to any third party (or their professional advisor) who claims that any of your UGC constitutes a violation of their intellectual property rights, or of their right to privacy.

**6) Changes to this UGC Policy**

- a) We may change this UGC Policy from time to time, in which case an up to date version will be available via the Website and our Apps. You should check this UGC Policy regularly to ensure that you are happy with any changes. You will be deemed to have accepted any changes to this UGC Policy after you have been notified of the changes on our Website or our Apps and/ or if you continue to access or use the Website or our Apps, where the updated UGC Policy will be available for you to view.