

## **PRIVACY POLICY**

At Twyst Technologies Private Limited ("**Twyst**"), your privacy is of great importance to us. We understand that you entrust us with certain Personal Information (*as defined below*) to help us provide various services. In exchange for your trust, you expect and deserve our commitment to treat your information with respect and in accordance with the terms of this privacy policy ("**Privacy Policy**").

The Privacy Policy describes the information which as part of the normal operation of our services, we collect from you and what may happen to that information. The Privacy Policy covers Twyst's treatment of Personal Information and other data that Twyst gathers when you are accessing Twyst and our services available under the domain [.] (herein after referred to as the "**Website**") and application [.] (herein after referred to as the "**Application**").

The words "you" or "your" or "user" as used herein, refer to all individuals and/or entities accessing or using the Website and/or Application for any reason. The words "we" or "us" or "our" as used herein, refer to the Website, the Application, Twyst and/or or any assignees.

By accepting the Privacy Policy and the User Agreement in registration, you expressly consent to our use and disclosure of your Personal Information in accordance with this Privacy Policy. This Privacy Policy is incorporated into and subject to the terms of the User Agreement. This Privacy Policy is effective upon acceptance in registration for new registering users and is otherwise effective from [.] for all users. If you do not agree to be bound by the terms of this Privacy Policy, simply exit this page and/or the Application without accessing or using the Website, the Application or any of our services.

### **1. YOUR PRIVACY - OUR COMMITMENT**

At Twyst, we are extremely proud of our commitment to protect your privacy. We value your trust in us. We will work hard to earn your confidence so that you can enthusiastically use our services and recommend us to friends and family. Please read the following policy to understand how your Personal Information will be treated as you make full use of our Application and/or Website. Twyst promises that we will not sell or rent your personal information to third parties for their marketing purposes without your explicit consent. Your trust and confidence are our highest priority.

### **2. PERSONAL INFORMATION TWYST COLLECTS**

- i. **Personal Information You Provide to Us:** We receive and store any information you enter on registration or provide to us in any other way. For the purposes of this Privacy Policy, the term "Personal Information" shall mean any information that may be used to identify you including, but not limited to: (i) first and last name; (ii) a home or other physical address; (iii) an email address or other contact information (including mobile / landline numbers), whether at work or at home; (iv) birthday; (v) Twitter and/or Facebook usernames; and (vi) information regarding your use of Twyst including your location details and details of establishments you frequent. In general, you can browse the Website and Application without telling us who you are or revealing any Personal Information about yourself. Once you give us your Personal Information, you are not anonymous to us. To fully use our Website and Application, you will need to register using our online registration form by filling in Personal Information as indicated on the

forms. Where possible, we indicate which fields are required and which fields are optional. You always have the option to not provide information by choosing not to use a particular service or feature. We automatically receive your location when you use our service. The Personal Information you provide is used for such purposes as allowing you to set up an account ("**Account**") and profile that can be used to interact with other users through the Application, providing a safe, efficient, smooth and customized experience, providing services and features that most likely meet your needs, and customizing our Website to make your experience safer and easier. Importantly, we only collect Personal Information about you that we consider necessary for achieving this purpose and communicating with you about specials, rewards and new features.

Your Account Personal Information is protected by a password for your privacy and security. You need to prevent unauthorized access to your Account and Personal Information by selecting and protecting your password appropriately, and limiting access to your computer and browser by signing off after you have finished accessing your Account. Twyst endeavors to safeguard user information to ensure that user Account information is kept private. However, Twyst cannot guarantee the security of user Account information. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of user information at any time.

**Please click on the link [.] to send us an email stating that you have read the Privacy Policy and understood the purpose for which your Personal Information is being collected and how the same shall be used and granting your express consent to such purpose and use. If, at a later date, you wish to withdraw this consent, please send us an email at [.]**

- ii. **Information Collected Automatically:** When you use Twyst, we automatically receive and record information on our server logs from your browser or mobile platform, including but not limited to your location, URL that you just came from (whether this URL is on our Website or not), which URL you next go to (whether this URL is on our Website or not), your computer browser information IP address and cookie information. We treat this data as non-Personal Information, except where we are required to do otherwise under applicable law. We use this information to do internal research on our users' demographics, interests, and behavior to better understand, protect and serve our users. This information is compiled and analyzed on an aggregated basis. Unless otherwise stated in this Privacy Policy, Twyst only uses this data in aggregate form. We may provide aggregate information to our merchants about how our users, collectively, use our service; so that our merchants may also understand how often people use their services and our service.
- iii. **Information We Receive from Third Parties:** We receive and store information from third parties that interact in some way with the service or that provide services to us in connection with the service. For example, if you unlock a Twyst reward that is redeemed through an offer code redemption, the restaurant may tell us information about the redemption such as the time that your reward was validated and redeemed. In addition, you may choose to use apps that share your Personal Information, activities and/or content with Twyst. Please read the Privacy Policy of any such app so that you may understand their sharing practice.

- iv. **Data Collection Devices:** We use data collection devices such as "cookies" on certain pages of the Website to help analyze our web page flow, measure promotional effectiveness, and promote trust and safety. "Cookies" are small files placed on your hard drive that assist us in providing our services. We offer certain features that are only available through the use of a "cookie". We also use cookies to allow you to enter your password less frequently during a session. Cookies can also help us provide information that is targeted to your interests. Most cookies are "session cookies," meaning that they are automatically deleted from your hard drive at the end of a session. You are always free to decline our cookies if your browser permits, although in that case you may not be able to use certain features on the Website and you may be required to reenter your password more frequently during a session.

Additionally, you may encounter "cookies" or other similar devices on certain pages of the Website that are placed by third parties. For example, if you view a web page created by a user, there may be a "cookie" placed within that web page. We do not control the use of cookies by third parties.

### **3. USE OF INFORMATION COLLECTED**

Personal Information about our users is an integral part of our business. We neither rent nor sell your Personal Information to anyone. Twyst may share your Personal Information only as described in this Privacy Policy and related documents. We use your Personal Information to facilitate the services you request. We use your Personal Information in the file we maintain about you, and other information we obtain from your current and past activities to: resolve disputes; troubleshoot problems; help promote safe trading; measure consumer interest in the services provided by us; inform you about online and offline offers, products, services, and updates; customize your experience; detect and protect us against error, fraud and other criminal activity; enforce our user Agreement; and as otherwise described to you at the time of collection.

- i. **Friends:** Your friends can see, for example, the location and time of each of your check-ins, name, email, phone number, photo, hometown, links to your Twitter and Facebook accounts (if you have connected those accounts to your Twyst Account), a list of your friends, and recommendations you write. Individuals reading this information may use it or disclose it to other individuals or entities without our control and without your knowledge. We therefore urge you to think carefully about including any specific information you may deem private in comments or tips or other content (location or otherwise) that you create in the service.
- ii. **Businesses, Locations, Events and Brands:** One of the key purposes of Twyst is to help users learn about businesses, locations, events and brands that are relevant to them, and for these entities to provide information about themselves, their locations and events to users, as well as to reward users when they visit their location or event through offers and specials. When you check-in to a particular location, your check-ins are shared with that location in order for it to better provide services to you. Additionally, merchants may have access to aggregated and anonymous data, such as anonymized check-in data (that is, not tied to individual users) of users that like their brand.

- iii. **Publicly Available Information:** When you use Twyst, certain information is public, such as your public user profile information, tips, likes, public photos, lists that you create and lists of friends, and may be searchable by search engines and be shared with or disclosed to third parties. We may also share or disclose aggregated and anonymous data, such as anonymized check-in data (that is, not tied to individual users), to third parties, including users of our API, for analytical or other purposes.

From time to time, we may reveal general statistical information about our Website and Application and the visitors, such as number of visitors and types of establishments frequented on a certain period.

The user acknowledges that all discussion for ratings, comments, bulletin board service, chat rooms and/or other message or communication facilities (collectively "**Communities**") are public and not private communications, and that, therefore, others may read user's communications without user's knowledge. Twyst does not control or endorse the content, messages or information found in any Community, and, therefore, Twyst specifically disclaims any liability concerning the Communities and any actions resulting from users participation in any Community, including any objectionable content. Generally, any communication which user posts on the Website (whether in chat rooms, discussion groups, message boards or otherwise) is considered to be non-confidential. If particular web pages permit the submission of communications that will be treated by Twyst as confidential, that fact will be stated on those pages. By posting comments, messages or other information on the Website, user grants Twyst the right to use such comments, messages or information for promotions, advertising, market research or any other lawful purpose.

If you send us personal correspondence, such as emails or letters, or if other users or third parties send us correspondence about your activities or postings on the Site, we may collect such information into a file specific to you.

You agree that we may use Personal Information about you to improve our marketing and promotional efforts, to analyze Website and Application usage, improve the Website and Application content and product offerings, and customize the Website and Application content, layout, and services. These uses improve the Website and Application and better tailor it to meet your needs, so as to provide you with a smooth, efficient, safe and customized experience while using the Website and/or Application.

#### **4. OUR DISCLOSURE OF YOUR INFORMATION**

We may also use your Personal Information to deliver information to you that, in some cases, are targeted to your interests, such as new services, rewards and promotions. The following are some circumstances under which and people to whom we would share your information with from time-to-time:

- i. to trusted partners who work on behalf of or with us under confidentiality agreements. These entities may use your Personal Information to help us communicate with you about offers from us and our marketing partners;

- ii. to respond to summons, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims;
- iii. to share Personal Information 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 Terms of Use, or as otherwise required by law;
- iv. from time to time, to reveal general statistical information about our Website and/or Application and visitors, such as number of visitors, number and type of services purchased, etc;
- v. to third parties that we refer to as internal service providers that we may use to facilitate or outsource one or more aspects of the business, product and service operations that we provide to you on the therefore we may provide some of your Personal Information directly to these internal service providers. These internal service providers' are subject to confidentiality agreements with us and other legal restrictions that prohibit their use of the information we provide them for any other purpose except to facilitate the specific outsourced operation, unless you have explicitly agreed or given your prior permission to them for additional uses; and
- vi. to Government agencies mandated under the law to obtain information including sensitive personal data or information for the purpose of verification of identity, or for prevention, detection, investigation including cyber incidents, prosecution, and punishment of offences. The Government agency shall send a request in writing to us stating clearly the purpose of seeking such information.

## **5. DETERMINING AND SHARING LOCATION**

Twyst deals with location, so in order to work; Twyst needs to know your location. Whenever you open and use/interact with the Application on your mobile device or go to the Website, we use the location information from your mobile device or browser (e.g. latitude and longitude) to tailor the Twyst experience to your current location (i.e. we'll show you a list of nearby locations, recommendations and tips). This information is not shared with others. Also, Twyst uses your mobile device's 'background location' to provide the service, including to send you notifications of tips//interesting things etc. near you. If you have 'background location' turned on, the Twyst app will, from time to time, tell us about your device's location even if you are not directly interacting with the Application.

Your location data is only shared with others when you proactively decide to "check in" to tell Twyst you're at a particular place. The location information shared with a "check in" is the location information of that place. Each of your Twyst check-ins is saved to your "Check-in History," which allows you to look back at all the locations you have checked in since you created your Twyst Account. You can delete any or all of your check-ins from the check-in details page on the Website and Application. If for some reason you ever decide to delete your Twyst Account, your entire check-in history will be removed from our database.

Your check-ins are by default private check-ins. To share your check-ins with friends you would have to simply select on the "Share this check-in with friends" option seen on every "check-in" screen across our mobile apps.

**6. EMAIL COMMUNICATIONS**

If you do not want to receive commercial email or other mail from us, please indicate your preference during the registration process or by making a modification on your account settings page or through the 'settings' tab on the Website once you're logged into the service.

**7. ACCESS OR CHANGE YOUR PERSONAL INFORMATION**

You may review, correct, update or change your Account information at any time. To protect your privacy and security, we will verify your identity before granting access or making changes to your Personal Information. Your user ID and password are required in order to access your Account.

**8. OTHER WEBSITES**

Our Website and Application may contain links to other websites. Please note that when you click on one of these links, you are entering another website over which Twyst has no control and will bear no responsibility. Often these websites require you to enter your Personal Information. We encourage you to read the privacy statements on all such websites as their policies may differ from ours. You agree that we shall not be liable for any breach of your privacy of Personal Information or loss incurred by your use of these websites. Twyst is not responsible for the privacy policies and/or practices on other sites. This Privacy Policy only governs information collected by Twyst.

**9. ACCOUNT DELETION**

Should you ever decide to delete your Twyst Account, you may do so by clicking on the "delete account" link on your account settings page. If you terminate your Account, your profile, including your check-in history and any promotional offers you received, will be removed from the site and deleted from Twyst's servers. Because of the way we maintain Twyst, such deletion may not be immediate, and residual copies of your profile information or posts may remain on backup media for up to ninety (90) days.

Even after you remove information from your Account or profile, copies of that information may remain viewable elsewhere, to the extent it has been shared with others, it was otherwise distributed pursuant to your privacy settings, or it was copied or stored by other users. Removed and deleted information may remain on backup media for up to ninety (90) days prior to being deleted from our servers.

**10. CHANGES IN THE PRIVACY POLICY**

Twyst may amend this Privacy Policy from time to time. Use of information we collect now is subject to the Privacy Policy in effect at the time such information is used. If we decide to change our Privacy Policy, we will post those changes on this page so that you are always aware of what information we collect, how we use it, and under what circumstances we disclose it. Any changes to our Privacy Policy will be communicated through our Website at least ten (10) days in advance

of implementation. Users are bound by any changes to the Privacy Policy when they use Twyst after such changes have been first posted.

**11. TRADEMARKS**

Twyst is a trademark of Twyst Technologies Private Limited. All rights in respect of this trademark are hereby expressly reserved. Unless otherwise indicated, all other trademarks appearing on the Website and Application are the property of their respective owners.

**12. TERMINATION**

Twyst may terminate this Agreement at any time. Without limiting the foregoing, Twyst shall have the right to immediately terminate any passwords or Accounts of user in the event of any conduct by user which Twyst, in its sole discretion, considers to be unacceptable, or in the event of any breach by user of this Agreement. All such provisions wherein the context so requires will survive termination of this Agreement.

**13. GOVERNING LAW AND DISPUTE RESOLUTION**

This Privacy Policy and Terms of Use shall be governed by and constructed in accordance with the laws of India only without reference to conflict of laws principles and disputes arising in relation hereto shall be subject to the exclusive jurisdiction of the courts of New Delhi, India.

**14. CONTACTING TWYST**

If you have any questions about this Privacy Policy or the privacy practices of this Website you can contact us at [.] We will make every effort to resolve your concerns.

**15. GRIEVANCE OFFICER**

In accordance with Information Technology Act 2000 and rules made there under, the name and contact details of the Grievance Officer are as under: [.]

In the event you wish to make a complaint regarding any violation of the provisions of the Privacy Policy, you may send a written complaint to the Grievance Officer, who shall redress the complaint within one (1) month.