

# Terms of Use & Privacy Policy

## Description

Our Terms of Use & Privacy Policy are connected directly to the customer's Terms of Use & Privacy Policy. This is where the fan could learn about our data management policies, how do we store data, what are we allowed to do with the data, etc.

On the first time a fan is interacting with a Pico activation, he will be asked to approve the terms of use.

## Terms of Use & Privacy Policy

This policy is effective from January 01st, 2020

Thank you for engaging with [CLIENT NAME] (the "**Brand**") via Pico ("**Pico**") services!

**WHAT WE DO:** Pico provides the Brand with a SaaS platform that helps the Brand to personalize its communication with you, by making it easy to communicate with you on the social channels you prefer. The platform can be used before, during, and after every game to manage your communication with the Brand on social channels like Facebook Messenger, Twitter, Amazon Echo, Google Home, etc. We utilize artificial intelligence and purpose-built chatbots to make the process more efficient for you and the Brand and more personal for you.

The communication in real-time will be managed by the Brand in accordance with their [Terms of Use](#) & [Privacy Policy](#), and processed by Pico, only in accordance with this privacy policy. We encourage you to read and review the Brand's terms of use, privacy policy, and our privacy policy.

For your convenience, we wanted to summarize some important topics, before we delve into our detailed privacy policy.

1. Pico is fully committed to respecting your privacy, and for the safeguarding of the information you provide the Brand while using our services, and afterwards transferred to us for processing. Our privacy policy is designed to provide you with all the information you need to better understand how Pico process your information provided to us by the Brand, and how we protect your information when you use our services.
1. Our privacy policy is designed to ensure you that when we process your information, our use of your information is legal and fair.
1. We are fully committed to ensure that your information is protected, and your privacy is maintained. While using our service you may be asked by the Brand to provide certain information by which you can be identified. We can assure you that when this information is transferred to us for processing, we only use such information in accordance with this privacy statement.
1. After you finish reviewing our privacy policy, you will be asked to agree to its terms by clicking "yes" or "no". By clicking "yes", you are choosing to opt-in and accept these terms, and to using our services while agreeing to the terms of this privacy policy. However, you will continue to have certain control and abilities with respect to your information.
1. From time to time, we may change or revise this privacy policy. Such changes shall occur by updating this page, where our privacy policy is always available for your review. You should visit this page from time to time and review it to ensure that you still feel comfortable with our policy in its updated form.

So... let's get to it!

### **What kind of information does the Brand collect?**

The information collected during your engagement with the Brand varies, and may change from each engagement you make with the Brand, but may include:

- Name, gender, date of birth and age, relationship status and occupation;
- Profile pictures, interests and hobbies, educational details;
- Your IP address, contact information, geographical location and domicile (locality), telephone number, email address;
- Personal preferences, favorites and interests;
- Device type, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use;
- Information contained in any enquiry you submit to us regarding goods and/or services we offer, and information relating to transactions, including purchases of goods and services;
- Information contained in or relating to any communication that you send to us;
- Any information you provide and/or that is relevant to our chat bot surveys, customer interactive engagements, and/or other offers made available through our services.
- Any information included in your chats with the Brand via our service.

We encourage you not to supply any other person's personal data to us, unless we prompt you to do so.

### **How do we use the information we process?**

To enable the Brand to provide you with better services, it is important to us and the Brand to better understand your needs and preferences. The data collected by the Brand and processed by us, and your information that you provide, helps us understand your needs and preferences and assist us in providing you better and more relevant services and is processed for that purposes. The legal basis for this processing is either your consent to share such information with the Brand or with us and/or taking steps, at your request, to engage in one of the offers or interactive engagement initiatives offered by the Brand. In addition, the collecting and processing of your information may be based on the Brand's or our requirement to perform under a specific contract which we may agree upon with you from time to time, or based on our legitimate interests, namely our interest in the proper administration of our business (including our platform and services).

**In simpler words**, we only process information that you agreed to provide, shared it, entered a legal engagement with us or the Brand which the performance of such engagement requires the collection and use such information, or if we have a legitimate and fair business interest to do so.

We keep and use your information for:

- Customizing our services in accordance with your preferences, favorite subjects and interests;
- Analysis to improve our products and services;
- Back-ups and internal record keeping;
- Communicating with you, sending periodical promotional messages, notifications, emails and newsletters about new offers, products/services, or provide you such other information we believe you may find interesting;

In addition to the specific purposes for which we may process your personal data as mentioned above, we may also process any of your personal information where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another user.

#### **How do we protect your information?**

Pico is fully committed to protecting your privacy and integrity of your information, by ensuring that your information is secure and protected from harm or misuse. We take all necessary precautions to prevent unauthorized access, use or disclosure of your information. For that purpose, we have established suitable physical, electronic and day-to-day work procedures to maintain the safety of your information, and keep it secured and protected.

#### **What about Links to other websites and pages that you may come across while using our services?**

Sometimes as part of the conversation between you and the Brand or during your engagement with the Brand, you may encounter links to other websites, pages and platforms based on your interests. However, once you have used these links, you will leave the context of your engagement with the Brand. You should understand that these links are not controlled by either Pico or the Brand, and we do not operate them, and therefore, we cannot and will not be responsible for the protection and privacy of any information which you provide whilst visiting such sites and using services or uses under such sites. This privacy policy does not govern your use of such sites, and you should exercise caution and judgment while using these sites. We also recommend that you review and become familiar with the privacy policy of such sites to have a better understanding on how such sites owners and operators use your information.

#### **Do we share your personal information with others?**

No! we do not share the information we received from the Brand for processing with any other party, except as specifically stated herein.

We may share and disclose your information to other members of our group of companies.

We may also share and disclose your personal information to with our insurer and professional advisers, only to the extent necessary for insurance coverage (including risks management) or other required services for our operation (such as legal and financial advice).

Some of our services and offerings are provided by suppliers and third parties service providers, either directly or indirectly. We may share your information and disclose it to such suppliers or subcontractors, only to the extent necessary for making such services available to you (including with respect to financial transactions and payment services, and any processing, complaints, refunds, management and operating of such services).

Each such third party receiving your information based on this privacy policy will also act as a data processor in relation to the enquiry data that we supply to it. Upon contacting you, each such third party will apply its own privacy policy, which will govern that third party's use of your personal data.

#### **Where will your information be stored?**

We have offices, companies in our groups, partners, service providers and subcontractors all over the world. Your personal data may be transferred to such entities (as described in this privacy policy and subject to its terms) located in different locations, including countries outside the European Economic Area. Transfer of your information to entities located outside the European Economic Area will be appropriately protected by safeguards comprised by the use of standard data protection practices adopted or approved by the European Commission.

In addition, each such entity will be required by us to apply its local country data protection law in addition to the appropriate privacy protection laws applied by the European Economic Area.

#### **For how long do we retain your information?**

We are obliged to comply with certain legal obligations in relation to the retention and deletion of your personal data.

We will not keep your personal information longer than necessary to accomplish the purpose for which it was collected.

Since it is not possible for us to determine beforehand the exact time period for which your personal information is required to accomplish the purpose for which it was collected/processed, we will determine the period of retention of such information based on our internal criteria, as may be determined from time to time on a case by case basis, but our decision will be affected by, among others, the specific or general use we are making with each part of the information, whether or not it was collected for a specific offering, aggregated analysis, ongoing engagement with users, services provided by a third party with which we are no longer engaged, annual reports, and any potential future use of such information.

#### **How can you control your personal information?**

Under certain data protection laws that we are subject to comply with, you have principal rights concerning your information that we collect and use as described in this privacy policy. Your principal rights under data protection law include the right to access such information, the right to rectification, the right to require us to erase such information, the right to restrict the processing use of the information by us, the right to data portability, the right to complain to a supervisory authority, and the right to withdraw your consent to any use off the information previously granted.

As you may have noticed, some of the rights described above are not self-explanatory, and are described in partial fashion in this privacy policy. You should familiarize yourself with the relevant laws for a better understanding of these rights. However, we will summarize in general terms the meaning of these rights so you can feel more comfortable using our services and engaging the Brand through Pico's services. In order to exercise any of your rights regarding your information, please contact the Brand through your communication channel with the Brand (e.g, Facebook Messenger, Twitter, Instagram etc.), and if you are unable to receive an appropriate reply, you should contact Pico with a written notice to our data protection officer.

#### **These are your rights with respect to your information:**

You are entitled to a confirmation, upon request, as to whether or not we process your personal information and access any such personal information the Brand collected.

You have the right to receive details of the purposes of the processing, how we categorized your personal information, and the details of the entities to which we forwarded or disclosed your information.

You can always choose not to provide certain information that you are asked to provide, or to restrict the collection or use of your personal information. However, it may affect your ability to enjoy all the benefits of our services or offerings made by the Brand through our services. The following ways to restrict and control the use of your information is available to you:

- whenever you are asked to fill in a form while using our services, we may add a box that you can click to indicate that you do not want the information to be used by anybody for direct marketing purposes;
- if you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by contacting the Brand through your communication channel with the Brand (e.g, Facebook Messenger, Twitter, Instagram etc.), or writing to or emailing us to our data protection officer (contact details at the end of this privacy policy);
- You may instruct us to provide you with any personal information we received from the Brand and hold about you; provision of such information will be subject to: (a) the payment of a small processing fee; (b) the supply of appropriate evidence of your identity (for this purpose, we will usually accept a photocopy of your passport certified by a notary together with an original copy of a utility bill showing your current place of residence); and (c) our assurance that the rights and freedoms of others are not affected by your request.
- We may withhold personal information that you request to the extent permitted by law.
- In practice, you will usually either expressly agree in advance to our use of your personal information for marketing purposes, or we will provide you with an opportunity to opt out of the use of your personal information for marketing purposes.
- You have the right to have any inaccurate personal information about you rectified and, taking into account the purposes of the processing, to have any incomplete personal information about you completed and reflect a more true representation of your profile in our files.
- When your personal information is no longer necessary in relation to the purposes for which it was collected or processed, or in case you withdraw your consent to our processing, also in case you object to the processing under certain rules of applicable data protection laws, in case our processing of your information is for direct marketing purposes without your consent, and where your personal information have been unlawfully processed, you may require us to erase your personal information from our files, immediately and without delay, or to restrict our use (except in cases where the processing is necessary for exercising the right of freedom of expression and information or for compliance with a legal obligation, and where it is required for our legal defence against a claim).
- To the extent that the legal basis for our processing of your personal data is:
  - consent; or
  - that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract, and such processing is carried out by automated means,

you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

- If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.
- To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

#### **Who do I contact with respect to my personal information?**

We have appointed a special data protection officer to be in charge of all issues related to this privacy policy. For any enquiry, please do not hesitate to contact our data protection officer at [gdpr@picogp.com](mailto:gdpr@picogp.com).