

## PopUp Privacy Policy

Effective date: April 5, 2019

VIPost LLC ("us", "we", or "our") operates the PopUp website, PopUp web portal, and the PopUp mobile application (the "Services"). VIPost LLC, a Texas limited liability company does business as PopUp and any reference herein to PopUp as an entity is a reference to VIPost LLC.

This page informs you of our policies regarding the collection, use, and disclosure of personal data when you use our Services and the choices you have associated with that data.

We use your data to provide and improve the Services. By using the Services, you agree to the collection and use of information in accordance with this policy. Unless otherwise defined in this Privacy Policy, terms used in this Privacy Policy have the same meanings as in our Terms and Conditions.

### Definitions

#### **Services**

Services means the PopUp website, PopUp web portal, and the PopUp mobile application operated by PopUp.

#### **Personal Data**

Personal Data means data about a living individual who can be identified from those data (or from those and other information either in our possession or likely to come into our possession).

#### **Usage Data**

Usage Data is data collected automatically either generated by the use of the Services or from the Services infrastructure itself (for example, the duration of a page visit).

#### **Cookies**

Cookies are small pieces of data stored on your device (computer or mobile device).

#### **Data Controller**

Data Controller means the natural or legal person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal information are, or are to be, processed.

For the purpose of this Privacy Policy, we are a Data Controller of your Personal Data.

### **Data Processors (or Services Providers)**

Data Processor (or Services Provider) means any natural or legal person who processes the data on behalf of the Data Controller.

We may use the services of various Services Providers in order to process your data more effectively.

### **Data Subject (or User)**

Data Subject is any living individual who is using our Services and is the subject of Personal Data.

## **Information Collection and Use**

We collect several different types of information for various purposes to provide and improve our Services to you.

### **Types of Data Collected**

#### *Personal Data*

While using our Services, we may ask you to provide us with certain personally identifiable information that can be used to contact or identify you ("Personal Data"). Personally identifiable information may include, but is not limited to:

- Email address
- First name and last name
- Phone number
- Birth Year
- Gender
- Cookies and Usage Data

Users are not required to provide any personal information in order to use the Services other than a phone number or email address to sign in. Users may optionally provide their first name and last name, birth year, gender, and location information derived from their phone location. Users who optionally sign in using Facebook Login or who optionally link their Facebook account permit us to obtain personal information that Facebook makes available to third parties according to the user's Facebook preferences. We provide location information and other personal information only to publishers that a User decides to follow and receive push notifications.

Publishers provide information when they create a PopUp account, administer their organization's account, or contact us for support. Publishers create profiles which is included in the PopUp public search directory unless the publisher is a private group and

hides its profile from public search. A publisher's profile includes its name, logo, image, description, and other data the publisher chooses to add to its profile or display to others.

### ***Usage Data***

We may also collect information that your browser sends whenever you visit our Services or when you access the Services by or through a mobile device ("Usage Data").

This Usage Data may include information such as your computer's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our Services that you visit, the time and date of your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

When you access the Services by or through a mobile device, this Usage Data may include information such as the type of mobile device you use, your mobile device unique ID, the IP address of your mobile device, your mobile operating system, the type of mobile Internet browser you use, unique device identifiers and other diagnostic data.

### ***Location Data***

We may use and store information about your location if you give us permission to do so ("Location Data"). We use this data to provide features of our Services, to improve and customize our Services.

You can enable or disable Location Data when you use our Services at any time, through your device settings.

### ***Tracking Cookies Data***

We use cookies and similar tracking technologies to track the activity on our Services and hold certain information.

Cookies are files with small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. Tracking technologies also used are beacons, tags, and scripts to collect and track information and to improve and analyze our Services.

You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Services.

Examples of Cookies we use:

- **Session Cookies.** We use Session Cookies to operate our Services.
- **Preference Cookies.** We use Preference Cookies to remember your preferences and various settings.
- **Security Cookies.** We use Security Cookies for security purposes.

### Use of Data

PopUp uses the data we collect to operate our business and provide you the products we offer, which includes using data to improve our products and personalize your experiences. We also may use the data to communicate with you, for example, informing you about your account, security updates and product information.

To let you know of important notifications from publishers that you follow, PopUp apps use the notification service on your device. For many devices, these services are provided by another company. The company providing the notification service on your device may use information about the notification and your device in accordance with their own terms and privacy policy. PopUp is not responsible for the data collected by company providing the notification service.

PopUp also uses the collected data for various purposes:

- To provide and maintain our Services
- To notify you about changes to our Services
- To allow you to participate in interactive features of our Services when you choose to do so
- To provide customer support
- To gather analysis or valuable information so that we can improve our Services
- To monitor the usage of our Services
- To detect, prevent and address technical issues

### Advertising

Currently, PopUp does not use advertising, but if in the future PopUp does provide advertising, you will be notified, in which case you can stop using PopUp or may be offered the opportunity to set your advertising preferences.

### Legal Basis for Processing Personal Data Under General Data Protection Regulation (GDPR)

If you are from the European Economic Area (EEA), PopUp legal basis for collecting and using the personal information described in this Privacy Policy depends on the Personal Data we collect and the specific context in which we collect it.

PopUp may process your Personal Data because:

- We need to perform a contract with you
- You have given us permission to do so
- The processing is in our legitimate interests and it's not overridden by your rights
- To comply with the law

### **Retention of Data**

PopUp will retain your Personal Data only for as long as is necessary for the purposes set out in this Privacy Policy. We will retain and use your Personal Data to the extent necessary to comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes, and enforce our legal agreements and policies.

PopUp will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of our Services, or we are legally obligated to retain this data for longer time periods.

### **Transfer of Data**

Your information, including Personal Data, may be transferred to — and maintained on — computers located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ than those from your jurisdiction.

If you are located outside United States and choose to provide information to us, please note that we transfer the data, including Personal Data, to United States and process it there.

Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer.

PopUp will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy and no transfer of your Personal Data will take place to an organization or a country unless there are adequate controls in place including the security of your data and other personal information.

## Disclosure of Data

### Business Transaction

If PopUp is involved in a merger, acquisition or asset sale, your Personal Data may be transferred. We will provide notice at the time your Personal Data is transferred and becomes subject to a different Privacy Policy.

### Disclosure for Law Enforcement

Under certain circumstances, PopUp may be required to disclose your Personal Data if required to do so by law or in response to valid requests by public authorities (e.g. a court or a government agency).

### Legal Requirements

PopUp may disclose your Personal Data in the good faith belief that such action is necessary to:

- To comply with a legal obligation
- To protect and defend the rights or property of PopUp
- To prevent or investigate possible wrongdoing in connection with the Services
- To protect the personal safety of users of the Services or the public
- To protect against legal liability

### Security of Data

The security of your data is important to us, but note that no method of transmission over the Internet, or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your Personal Data, we cannot guarantee its absolute security.

### State Laws

Cal. Bus. And Prof. Code Section 22575 requires us to notify you how we deal with the "Do Not Track" settings in your browser. Currently, PopUp's system does not respond to the Do Not Track settings. Do Not Track is a preference you can set in your web browser to inform websites that you do not want to be tracked. You can enable or disable Do Not Track by visiting the Preferences or Settings page of your web browser.

California Civil Code Section 1798.83 permits you, if you are a California resident, to request certain information regarding disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to [legal@popup.app](mailto:legal@popup.app) or write us at Privacy Officer, VIPost LLC, 5601 Joe Sayers Ave, Unit B, Austin, TX 78756.

Nevada law requires that we provide Nevada residents with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E Washington St., Suite 3900, Las Vegas, NV 89101; phone: 702.486.3132; e-mail: BCPINFO@ag.state.nv.us.

### **Your Data Protection Rights Under General Data Protection Regulation (GDPR)**

If you are a resident of the European Economic Area (EEA), you have certain data protection rights. PopUp aims to take reasonable steps to allow you to correct, amend, delete, or limit the use of your Personal Data.

If you wish to be informed what Personal Data we hold about you and if you want it to be removed from our systems, please contact us.

In certain circumstances, you have the following data protection rights:

**The right to access, update or to delete the information we have on you.**

Whenever made possible, you can access, update or request deletion of your Personal Data directly within your account settings section. If you are unable to perform these actions yourself, please contact us to assist you.

**The right of rectification.** You have the right to have your information rectified if that information is inaccurate or incomplete.

**The right to object.** You have the right to object to our processing of your Personal Data.

**The right of restriction.** You have the right to request that we restrict the processing of your personal information.

**The right to data portability.** You have the right to be provided with a copy of the information we have on you in a structured, machine-readable and commonly used format.

**The right to withdraw consent.** You also have the right to withdraw your consent at any time where PopUp relied on your consent to process your personal information.

Please note that we may ask you to verify your identity before responding to such requests.

You have the right to complain to a Data Protection Authority about our collection and use of your Personal Data. For more information, please contact your local data protection authority in the European Economic Area (EEA).

## Services Providers

We may employ third party companies and individuals to facilitate our Services ("Services Providers"), to provide the Services on our behalf, to perform Services-related services or to assist us in analyzing how our Services is used.

These third parties have access to your Personal Data only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

### **Google Analytics**

Google Analytics is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Services. This data is shared with other Google services. Google may use the collected data to contextualize and personalize the ads of its own advertising network.

For more information on the privacy practices of Google, please visit the Google Privacy Terms web page:

<https://policies.google.com/privacy?hl=en>

### **Firebase Cloud Messaging**

Firebase Cloud Messaging enables us to send notifications to mobile devices that install our mobile app and is provided by Google Inc.

The Firebase Privacy Policy is provided here:

<https://www.firebase.com/terms/privacy-policy.html>

### **Microsoft Azure**

Microsoft Azure is a cloud service provided by Microsoft Corporation and is where we store our data, including your personal information, and also enables us to send notifications to Firebase Cloud Messaging. Microsoft Corporation's privacy policy is provided here:

<https://privacy.microsoft.com/en-us/PrivacyStatement>

### **Apple Push Notification Service**

Apple Push Notification Service enables us to send notifications to iOS devices that install our mobile app and is provided by Apple Inc. It's privacy policy is provided here:

<https://www.apple.com/privacy/>



### **Links to Other Sites**

Our Services may contain links to other sites that are not operated by us. If you click on a third-party link, you will be directed to that third party's site. We strongly advise you to review the Privacy Policy of every site you visit.

We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party sites or services.

### **Changes to This Privacy Policy**

We may update our Privacy Policy from time to time. We will notify you of any changes by posting the new Privacy Policy on this page.

We will let you know via email and/or a prominent notice on our Services, prior to the change becoming effective and update the "effective date" at the top of this Privacy Policy.

You are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page.

### **Contact Us**

If you have any questions about this Privacy Policy, please contact us:

- By visiting our website: <https://popup.app/> and clicking the Contact Us link.