



# Privacy Policy

*Effective date : September 1st, 2024*

*Applicable Area: EEA/RU/CH*

## Introduction

This privacy policy (the “**Privacy Policy**”) applies to personal information that BIM GROUP SARL-S processes in connection with the BIM application including its various features and the website <https://www.bim-dating.com>, which refer to or reference this Privacy Policy..

**Data Controller** : If you reside in the European Economic Area (“**EEA**”), the United Kingdom (“**UK**”) or Switzerland, BIM Group S.A.R.L.S, a Luxembourg company (“**BIM**”), is responsible for your information processed under this Privacy Policy..

## Informations that we collect

We collect your information in three ways :

1. The informations you provide
2. The informations automatically collected
3. The informations from other sources

Further information can be found below..

## The informations you provide

- **Information relating to your profile.** We collect information you provide when you create an account, such as your date of birth, username, gender, sexual orientation, dating expectations, and phone number. You can add other information to your profile, such as a bio, a list of your passions, and a profile picture.
- **User content.** We collect content that you create or post through the BIM App, including profile picture, videos, audio recordings, live streams via the BIM Show feature, crushes, thumbs-up emoticon likes in BIM Station, reviews, ratings, reports via the postpone option, your meeting wishes and their geographic perimeters, and associated metadata (such as the date, location, and author of the content). Even if you are not a user, information about you may appear in content created or posted by users of the BIM App. We collect User Content through pre-loading when content is created, imported, or uploaded to the App. We also collect content (such as text, images, and videos) from your device’s clipboard if you choose to copy and paste content to or from the BIM App or share content between it and a third-party platform. Additionally, we collect location information (such as tourist attractions, stores, or other points of interest) if you choose to add location information to your User Content.
- **Direct video calls.** If you communicate with other people using direct video calls, we collect certain information (connection partner, call duration, usage statistics, if applicable ratings at the end of video calls, etc.). Associated metadata (such as the time the call was made, received, as well as the participants in the communication).
- **Geolocation data, audio and video streams.** If you use the BIM tracker option, we will collect your mobile's geolocation data, audio and video streams as well as the contacts you have referenced in the application as well as the associated metadata.



- **Purchase information.** When you make a purchase or payment on or through the BIM App, including when you sign up for subscriptions, we collect information about the purchase or payment transaction, such as payment card information, billing address, shipping address and contact information, and the products you purchased. Associated metadata (such as the date of purchase, time of purchase, subscription duration, phone operating system and payment method used).
- **Surveys, studies and promotions.** We collect information you provide if you choose to participate in a survey, study, promotion, contest, marketing campaign or event conducted or sponsored by us..
- **Information when you contact us.** When you contact us, we collect information that you send us, such as proof of identity or age, comments or requests for information regarding your use of the BIM application or information about possible violations of our **General Conditions of Sale** (our “Conditions”), our **Code of Ethics** (our “Rules”) or other policies.
- **Information from forms and functions you use.** We collect information that you provide when you fill out a form on the BIM application or on the website <https://www.bim-dating.com>.

#### The Informations collected automatically

- **Technical information.** We collect certain device and network connection information when you access the BIM App. This information includes your device model, operating system, typing patterns or habits, IP address, and system language. We also collect service, diagnostic, and performance information, including crash reports and performance logs. We automatically assign you a device ID and user ID.
- **Location information.** We automatically collect information about your location (e.g. country, state or city) based on your technical information (such as SIM card and IP address). Similarly, when you enable location services for the BIM App in your device settings, we collect approximate location information from your device and GPS data.
- **Information on use.** We collect information about how you use the BIM App, including information about the content you view, the duration and frequency of your use, your engagement with other users, your search history, and your settings.
- **Characteristics and particularities of the content.** We detect and collect characteristics and features about the videos, images, and audio recordings that are part of your User Content, such as identifying the existence or location of a face or other body parts in an image, and the text of spoken words in your User Content. We do this, for example, for content moderation and to provide special effects (such as video filters) and subtitles.
- **Les informations déduites.** Nous utilisons les déductions, par exemple, pour assurer la sécurité de l'application BIM, pour la modération du contenu dans l'application.
- **Cookies.** We use cookies, analytics and similar tracking technologies to operate the BIM App and the website <https://www.bim-dating.com>. For example, we use cookies to remember your language preferences, to ensure you don't watch the same video multiple times or for security purposes. We also use these technologies for marketing purposes. To learn more about our use of cookies, please see our **bim-dating.com Cookie Policy**. We will obtain your consent to our use of cookies where required by law.

#### Information from other sources

**Sellers and payment and transaction execution providers.** We receive information about you from payment and transaction fulfillment providers. This includes, for example, payment confirmation details and information about the delivery of products you have purchased through our shopping features.



- **Additional sources.** We may collect or receive information about you from organizations, companies, individuals, and other entities, including, for example, from publicly available sources, government authorities, professional organizations, and charitable groups. We also collect information about you when you are included or mentioned in User Content, in connection with a complaint, appeal, request, or comment submitted by a user or third party, or if your contact information is provided to us by a user.

### **Ways we use your informations**

We use your information to operate, provide, develop and improve the BIM Application, including for the following purposes. You can find more details in the section “Our legal bases and how we process your information”.

- Provide and administer the BIM Application, including enabling you to create, share and consume content, and interact with other users and their content, and to provide our support to users.
- Provide our shopping features and facilitate shopping, including sharing your information with payment and transaction fulfillment providers and other service providers, for the purpose of processing your orders.
- Personalize certain features and content on the BIM App, such as providing your “crushes” feed.
- Enforce our Terms, Rules, and other policies that apply to you or other users. We review User Content and other information through a combination of technology (including automated methods) and human moderation to protect the safety and well-being of our community.
- Provide certain interactive features, such as allowing your content to be used in other users’ videos.
- Maintain and improve the safety, security, and stability of the BIM App by identifying and addressing technical or security issues or problems (such as technical bugs, spam accounts, and detecting abuse, fraud, and illegal activity).
- Review, improve and develop the BIM App, including by monitoring interactions and usage across your devices, analyzing how people use it, and training, testing and improving our technology, such as our machine learning models and algorithms.
- Share your information with third-party platforms to provide you with features such as sharing content via “BIM Challenge” or via “BIM Station”.
- Facilitate research conducted by independent researchers who meet certain criteria.
- Promote the BIM App or third-party services through marketing communications, contests or promotions.
- Comply with our legal obligations or, to the extent necessary, to carry out tasks in the public interest or to protect the vital interests of our users and others.
- Where required by law, cooperate with the competent authorities in accordance with the laws and procedures in force in your country of residence

### **Ways we share your informations**

#### **Services providers**

We use service providers who help us deliver, support and develop the BIM application and understand how it is used. They provide services such as :

- Cloud hosting and/or dedicated server and content delivery;
- Technical and customer support;



- Content moderation;
- Marketing;
- Online analytics and payments.

We share information you provide, information collected automatically, and information from other sources with these service providers to the extent necessary to enable them to provide their services.

## Partners

**Third Party Platforms and Third Party Partners.** We share limited information that may include information you provide, technical information, and usage information with third-party platforms and third-party partners whose BIM Application or services are integrated with the BIM Application. We do this to provide you with a seamless experience, enable sharing of your content on other platforms, and/or enable third-party platforms and third-party partners to better authenticate users. For example, if you :

- you log in to a third-party platform using your account, we will share your basic account information and any other information you provide;
- you register or log in to the BIM App using your account details on a third-party platform (such as Facebook or Google), we will share certain technical information to facilitate this;
- you share User Content that you post on the BIM App on other social media platforms, we will share your User Content and related information.

**Advertisers.** We provide advertisers with aggregated information about the performance of their ads and other content on the BIM App to help them measure their effectiveness. We create this aggregated information using information you provide, information collected automatically, and information from other sources. We share your information directly with advertisers when you give us permission to do so.

**Measurement and data partners.** We also share the information you provide, technical information, and usage information with third-party measurement providers that enable us to measure the ads served on the BIM App and help our advertisers determine the effectiveness of their ads.

**Sellers, payment and transaction execution providers and other service providers.** When you make a purchase through the BIM App's shopping features, we share purchase information about the transaction with the seller, payment and transaction fulfillment providers, and other service providers. For example, we will share order items, contact information, and shipping information to help process your order. We may also share certain technical information about your device or connection with these entities to help ensure the security of the transaction.

## Our group of Companies

As a global company, the BIM application is supported by a number of entities within our group of companies (our "**Group of Companies**"). These entities process the information you provide, automatically collected information, and information from other sources for us, to the extent necessary to perform certain functions, such as storage, content delivery, security, research and development, analytics, online payments, technical and customer support, and content moderation..

## Other

We share your information in other limited scenarios, as follows :



**Users of our analytics services.** We provide aggregated statistics and information to help individuals and businesses understand how people use the BIM App. For example, creators and advertisers may receive information about the number of views, likes, comments, and shares of their videos, as well as aggregated demographic information about their subscribers and the people who watch their videos. We create this aggregated information using information you provide and information collected automatically.

**Independent researchers.** We share your information with independent researchers to facilitate research that meets certain criteria, as described in the “Our Legal Bases” section and how we process your information.

**Corporate Transactions.** Your information may be disclosed to third parties in connection with a corporate transaction, such as a merger, sale of assets or stock, restructuring, financing, change in control, or acquisition of all or a portion of our business.

**Legal rights and obligations.** We may access, preserve and share the information described in the “Information We Collect” section with law enforcement, public authorities, researchers, copyright owners or other third parties if we believe in good faith that doing so is necessary to :

- comply with applicable law, judicial and administrative proceedings or governmental requests, in accordance with internationally recognized standards;
- protect the rights, property and safety of our users, copyright owners and others, including to protect life or prevent imminent bodily harm. For example, we may provide information (such as your IP address) to law enforcement in an emergency when a person’s life or safety is in danger;
- investigate and enforce potential violations of our Terms, Rules or any other applicable terms, policies or standards; or
- detect, prevent, address or investigate deceptive activities, copyright infringement or other illegal activities.

### **Our legal bases and how we process your informations**

We may only use your information where we have a ‘legal basis’ to do so. We use different legal bases depending on why we are using your information (in other words, the ‘purpose’ of our processing). These legal bases are contractual necessity, legitimate interests (ours, yours or those of another party), consent, compliance with a legal obligation, performance of a task in the public interest and protection of vital interests.

Here we explain the legal bases we rely on when we process your information. This section also describes why we use your information, how that information is processed, the categories of information concerned and the associated rights (which always include the right to access your information). For more information on how to exercise any of your rights, please see the ‘Your Rights and Choices’ section of the Privacy Policy.

#### **Contractual necessity**

For all individuals who have the legal capacity to enter into a binding contract, we use the information you provide, information collected automatically, and information from other sources where necessary for the performance of the contract you enter into (our Terms) when you register for, access, or use the BIM App. This means that we use your information to :



- **You provide access to the BIM App.** We use your information to enable you to access and use the BIM App, including to enable you to create and consume content, interact with others, use social features, and provide you with the products and services you purchase. We also personalize certain features and content on the BIM App, such as by providing you with the “BIM STATION” feed, which shows you videos we think you might like, and by suggesting accounts to you.
- **Product orders and deliveries.** We use your information to process orders, such as to facilitate the purchase and delivery of products, and to communicate with you about your orders. This includes sharing information about purchases with payment and transaction fulfillment providers and other service providers.
- **Enforce our Terms, Rules, or Policies.** We use your information to enforce our Terms, Rules, and policies (including through automated means and human moderation). This may include limiting the age of access to explicit content, maintaining the eligibility standards of our “For You” feed, removing content, or suspending or banning your account if we determine that you are in violation of our Terms or Rules, which can be found directly within the app or at the following web address: <https://www.bim-dating.com/legal>.
- **Administer the BIM App.** We also use the information we have to administer the BIM App, such as to communicate with you about service-related issues, to provide you with updates and support regarding purchases you make on or through the BIM App, and to respond to and address your requests, complaints, or disputes (including when you tell us about a problem or request a copy of your information).

**Your rights :** Whenever we use your information on the basis of necessity for the contract we have with you, you have the right to access, modify and delete the information you have provided to us.

#### **Legitimate interests**

We use your information where it is necessary to pursue legitimate interests, whether they belong to us, to you or to a third party, provided that your interests or fundamental rights and freedoms do not override those interests. We use the information we collect to :

#### **Allow users to create content with interactive features.**

- **Interactive features:** like BIM Show, allowing other users to include your videos in their content (if you allow it).
- **Legitimate interest invoked :** provide users with tools to inspire creativity, collaboration and fun, and create opportunities for users to reach new audiences.
- **Informations used :** information you provide and information collected automatically.

#### **Suggest your account to other users.**

- We may suggest your account to other users, including when a user chooses to sync their contacts with the BIM app.
- **Legitimate interest invoked:** to enable users to find other users and to quickly and efficiently get in touch with them.
- **Information used:** information you provide, information collected automatically and information from other sources.

#### **Provide measurement and analysis services.**



- We help creators and advertisers measure the effectiveness and delivery of ads and other content viewed on the BIM App.
- **Legitimate interest claimed:** to allow creators and advertisers to view and understand the performance of their ads or content and the audience that has seen or interacted with their ads or content. This allows them to make informed decisions (for example, the types of ad campaigns they want to run, the type of audience they want to reach, and the types of content that users enjoy most). This helps ensure that the ads and other content we show to users are relevant and entertaining.
- **Information used:** information you provide, information collected automatically, and information from other sources.

#### **Ensuring the safety and well-being of our community.**

- We use your information to ensure the safety and well-being of our community, including by reviewing User Content (and, where permitted by applicable law, video recordings via the BIM Show feature and associated metadata) to detect violations of our Terms, Rules, and other policies
- **Legitimate Interest Invoked:** To ensure the safety of our community, verify compliance with our Rules, and identify inappropriate uses of the BIM App.
- **Information Used:** Information you provide, information collected automatically, and information from other sources.

#### **Ensure the security and stability of the BIM application.**

- We use your information to ensure the stability and security of the BIM Application, including by identifying and correcting technical or security issues (such as technical bugs, spam accounts, and detecting abuse, fraud, and illegal activities).
- **Legitimate interest invoked:** to ensure the continued stability and security of the BIM Application and to ensure that it is available and functional at all times.
- **Information used:** information you provide, information collected automatically, and information from other sources.

#### **Analyze, improve, promote and develop the BIM application.**

- We use the information we have to understand how people use the BIM App and to develop, test and improve the BIM App, including to develop and improve our technology, such as our machine learning models and algorithms. We also use this information to better understand and promote the BIM App, popular topics and emerging trends.
- **Legitimate interest invoked:** to improve, promote and develop the BIM App in an informed manner.
- **Information used:** information you provide, information collected automatically and information from other sources.

#### **Facilitating research by independent researchers.**

- We share your information with independent researchers to facilitate research that meets certain criteria, including researchers who have demonstrable experience and expertise in their field.
- **Legitimate interest claimed:** to facilitate research by independent researchers that aims to increase society's collective knowledge, including in the areas of misinformation and disinformation, violence, cybercrime, and social trends.



- **Information used:** information you provide, information collected automatically, and information from other sources.

#### **Sharing your information with third parties.**

- We share your information with third parties whose platforms or services are integrated with the BIM application.
- **Legitimate interest invoked:** to offer you a seamless experience, to allow your content to be shared on other platforms, to allow third parties to authenticate users and to optimize the user experience.
- **Information used:** information you provide, information collected automatically and information from other sources.

#### **Marketing communications.**

- We may send you direct marketing messages and push notifications to your phone where you have consented to receive them, regarding BIM App features and third party services that we think will be of interest to you. We may also send you promotions, competitions, marketing campaigns or information about events. Where required by law, we will obtain your consent to send you messages.
- **Legitimate interest relied upon:** to promote the BIM App or third party products and services.
- **Information used:** information you provide, information collected automatically and information from other sources.

**Your rights :** where we use your information on the basis that it is necessary for legitimate interests, you can object to this use and request that it be restricted.

#### **Your consent**

We ask for your consent to access or use your information for specific purposes. If we do, you can always revoke your consent through your device permissions or app settings.

**Your rights :** When we use your information based on your consent, you can withdraw your consent at any time. However, withdrawing your consent will not affect the lawfulness of processing your information based on your prior consent.

You also have the right to view, modify and delete the information you have provided to us and that we use based on your consent.

#### **Compliance with a legal obligation**

We may use your information, including your profile information or User Content, when necessary to comply with a legal obligation. This includes situations where we are required to take steps to protect the safety of our users or to comply with a valid legal request, such as a subpoena or discovery request from law enforcement or a court. We generally use information you provide and information collected automatically, although it depends on the specific situation.

#### **To carry out a task of public interest**





We may use your information where necessary to carry out a task in the public interest, including to undertake research, prevent and detect crime, protect children and promote public safety, security and integrity, in accordance with applicable law. We generally use information you provide and information collected automatically, although this will depend on the specific situation.

**Your rights** : where we use your information on the basis that it is necessary for a task carried out in the public interest, you have the right to object to this use and to request that it be restricted.

#### **To protect the vital interests of a person**

We may use your information when necessary to protect your life, physical integrity or safety, or that of someone else. This may include providing information to law enforcement or emergency services in emergency situations to protect health or life. We generally provide the information you provide and the information collected automatically, although it depends on the specific situation.

#### **Your rights and your choices**

You have rights and choices regarding your information. Some of these rights apply generally, while others apply only in certain circumstances. Depending on the scenario, these rights may be subject to certain limitations. BIM Group S.A.R.L.S will be responsible for responding to your request within the relevant timeframes provided by law.

**Access your informations.** You can ask us, free of charge, to confirm what information we process about you, to provide certain information about the processing and to provide you with a copy of your information. In-app controls allow you to :

- To access your information that is available to other users when you go to the “Profile” tab of your account ;

**Delete your informations.** You can delete or ask us to delete some or all of your information. In-app controls allow you to :

- to delete content posted on your profile, such as your User Content and information related to your profile;
- to delete your account in its entirety via the “settings”
- to request the deletion of a particular content via the “trash” tool

**Correct your information.** You can change or ask us to change or correct your information when it is not accurate. You can change or correct much of your information through the in-app controls and settings (for example, your profile information and the content of your videos).

**Transfer your informations.** You have the right to data portability where we rely on contractual necessity or consent as a legal basis. This means you have the right to receive your information in a structured, commonly used and machine-readable format and to share it with a third party.

**You object to the processing of your information.** You also have the right to object to the processing of your information in certain circumstances. This right applies where we are carrying out a task in the public interest, in pursuit of our legitimate interests or those of a third party, or where your data is processed for the purpose of facilitating scientific or historical research in certain circumstances. When submitting an objection request, please provide all relevant information, including the processing



activity you are objecting to, the reasons why you want to object and how the processing activity impacts you, as well as any additional information that you believe will help us consider your request. We will stop the specific processing if we do not have compelling legitimate grounds to continue processing it or if we do not need it for legal claims.

**Restrict the processing of your information.** You have the right to request restriction of processing of your information where (a) you contest the accuracy of the information, (b) the information has been unlawfully processed but you oppose the erasure of that information, (c) you need the information to be retained for the exercise or defense of a legal claim, or (d) you have objected to the processing and are awaiting the outcome of that objection request.

To exercise any of the above rights, please contact us by mail at the company's registered office address, providing your contact details so that we can respond to you. Before we can respond to a request to exercise one or more of the rights listed above, you may be asked to verify your identity or account details or provide additional information so that we can understand your request.

We encourage you to contact us if you are not satisfied with the way we have responded to any of your requests to exercise your rights. You also have the right to lodge a complaint with your local supervisory authority.

In addition to these rights, you can control the privacy settings of your account.

### **Data Security and Retention**

The security of your information is important to us. We maintain appropriate technical, administrative, and physical security measures that are designed to protect your information from unauthorized access, theft, disclosure, alteration, or loss. We regularly review our security measures to take into account new technologies and methods available.

We retain information for as long as necessary to provide the BIM Application and for the other purposes set out in this Privacy Policy. We also retain information as necessary to comply with contractual and legal obligations, when we have a legitimate business interest in doing so (such as improving and developing the BIM Application and enhancing its safety, security, and stability), and for the exercise or defense of legal claims.

Retention periods will vary depending on the type of information and the purposes for which we use the information. For example, when we process your information to provide you with the BIM Application, we retain that information for as long as you have an account. This information includes your profile information, User Content and direct video calls. If you violate our Rules or Terms, we may immediately make your profile information and/or User Content inaccessible to the public, but retain your information for as long as necessary to address the violation. Please note that reporting information (and any associated metadata) may be retained in the event of a request from a competent authority.

### **Our Global Operations and Data Transfers**

To support our global operations :

- We store the information described in the "Information We Collect" section on servers located in Europe for European users and in the United States and Canada for North American users.



- Certain entities within our Group of companies located outside your country of residence are granted limited remote access to this information so that they can perform certain functions. This access is limited, secure and only granted when necessary subject to strict security controls and authorization approval protocols.
- We share the information referred to in the “Information We Collect” section with service providers, partners and other third-party entities as described in the “Ways We Share Your Information” section. These third parties may be located outside your country of residence.

These entities undertake to process information in accordance with applicable privacy laws and to implement appropriate security measures to protect your information.

When we transfer your information outside the EEA, the UK or Switzerland, we ensure that it receives an adequate level of data protection by relying on :

- Adequacy decisions. These are decisions by the [European Commission](#) under Article 45 of the GDPR (or equivalent decisions under other laws), which recognise that a country provides an adequate level of data protection. We transfer your information as described in the “Information we collect” section to certain countries that have adequacy decisions, where;
- Standard Contractual Clauses. The European Commission has approved contractual clauses under Article 46 of the GDPR that allow companies in the EEA to transfer data outside the EEA. These clauses (and their approved equivalents for the UK and Switzerland) are called Standard Contractual Clauses. We rely on Standard Contractual Clauses to transfer the information described in the “Information we collect” section to certain entities in our Group of companies and to third parties in countries that do not have adequacy decisions.

To obtain a copy of these adequacy decisions or standard contractual clauses, please contact us using the contact details provided in the “Contact Us” section below.

### **Young users**

You must be at least 18 years old to use our app. If you believe a user is under this minimum age, please use the reporting function in the app to let us know.

### **Privacy Policy Updates**

We may modify or update this Privacy Policy from time to time. We will notify you of any material changes to this Policy by means of a notification provided in the App or by other means. The “Last Updated” date at the top of this Policy reflects the effective date of such changes to the Policy.

### **Contact us**

You may contact us regarding this Privacy Policy through our website “contact us” form <https://www.bim-dating.com/contact>.