

LIGHTRICKS PRIVACY NOTICE

Last Updated: December 31, 2019

Welcome to Lightricks! **Lightricks Ltd.** offers a number of mobile software applications (each, an "**App**") and web services (each, a "**Web Service**"), allowing you, amongst other things, to edit and perfect photos, create images, edit videos and share your creations through social media and email. Lightricks also operates various websites (each, a "**Website**").

This Privacy Notice (the "**Notice**") describes how we collect, use, store and otherwise process personal data that we collect or receive from or about you. Accordingly, this Notice is a master privacy notice, and references herein to the "**Services**" shall mean the Apps, the Web Services, and the Websites collectively and/or individually (as the case may be). Moreover, some of its provisions only apply to individuals in certain jurisdictions (for example, the sub-paragraphs titled '*Legal Bases*' are only relevant for GDPR-protected individuals).

For purposes of this Notice: (a) "**personal data**" or "**personal information**" means any information that can be used, alone or together with other data, to uniquely identify any living human being; (b) "**GDPR**" means *Regulation 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the Processing of Personal Data and on the free movement of such data (General Data Protection Regulation)*; and (c) "**CCPA**" means the *California Consumer Protection Act of 2018*.

For users in the People's Republic of China (or PRC), see also the supplemental terms specified in **Schedule A** attached below.

INTERPRETATION; TERMS OF USE

The section and sub-section headings used below are for convenience only (and should not to be used for interpretive purposes).

For the avoidance of doubt, this Notice forms part of the *Terms of Use* for the Apps and the Web Services, located at <https://static.lightricks.com/legal/terms-of-use.pdf> (the "**Terms of Use**"). Any capitalized term in this Notice that we don't define, shall have the meaning given to it in the *Terms of Use*.

PERSONAL DATA WE COLLECT OR RECEIVE

When you contact us

When you contact us (for example, to inquire about our products or services), we collect whatever personal data you provide us, such as name, telephone number and email address, as well as the question or issue you raised (collectively, "**Contact Information**").

When you subscribe to our newsletters or agree to marketing communications

If you subscribe to our newsletters or agree to receive marketing communications (such as emails for promotions), we may need you to provide us with certain personal data, such as your email address. These communications may be managed and sent by third parties on our behalf. This means that the email address of the recipient of the communication is stored on the servers of the third party that we engage.

When you register for a Web Service or download an App

When you subscribe to a Web Service or App, we collect whatever personal data you provide to us during the registration process, such as username, email, password, Facebook account, etc. (collectively, "**Registration Information**"). When you download an App, we receive whatever information the applicable App Marketplace shares with us. In certain cases, we may require certain Registration Information, and in

other cases we may simply ask that you voluntarily provide such Registration Information.

When you upload Account Content via the Web Service

The Web Service may allow you to post or upload Account Content to the cloud. In such cases, we will collect that Account Content. An example of this might be the profile photo for your Web Service account or video footage you create.

If you make purchases within the Services

If you choose to subscribe to one of our paid Services or to purchase items (such as Stock Content) through our Services, you will be required to provide certain billing information ("**Billing Information**"). Currently, for purchases made via an App, the applicable App Marketplace collects the Billing Information; for purchases via the Web Service, we and/or our third-party payment processor collect Billing Information.

When you submit a job application

If you apply for a job with Lightricks, we collect whatever personal data you provide us, such as name, telephone number and email address, as well as any other information you share (such as your CV/resume, cover letter, etc.).

Information we collect from you automatically

We use various tracking tools and technologies, such as analytics tools (collectively, "**Tracking Tools**") across the Services to collect information about you and your activities ("**Analytical Information**"). Here are some examples:

- Log Files. We collect log files. Examples of the information inside the log files are: internet protocol (IP) addresses; unique operational identifiers (that allow us to identify a user across multiple devices); unique advertising identifiers (such as Android Advertising ID and iOS Advertising Identifier); device information (such as device type, operating system version, time zone, and your preferred languages); type of browser; type of operating system; Internet Service Provider (ISP); date/time stamp; referring/exit pages; clicked pages; and any other information your browser or device may send to us. We use such information to analyze trends, administer the Services, track users' movement around the Services, and gather demographic information.
- IP Address. When you access the Services or make purchases through the Services (such as a subscription to the e-learning courses), we may collect your IP address. This data may convey to us information about how you use the Services. Some features may not function properly if use or availability of your IP address is disabled.
- Usage Information. We collect information about user movements (such as the time and date you accessed the Services, the features you used, your preferences, page scrolling and clicks, and for how long you use an App).
Tracking Pixel Information. We may use tracking pixels (also known as clear GIFs and web beacons) which are used to anonymously track the online usage patterns of users of the Services. In addition, we may also use tracking pixels in HTML-based emails sent to our users to track which emails are opened and which links are clicked by recipients. This information allows for more accurate reporting and improvement of the Services.

You may be able to opt-out of us collecting some Analytical Information, through settings within the Services. Moreover, some of the Tracking Tools are set by us, and some may be set by third parties, in which case the third party hosts it (for example, social plug-ins, such as the Facebook "Like" button, involve the setting of cookies by the applicable third party). For more information on 'cookies', see the Section titled '*Cookies*' below.

OTHER SOURCES OF PERSONAL DATA

Some of the personal data mentioned above is collected or received directly from you; however, some of the personal data is obtained by us from third party sources.

An example of third-party sources might be vendors of products and services (“**Vendors**”), such as the following analytics Vendors we engage in connection with the Services:

1. **AppsFlyer, Inc.;** AppsFlyer's privacy policy is available [here](#).
You can opt-out of AppsFlyer Analytics tracking by sending an email to privacy@appsflyer.com;
2. **Taplytics, Inc.;** Taplytics' privacy policy is available [here](#).
3. **Firebase** (Google); Firebase's privacy policy is available [here](#).
4. **Facebook;** Facebook's privacy policy is available [here](#).

These Vendors may also collect your personal data through their respective Tracking Tools incorporated or embedded within our Services. We use their services for the purposes set forth below.

Another example of personal data obtained from third party sources, is if you choose to link or sign up to the Services through your social network account (such as Facebook, Twitter, Instagram, or Google), we may receive personal data from these third-party services, and information relating to your use of the Services in relation to those third-party services.

HOW WE USE PERSONAL DATA

We use your personal data to operate, provide, and enhance the Services

We use the personal data and other information that we collect or receive for the following purposes:

1. To operate, provide, and maintain the Services;
2. To develop new products, services, and features;
3. To enrich the content and features available on the Services;
4. To adapt and personalize the Services, or any of its features, to users' preferences;
5. To measure, analyze and optimize our marketing efforts and efficiency, and to send marketing material to you;
6. To conduct data analysis, research, and statistics, including deep learning, machine learning and/or artificial intelligence, in order to innovate and improve products, services, and features;
7. To communicate with you (for example, responding to your inquiries or your job application);
8. To monitor compliance with the Terms of Use;
9. To bill users of paid Services or items, and for conducting internal and external financial audits; and/or
10. To detect or prevent fraud.

Legal Bases (GDPR-only): The legal bases for processing and collecting this personal data and information for the above purposes, may be one or more of the following: (a) your consent; (b) our legitimate interest in operating our Services, as well as ongoing management and development of our business; (c) contractual necessity, such as performing under the Terms of Use or other contracts (as well as in order to take steps at your request prior to entering into a contract); and (d) legal obligation, such as retaining invoice information of our paid subscribers to comply with financial regulations.

We use your Contact Information to send you promotional emails relating to your inquiry

If you contact us with an inquiry, we may respond with promotional emails relating to your inquiry. For example, if you contact us with an inquiry about a Feature you would like to see on one of our Services, we will use your Contact Information to later inform you once our Services have been updated to include Features similar to those you inquired about or other Features you may be interested in.

You may opt-out of these email updates by following the unsubscribe link located at the bottom of the email.

Legal Bases (GDPR-only): The legal basis for using your Contact Information for this purpose is our legitimate interest in promoting our Services and our business, in response to your inquiry.

We also use your Analytical Information to provide you with personalized services

In some of our Services, we will use and share (such as with advertising networks and service providers) the Analytical Information we obtain to serve you with advertisements to products and services from us and third parties that we believe may suit your interests. See the Section titled 'Third-Party Services' for more information on how this works.

Legal Bases (GDPR-only): The legal basis for collecting and processing your Analytical Information and other information for profiled advertising purposes, is our legitimate interest in operating our Services, as well as ongoing management and development of our business.

WHEN AND HOW WE SHARE PERSONAL DATA WITH OTHERS

We will not share your personal data with third parties, except in the events listed below or when you provide us your explicit and informed consent. Sharing will almost always entail transferring a copy of the personal data.

Within our corporate group entities

We may share your personal data with our Affiliates. This may be for the purpose of storing such personal data on our behalf, or for other processing needs that we wish to delegate to such Affiliates. These Affiliates may be based in other countries, and their servers may be located anywhere in the world. Such transfers will be covered by an internal processing agreement entered into by such Affiliates (an intra-group agreement) which contractually obliges each Affiliate to ensure that personal data receives an adequate and consistent level of protection wherever it is transferred to.

With service providers who assist us in operating our business and the Services

We will share your personal data with third party service providers who assist us to operate our business and/or the Services (for example, Vendors and advertising networks). Our service providers are authorized to use your personal data only as necessary to provide us with their services and not for their own purposes. We do not sell your personal data to such third parties. These third parties may have their own privacy policies that they adhere to (so they won't necessarily adhere to this Notice); *however*, we do try to engage third parties that post a privacy policy.

If you violate the law or breach your contractual terms with Lightricks

We may share your personal data with any third party (such as law enforcement and legal counsel) if we believe that disclosure of such information is helpful or reasonably necessary to: (a) comply with any applicable law, legal process, or governmental request; (b) enforce the Terms of Use, such as investigations of potential violations thereof; (c) detect, prevent, or otherwise address fraud or security issues; and/or (d) protect against harm to the rights, property or safety of Lightricks, our users, yourself and/or the public.

If we are legally required to do so

If we are bound to disclose your personal data by a judicial order or by a governmental or regulatory authority, we will comply and share the personal data with that body.

Upon M&A, insolvency, or similar events

In the event that Lightricks is acquired by, or merged or consolidated with, a third-party entity, or otherwise sells or transfers some or all of its business, shares or assets to a third party entity, we may share (as well as assign ownership of and license) your personal data to and with the corresponding third party entity or buyer (whether actual or potential). In the event of a bankruptcy, insolvency, receivership, or comparable event, we may not be able to control how your personal data is shared, sold, or used, and we may sell or transfer your personal data to one or more of our Affiliates.

THIRD-PARTY SERVICES

Please be aware that while using the Services, you may be directed (via hyperlinks or other means) to, or be able to interact with, third-party websites, apps, services and online communities that are not affiliated with us (such as Facebook, Instagram, and LinkedIn). Moreover, if the Services integrate with a third-party service, the application programming interface (API) that performs the integration will enable the relevant third party to serve you certain content as well as access some of your Account Content. For example, if you wish to upload or otherwise share your Account Content to an integrated third-party service such as Instagram or TikTok, or to make use of certain functionality in those services, the API will enable the applicable third party to access your Account Content (such as your photo library). Additionally, when you pay for fee-based Services or items, your payment will be processed by third party payment processors, such as Google's or Apple's in-app purchase mechanism. Any personal data you provide in connection therewith is provided to the applicable third party.

We do not control, and are not responsible for, the privacy practices of such third parties, or for their content, products and services, and we encourage you to read the terms and conditions and privacy policies of each third party that you choose to use or interact with.

COOKIES

What are cookies?

Cookies are text files, comprised of a small amount of data, that are saved on your computer or another device (e.g. smartphone, tablet, etc.) when you use the internet.

We use third-party cookies for marketing purposes

We use cookies that are operated by third parties – such as Google (remarketing) and Facebook (pixel). These are used to track users like you across websites. The intention is to display ads that are relevant and engaging for the individual user and more valuable for websites and advertisers, and to determine the efficiency of our marketing efforts in user acquisition.

You can opt-out of cookies at any time by changing your browser settings.

SECURITY AND DATA RETENTION

Where we store your personal data

Lightricks does not itself host the Services or operate the underlying cloud infrastructure – all of that is done by third party hosting and cloud service providers ("**Hosting Providers**"). This means that personal data you provide us or that we or third parties collect from you is hosted with such Hosting Providers on servers that they own or control, which servers may be located anywhere in the world. Your personal data may also be replicated across multiple servers located in multiple countries.

We and our affiliated corporate entities may also make local copies of your personal data at our office locations.

How long we retain your personal data?

We store your personal data as long as we need it for the purposes for which it was obtained or until you

ask us to delete it. If you ask us to delete the personal data, we may still have to retain it to comply with our legal obligations, to comply with tax or accounting requirements, to resolve disputes, and/or to enforce our agreements (such as the Terms of Use). For example, we may retain your personal in order for us to have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a prospect of a dispute or litigation relating to your personal data or dealings. Moreover, please be aware that your App-related Account Content is saved on your device, and therefore you control if and when to delete such Account Content.

We implement measures to secure personal data

We implement appropriate technical, organizational, and security measures to reduce the risks of damage to (or loss of) information, or any unauthorized access or use of information. However, these measures do not provide absolute information security. Therefore, although efforts are made to secure your personal data, it is not guaranteed, and you cannot expect that the Services will be immune to information security risks or attacks. Also, as the security of information depends in part on the security of the computer, device or network you use to communicate with us, and the security you use to protect your user IDs and passwords, please make sure to take appropriate measures to protect this information.

INTERNATIONAL DATA TRANSFERS

We will transfer your personal data to third countries only in accordance with applicable data protection laws.

We are based in the State of Israel. The information we collect from you will be processed, among other places, in the State of Israel, which is recognized by the European Union ("EU") as having adequate protection for personal data. You can read more about that here: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en.

We will only transfer your personal data to: (a) a jurisdiction within the European Economic Area ("EEA"); (b) to jurisdictions that have been deemed to have an adequate level of data protection by the relevant data protection authorities of the EEA or by the EU's European Commission; and/or (c) to any other jurisdiction not covered by the foregoing, if you consent to such transfer, such transfer is referred to in this Notice (such as to Vendors), and/or if such transfer is otherwise permitted by the applicable data protection laws.

YOUR RIGHTS

You have the right to access, update or delete your personal data and obtain a copy of your personal data

The following data subject rights apply if you are in the EEA and may apply to you in other jurisdictions:

- (a) to know what personal data is being collected about you;
- (b) to access the personal data about you that we store on our systems (for which we reserve the right to charge an appropriate administrative fee where permitted by applicable law);
- (c) to have us update or correct it (if it is inaccurate or misleading);
- (d) to have us delete it (although there may be circumstances in which we are required to retain your personal data, for example for the establishment, exercise or defense of legal claims);
- (e) You have the right to object to, or to request restriction of, the processing of personal data;
- (f) You have the right to data portability. This means that you may have the right to receive your personal data in a structured, commonly used and machine-readable format, and that you have the right to transmit that data to another controller;
- (g) You have the right to object to profiling;
- (h) You have the right to know whether your personal data is sold or disclosed and to whom;

- (i) You have the right to say no to the sale of your personal data;
- (j) You have the right to withdraw your consent at any time. Please note that there may be circumstances in which we are entitled to continue processing your personal data, in particular if the processing is required to meet our legal and regulatory obligations. Also, please note that the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal;
- (k) You also have a right to request certain details of the basis on which your personal data is transferred outside the EEA, but data transfer agreements and/or other details may need to be partially redacted for reasons of commercial confidentiality;
- (l) You have the right to equal service and price, even if you exercise your privacy rights;
- (m) You have a right to lodge a complaint with your local data protection supervisory authority (i.e., your place of habitual residence, place of work or place of alleged infringement) at any time or before the relevant institutions in your place of residence (e.g. the Attorney General in your State). We ask that you please attempt to resolve any issues with us before you contact your local supervisory authority and/or relevant institution. For a list of supervisory authorities in the EU, click [here](#).

If you wish to exercise any of these rights, please contact us (see the "Contact Us" section below). Please note that in certain circumstances, we may not be the party which holds your personal data, and we may refer you to the party (such as the App Marketplace) which does.

Subject to legal and other permissible considerations, we will make reasonable efforts to honor your request promptly in accordance with applicable law or inform you if we require further information in order to fulfil your request. When processing your request, we may ask you for additional information to confirm or verify your identity and for security purposes, before processing or honoring your request. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive. In the event that your request would adversely affect the rights and freedoms of others (for example, would impact the duty of confidentiality we owe to others) or if we are legally entitled to deal with your request in a different way than initially requested, we will address your request to the maximum extent possible, all in accordance with applicable law.

Should you ever decide to delete your Account, you may do so by emailing contact@lightricks.com. If you terminate your Account, any association between your Account and personal data we store will no longer be accessible through your Account. However, given the nature of sharing on certain Services, any public activity on your Account prior to deletion will remain stored on our servers and will remain accessible to the public.

MINORS

You must be at least 13 years of age to use the Services

The Services are not intended for minors under the age of thirteen (13). IF YOU ARE UNDER THE AGE OF THIRTEEN (13) YOU MAY NOT USE THE SERVICES. If you are between thirteen (13) and eighteen (18) years old, you must review this Notice with your parent or guardian. If you have concerns about your child's privacy, or if you believe that your child may have provided us with their personal data, please contact us at contact@lightricks.com. We will take steps to delete the information as soon as possible should we learn that we have collected the personal data of a child under 13 without first receiving verifiable parental consent.

CHANGES TO THIS PRIVACY NOTICE

If we change this Notice materially, we will notify you

We may change this Notice from time to time. If you are a registered user of an App or Web Service, we will provide you with notice of material changes through the App or Web Service.

The effective date of the amended Notice will be upon posting the amended Notice, unless a different date is specified. If we make a change to this Notice that is materially adverse to you, we will also notify you of the change. Your continued access or use of the Services after the effective date of the amended Notice, shall constitute your acceptance of the amended Notice. In any event, if you do not consent to the amended Notice, we may terminate your App or Web Service account. The latest version of the Notice will always be accessible at: <https://static.lightricks.com/legal/Lightricks-Privacy-Policy-13-06-2019.pdf>

SPECIFIC PROVISIONS APPLICABLE UNDER CALIFORNIA PRIVACY LAW

California Privacy Rights

California Civil Code Section 1798.83 permits our customers who are California residents to request certain information regarding our disclosure of personal data to third parties for their direct marketing purposes. To make such a request, please send an email to contact@lightricks.com. Please note that we will respond to one request per customer each year, unless otherwise required by law.

Our California Do Not Track Notice

Some browsers transmit "do-not-track" signals to websites. Because of differences in how browsers incorporate and activate this feature, it is not always clear whether users intend for these signals to be transmitted, or whether they even are aware of them. We currently do not take action in response to these signals.

Deletion of Content from California Residents

If you are a California resident under the age of eighteen (18) and a registered user of the Services, California Business and Professions Code Section 22581 permits you to remove content or personal information you have publicly posted. If you wish to remove such content or personal information and you specify which content or personal information you wish to be removed, we will do so in accordance with applicable law. Please be aware that after removal you may not be able to restore removed content or personal information. In addition, such removal does not ensure complete or comprehensive removal of the content or personal information you have posted, and there may be circumstances in which the law does not require us to enable removal of content.

CONTACT US

How to contact our Data Protection Officer

If you have any questions or requests concerning your personal data or about our privacy practices and policies, you may contact our Data Protection Officer at dpo@lightricks.com. Please use this channel only for questions or requests about privacy and data protection.

How to contact our European representative

The European representative of Lightricks, for purposes of the GDPR and this Notice, is **Lightricks UK Ltd.** If you are within the EEA, you may contact our European representative at the following address: eu.representative@lightricks.com

General inquiries

If you have any questions about this Notice, or how we process your personal data, please contact us at: contact@lightricks.com.

SCHEDULE A

FOR USERS IN THE PEOPLE'S REPUBLIC OF CHINA ("PRC")

This **Schedule A** applies to you if you are a resident in the PRC. The terms set out below are supplemental to, and should be read in conjunction with, the terms in the main body of the Notice. In case of conflict or inconsistency between this **Schedule A** and the main body of the Notice, this **Schedule A** shall prevail.

Reference to "personal information", or "information" used in this **Schedule A** shall include references to sensitive personal information, where applicable, and shall have the same meanings given to those terms in relevant PRC data protection laws (as amended from time to time).

The data controller of your personal information is Lightricks Ltd.

PERSONAL DATA WE COLLECT

Unless permitted by applicable PRC data protection laws, we will obtain consent from you for our collection, use, sharing, transfer, or otherwise processing of your personal information (and sensitive personal information).

If you do not provide us with certain personal information (for example, if you do not provide us with the information that is indicated as mandatory on the respective registration/contact us page), *we may not be able to provide certain services to you or you may be able to access or use some of the functionalities of our Services.*

HOW WE USE PERSONAL DATA

If we wish to use your personal information for purposes other than those stated in this Notice, we will obtain your further consent.

INTERNATIONAL DATA TRANSFERS

With your consent, we may share, transfer or store your personal information outside of the PRC where we are satisfied that adequate levels of protection are in place to protect the integrity and security of your personal information or adequate security measures are adopted and in compliance with applicable privacy and data protection laws.

YOUR RIGHTS

You may ask us to provide you with access to, or a copy of, your information, or correct the information we have about you. In certain circumstances, you may request that we delete your information. You may also withdraw your consent to our processing of your personal information, to request to de-register your account, or complain to us about our processing of your personal information. Please contact us at contact@lightricks.com if you would like to make such requests.

MINORS

The Services are not intended for minors under the age of fourteen (14). IF YOU ARE UNDER THE AGE OF FOURTEEN (14) YOU MAY NOT USE THE SERVICES. If you are between fourteen (14) and eighteen (18) years old, you must review this Notice with your parent or guardian. If you have concerns about your child's privacy, or if you believe that your child may have provided us with their personal information, please contact us at contact@lightricks.com. We will take steps to delete the information as soon as possible should we learn that we have collected the personal information of a child under 14 without first receiving verifiable parental consent.

CONTACT US

If you have any questions about this Notice, or how we process your personal information, or if you would like to exercise the rights as set out above, please contact us at contact@lightricks.com.