

## **Privacy policy**

This privacy policy ("Policy") describes how Mobile Application Developer ("Mobile Application Developer", "we", "us" or "our") collects, protects and uses the personally identifiable information ("Personal Information") you ("User", "you" or "your") may provide in the Custom Color Picker mobile application and any of its products or services (collectively, "Mobile Application" or "Services").

It also describes the choices available to you regarding our use of your Personal Information and how you can access and update this information. This Policy does not apply to the practices of companies that we do not own or control, or to individuals that we do not employ or manage.

### **Automatic collection of information**

When you open the Mobile Application our servers automatically record information that your device sends. This data may include information such as your device's IP address and location, device name and version, operating system type and version, language preferences, information you search for in our Mobile Application, access times and dates, and other statistics.

Information collected automatically is used only to identify potential cases of abuse and establish statistical information regarding Mobile Application traffic and usage. This statistical information is not otherwise aggregated in such a way that would identify any particular user of the system.

### **Collection of personal information**

You can visit the Mobile Application without telling us who you are or revealing any information by which someone could identify you as a specific, identifiable individual. If, however, you wish to use some of the Mobile Application's features, you will be asked to provide certain Personal Information (for example, your name and e-mail address). We receive and store any information you knowingly provide to us when you make a purchase, or fill any online forms in the Mobile Application. When required, this information may include the following:

- Account details such as user name, unique user ID, password, etc.

You can choose not to provide us with your Personal Information, but then you may not be able to take advantage of some of the Mobile Application's features. Users who are uncertain about what information is mandatory are welcome to contact us.

## **Storing personal information**

We will retain and use your Personal Information for the period necessary to comply with our legal obligations, resolve disputes, and enforce our agreements unless a longer retention period is required or permitted by law. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally. Once the retention period expires, Personal Information shall be deleted. Therefore, the right to access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after the expiration of the retention period.

## **Use and processing of collected information**

In order to make our Mobile Application and Services available to you, or to meet a legal obligation, we need to collect and use certain Personal Information. If you do not provide the information that we request, we may not be able to provide you with the requested products or services. Some of the information we collect is directly from you via our Mobile Application. However, we may also collect Personal Information about you from other sources. Any of the information we collect from you may be used for the following purposes:

- Create and manage user accounts
- Run and operate our Mobile Application and Services

Processing your Personal Information depends on how you interact with our Mobile Application, where you are located in the world and if one of the following applies: (i) You have given your consent for one or more specific purposes. This, however, does not apply, whenever the processing of Personal Information is subject to California Consumer Privacy Act or European data protection law; (ii) Provision of information is necessary for the performance of an agreement with you and/or for any pre-contractual obligations thereof; (iii) Processing is necessary for compliance with a legal obligation to which you are subject; (iv) Processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us; (v) Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party.

Note that under some legislations we may be allowed to process information until you object to such processing (by opting out), without having to rely on consent or any other of the following legal bases below. In any case, we will be happy to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Information is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

## **Information transfer and storage**

Depending on your location, data transfers may involve transferring and storing your information in a country other than your own. You are entitled to learn about the legal basis of information transfers to a country outside the European Union or to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by us to safeguard your information. If any such transfer takes place, you can find out more by checking the relevant sections of this document or inquire with us using the information provided in the contact section.

## **The rights of users**

You may exercise certain rights regarding your information processed by us. In particular, you have the right to do the following: (i) you have the right to withdraw consent where you have previously given your consent to the processing of your information; (ii) you have the right to object to the processing of your information if the processing is carried out on a legal basis other than consent; (iii) you have the right to learn if information is being processed by us, obtain disclosure regarding certain aspects of the processing and obtain a copy of the information undergoing processing; (iv) you have the right to verify the accuracy of your information and ask for it to be updated or corrected; (v) you have the right, under certain circumstances, to restrict the processing of your information, in which case, we will not process your information for any purpose other than storing it; (vi) you have the right, under certain circumstances, to obtain the erasure of your Personal Information from us; (vii) you have the right to receive your information in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance. This provision is applicable provided that your information is processed by automated means and that the processing is based on your consent, on a contract which you are part of or on pre-contractual obligations thereof.

## **The right to object to processing**

Where Personal Information is processed for the public interest, in the exercise of an official authority vested in us or for the purposes of the legitimate interests pursued by us, you may object to such processing by providing a ground related to your particular situation to justify the objection. You must know that, however, should your Personal Information be processed for direct marketing purposes, you can object to that processing at any time without providing any justification. To learn, whether we are processing Personal Information for direct marketing purposes, you may refer to the relevant sections of this document.

## **How to exercise these rights**

Any requests to exercise User rights can be directed to the Owner through the contact details provided in this document. These requests can be exercised free of charge and will be addressed by the Owner as early as possible.

## **California privacy rights**

In addition to the rights as explained in this Privacy Policy, California residents who provide Personal Information (as defined in the statute) to obtain products or services for personal, family, or household use are entitled to request and obtain from us, once a calendar year, information about the Personal Information we shared, if any, with other businesses for marketing uses. If applicable, this information would include the categories of Personal Information and the names and addresses of those businesses with which we shared such personal information for the immediately prior calendar year (e.g., requests made in the current year will receive information about the prior year). To obtain this information please contact us.

## **Billing and payments**

In case of services requiring payment, we request credit card or other payment account information, which will be used solely for processing payments. Your purchase transaction data is stored only as long as is necessary to complete your purchase transaction. After that is complete, your purchase transaction information is deleted. All direct payment gateways adhere to the latest security standards as managed by the PCI Security Standards Council, which is a joint effort of brands like Visa, MasterCard, American Express and Discover. Sensitive and private data exchange happens over a SSL secured communication channel and is encrypted and protected with digital signatures, and our Mobile Application is also in compliance with PCI vulnerability standards in order to create as secure of an environment as possible for Users. Scans for malware are performed on a regular basis for additional security and protection.

## **Privacy of children**

We recognize the need to provide further privacy protections with respect to Personal Information we may collect from children and take many special precautions to protect the privacy of children. We do not require any Personal Information from them at any time. We encourage children to consult with their parents before submitting any information to any Mobile Application. We believe parents should be involved in the

online activities of their children and suggest that parents do their best to provide their children with a safe and friendly online environment.

### **Links to other mobile applications**

Our Mobile Application contains links to other mobile applications that are not owned or controlled by us. Please be aware that we are not responsible for the privacy practices of such other mobile applications or third-parties. We encourage you to be aware when you leave our Mobile Application and to read the privacy statements of each and every mobile application that may collect Personal Information.

### **Information security**

We secure information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use, or disclosure. We maintain reasonable administrative, technical, and physical safeguards in an effort to protect against unauthorized access, use, modification, and disclosure of Personal Information in its control and custody. However, no data transmission over the Internet or wireless network can be guaranteed. Therefore, while we strive to protect your Personal Information, you acknowledge that (i) there are security and privacy limitations of the Internet which are beyond our control; (ii) the security, integrity, and privacy of any and all information and data exchanged between you and our Mobile Application cannot be guaranteed; and (iii) any such information and data may be viewed or tampered with in transit by a third-party, despite best efforts.

### **Data breach**

In the event we become aware that the security of the Mobile Application has been compromised or users Personal Information has been disclosed to unrelated third parties as a result of external activity, including, but not limited to, security attacks or fraud, we reserve the right to take reasonably appropriate measures, including, but not limited to, investigation and reporting, as well as notification to and cooperation with law enforcement authorities. In the event of a data breach, we will make reasonable efforts to notify affected individuals if we believe that there is a reasonable risk of harm to the user as a result of the breach or if notice is otherwise required by law. When we do, we will post a notice in the Mobile Application.

### **Changes and amendments**

We may update this Privacy Policy from time to time in our discretion and will notify you of any material changes to the way in which we treat Personal Information. When changes are made, we will revise the updated date at the bottom of this page. We may

also provide notice to you in other ways in our discretion, such as through contact information you have provided. Any updated version of this Privacy Policy will be effective immediately upon the posting of the revised Privacy Policy unless otherwise specified. Your continued use of the Mobile Application or Services after the effective date of the revised Privacy Policy (or such other act specified at that time) will constitute your consent to those changes. However, we will not, without your consent, use your Personal Data in a manner materially different than what was stated at the time your Personal Data was collected.

### **Acceptance of this policy**

You acknowledge that you have read this Policy and agree to all its terms and conditions. By using the Mobile Application or its Services you agree to be bound by this Policy. If you do not agree to abide by the terms of this Policy, you are not authorized to use or access the Mobile Application and its Services.

### **Contacting us**

If you would like to contact us to understand more about this Policy or wish to contact us concerning any matter relating to individual rights and your Personal Information, you may do so via the contact form or send an email to [kristian.olidana@gmail.com](mailto:kristian.olidana@gmail.com)

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