Sunbird messaging Privacy Policy

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1. Introduction

Welcome. You have arrived at a website provided by Sunbird Messaging Inc. ("**Sunbird**," "**we**," "**our**" or "**us**"). Sunbird Messaging is an Android & web app that gives users the ability to unify the world's most popular messaging apps into one app inbox including iMessage, SMS/MMS, Facebook Messenger and WhatsApp.

At Sunbird, we take your privacy seriously. We provide this Privacy Policy ("**Policy**") to tell you what information we collect about you, how we obtain it, how we share it, and how you may limit the ways in which we use your Personal Information. If you have questions about this Policy after you review it, feel free to contact us at hello@sunbirdapp.com.

2. Scope

This Policy governs www.sunbirdapp.com, its subdomains, and all subdomains or portals that link to this Policy ("**Site**"); our mobile application ("**App**"); or otherwise provide Personal Information or interact with us online or in-person. This Policy also applies to Personal Information that we may collect from you via phone calls or other communications with our representatives or in any other instance when you contact us. For the purpose of this Policy, "**Personal Information**" means any Personal Information relating to an identified or identifiable individual that is protected by applicable privacy laws. The definition of Personal Information does not include publicly available information from federal, state, or local government records, such as professional licenses and real estate or property records.

We refer to all the above as our "**Services**." Our Services are used by users of our App ("**App Users**") and visitors to our website ("**Visitors**").

By using our Sites or App or otherwise using our Services, you acknowledge this Policy and agree to our **Terms of Service** ("**Terms**").

3. How the Sunbird App Works

At Sunbird, we value user privacy and security above all else. We offer a messaging service that is private, with the very least Personal Information collected on Users. You must create a Sunbird App account to start using the App, but we do not store your password. For Visitors to the Site, we collect a small amount of Personal Information for (1) marketing and analytics purposes and (2) to give you information about or access to the App, the latter of which is with your consent.

Messages on the App are transmitted using end-to-end encryption, and we do not see any of message content, contacts or metadata. This includes information such as message timestamps, sender and recipient IP addresses, or any other information that could be used to identify Users. By not collecting or storing this information, Sunbird ensures that there is nothing to compromise or leak, making it virtually impossible for any third party to gain access to User Personal Information.

Sunbird puts privacy on top of all other initiatives. By not collecting any Personal Information of our Users other than email address, using end-to-end encryption, and not relying on advertising revenue, Sunbird ensures that Users can communicate securely and without fear of compromise. With our commitment to privacy and security, Sunbird sets a new standard for messaging services.

4. What Information We Collect

As a rule, we limit the Personal Information we collect to that which is adequate, relevant and reasonably necessary for us to provide our Services to you. If we process your information

Information That You Provide to Us

As you interact with our Site, App or Services, we collect the following Personal Information via webforms or inputs/uploads on our Site or App, and through other communications with you.

Visitors

- Contact information such as your first and last name, email address and mobile number. This information is used to contact you about the wait list to use the App.

App Users

- Email address and password. We collect this information to authenticate your account.

Information That Is Automatically Collected on the Site

Like many businesses, we and our service providers automatically collect and/or store certain information when you visit or interact with the Site ("**Usage Information**"), including via cookies and other tracking technologies (see Use of Cookies and Other Tracking Technologies section below). This Usage Information may be stored and/or accessed from your personal computer, laptop, tablet, mobile phone or other device (a "**Device**") whenever you visit or interact with our Site. Usage Information includes:

- Your IP address, IDFA, Android/Google Advertising ID, IMEI, or another unique identifier;
- Your Device functionality (including browser, browser language, settings and behavior, operating system, hardware, mobile network information);
- Referring and exit web pages and URLs;
- The areas within the Site that you visit and your activities there, including remembering you and your preferences;

- Your Device location or other location information, including the zip code, state or country from which you accessed the Services;
- Your Device characteristics (such as device type (computer vs. mobile) and ID, operating system, hardware);
- Certain other Device data, including the time of day you visit our Site or other information used to provide analytics or other usage information;
- Information about your engagement with our emails; and
- Statistical information about how both unregistered and registered users, collectively, use the Site and Services.

Information Collected from Third Parties

The Site, but not the App, includes functionality that allows certain kinds of interactions between the Site and third-party websites or applications. The use of this functionality may involve the third-party site providing information to us. For example, we might obtain information about the traffic and usage on the Site from third parties. These third parties also use cookies and other tracking technologies to capture information about your interactions with Sunbird.

Sunbird does not have control over the information that is collected, used, and shared by these third parties. We encourage you to review the privacy statements of these third parties to understand their privacy practices.

5. Use of Cookies and other Tracking Technologies on the Site

We use various methods and technologies to store or collect Usage Information ("**Tracking Technologies**"). Tracking Technologies may set, change, alter or modify settings or configurations on your Device. A few of the Tracking Technologies used on the Site, include, but are not limited to, the following (as well as future-developed tracking technology or methods that are not listed here):

- **Cookies**. A cookie is a file placed on a Device to uniquely identify your browser or to store information on your Device. Our Site may use HTTP cookies, HTML5 cookies and other types of cookie technology to store information on local storage.
- **Pixels**: A pixel is a small graphic file that allow us and third parties to monitor the use of the Site and provide us with information based on your interaction with the Site
- **Web Beacons**. A Web Beacon is a small tag (which may be invisible to you) that may be placed on our Site's pages and messages.
- **Embedded Scripts**. An embedded script is programming code that is designed to collect information about your interactions with the Site, such as the links you click on.
- **ETag, or entity tag**. An Etag or entity tag is a feature of the cache in browsers. It is an opaque identifier assigned by a web server to a specific version of a resource found at a URL.
- **Browser Fingerprinting**. Collection and analysis of information from your Device, such as, without limitation, your operating system, plug-ins, system fonts and other data, for purposes of identification.
- **Recognition Technologies**. Technologies, including application of statistical probability to data sets, which attempt to recognize or make assumptions about users and devices (e.g., that a user of multiple devices is the same user).

We may use the following types of cookies:

- **Strictly necessary cookies**. These cookies are essential for you to browse the Sites and use its features, such as accessing secure areas of the site.

- **Functionality cookies**. Also known as “preference cookies,” these cookies allow the Sites to remember choices you have made in the past, like what language you prefer, or what your user name and password are so you can automatically log in.
- **Analytics cookies**. Also known as “performance cookies,” these cookies collect information about how you use a website, like which pages you visited and which links you clicked on. Their purpose is to improve website functions. This includes cookies from third-party analytics services if the cookies are for the exclusive use of the owner of the website visited.
- **Advertising cookies**. These cookies track your online activity to help advertisers deliver more relevant advertising or to limit how many times you see an ad. These cookies can share that information with other organizations or advertisers. These are persistent cookies and almost always of third-party provenance.

6. Why We Collect Information

We use the information we collect about you in a variety of ways, including the following:

To Provide Our Services

We process certain Personal Information when you access or use our services, including to:

- process your purchases of, or requests for, products and services;
- create and verify App User accounts;
- facilitate the functionality of our Site and App, including payment-related functionality; and
- customize experiences and personalization when you are on our Site or using our App.

For Transactional Communications

We process certain information to communicate with you in relation to your accounts, our Services, and your requests, as follows:

App Users

- To authenticate and start your account;
- To respond to your customer service inquiries and requests for information; and
- To provide important product safety information.

Visitors

- To let you know you’ve joined the wait list or are being taken off the wait list and being given access to the App.

For Marketing Communications

We may use Personal Information for our marketing and advertising purposes, including by email, display media, and targeting other devices.

Visitors

- implement your communications preferences, such as sharing information with our business partners so that they may email you about their promotions, products and initiatives;
- inform you about Services we believe might be of interest to you;
- develop promotional or marketing materials;

For Improvement of Our Site, App or Services

We want to ensure that our Site, App, and Services are continually improving and expanding so that we meet and exceed your needs and expectations. To do so, we may process certain Personal Information, including to:

- maintain, improve, and analyze our Site, App or Services; and
- detect, prevent, or investigate suspicious activity or fraud.

To Comply with Applicable Laws

We may be required to process certain Personal Information under certain laws and regulations, such as tax laws, as well as to:

- maintain appropriate records for internal administrative purposes; and
- comply with applicable legal and regulatory obligations, and respond to lawful governmental requests, as needed.

To Enforce our Terms, Agreements, or Policies

To maintain a safe, secure, and trusted environment for you when you use our Site, App, and Services, we use your Personal Information to ensure our terms, policies, and agreements with you and any third parties are enforced.

With Your Consent

We process certain Personal Information to fulfill any other business or commercial purposes at your direction or with your consent.

7. When We Disclose Information

To the extent permitted by law, certain Personal Information about you may be disclosed in the following situations:

- **Service providers.** To provide information to our affiliates and nonaffiliated third parties who perform services or functions for us in conjunction with our services to you, but only if we have a contractual agreement with the other party which prohibits them from disclosing or using the information other than for the purposes for which it was disclosed. Examples of such disclosures include using a wait list vendor and email marketing partner.
- **Legal process.** To comply with a validly issued and enforceable subpoena or summons; as a part of any actual or threatened legal proceedings or alternative dispute resolution proceedings either initiated by or against us, provided we disclose only the information necessary to file, pursue, or defend against the lawsuit and take reasonable precautions to ensure that the information disclosed does not become a matter of public record.
- **Business transactions.** In conjunction with a prospective purchase, sale, or merger of all or part of our practice, if we take appropriate precautions (for example, through a written confidentiality agreement) so the prospective purchaser or merger partner does not disclose information obtained in the course of the review.

Finally, we may aggregate, de-identify, and/or anonymize any information collected through the Site, App or Services such that such information is no longer linked to your personally identifiable information. We may use and share this aggregated and anonymized information (non-Personal Information) for any purpose, including without limitation, for research and marketing purposes, and may also share such data with our affiliates and third parties, including advertisers, promotional partners and others.

8. Ads and Information About You

You may see certain ads from our Site because we participate in advertising networks administered by third parties. These networks track your online activities over time and across third party websites and online services by collecting information through automated means, including through the use of the Tracking Technologies described above, and they use this information to show you advertisements that are tailored to your individual interests. The information they collect includes information about your visits to our Site, such as the pages you have viewed. This collection and ad targeting takes place on our Site and on third-party websites that participate in the ad network. This process also helps us track the effectiveness of our communications and marketing efforts.

9. Retention of Personal Information

Sunbird holds the App Users' Sunbird account email only for as long as you are active. If not active, this account email is deleted / purged after two weeks.

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

All information you provide to us is stored on our secure servers or those of our third-party data storage providers.

We utilize the following criteria to determine the length of time for which we retain Personal Information:

- How long we have had a relationship with you or provided our Services to you
- The business purposes for which the information is used, and the length of time for which the information is required to achieve those purposes;
- Whether we are required to retain the information, or the information is otherwise necessary, in order to: comply with legal obligations or contractual commitments: defend against potential legal claims: detect or prevent potential illegal activity or actions in violation of our policies and procedures; secure our systems and online environment; or protect health and safety;
- The privacy impact on individuals of ongoing retention; and
- The manner in which information is maintained and flows through our systems, and how best to manage the lifecycle of information in light of the volume and complexity of the systems in our infrastructure.

10. Your Choices About the Information We Collect

Communications Preferences

We prefer to keep your Personal Information accurate and up to date. If you would like to change your contact information, please contact us using the information in the Contact Us section below. We will make good faith efforts to make requested changes in our then active databases as soon as reasonably practicable (but we may retain prior information as business records).

You can opt out of receiving marketing emails messages from us at any time. You will still receive transactional messages from us. To manage your email preferences with us, please click on the Unsubscribe link in any email you receive from us or contact us using the information in the Contact Us

section below. Your choice will not affect our ability to share information in the other ways described in this Policy.

Controlling Your Cookies

You can opt-out of cookies by enabling an opt-out preference signal on your browser or opting-out of cookies in our Sites' cookie preference centers.

On most web browsers, you will find a "help" section on the toolbar. Please refer to this section for information on how to receive a notification when you are receiving a new cookie and how to turn cookies off. Please see the links below to learn how to modify your web browser's settings on the most popular browsers:

- Apple Safari
- Google Chrome
- Microsoft Edge
- Mozilla Firefox

Note that if you turn cookies off, you may be unable to access certain parts or benefit from the full functionality of the Sites or App. To learn more about cookies and similar technologies or to opt-out of targeted advertising cookies, visit resources from the Digital Advertising Alliance ("**DAA**") or the Network Advertising Initiative ("**NAI**"). We do not control these opt-out links or whether any organization chooses to participate in these opt-out programs.

Please note that even if you exercise the opt-out choices above, you may continue to receive advertisements, for example, ads based on the website you are viewing (e.g., contextually based ads), or ads that are not targeted at you and may be less relevant. Also, if your browser (like some Safari browsers) is configured to reject opt-out cookies when you opt out on the DAA or NAI websites, your opt-out may not be effective.

Do Not Track

Do Not Track ("**DNT**") is a web browser setting that requests that a web application disable its tracking of an individual user. When you choose to turn on the DNT setting in your browser, your browser sends a special signal to websites, analytics companies, ad networks, plug in providers, and other web services you encounter while browsing to stop tracking your activity. Various third parties are developing or have developed signals or other mechanisms for the expression of consumer choice regarding the collection of information about an individual consumer's online activities over time and across third-party websites or online services (*e.g.*, browser do not track signals), but there is no universally agreed upon standard for what an organization should do when it detects a DNT signal. Currently, we do not monitor or take any action with respect to these signals or other mechanisms. You can learn more about Do Not Track here.

11.Children's Privacy

Our Site or App are not intended for use by children under the age of 13. We do not request, or knowingly collect, any personally identifiable information from children under the age of 13. If you are the parent or guardian of a child under 13 who you believe has provided her or his information to us, please contact us using the information in the Contact Us section below to request the deletion of that information.

12.Visitors to the Site Outside of the United States

If you are visiting the Site or App from a location outside of the U.S., your connection will be through and to servers located in the U.S. All information you receive from the Site or App will be created on servers located in the U.S., and all information you provide will be maintained on web servers and systems located within the U.S. The data protection laws in the United States may differ from those of the country in which you are located, and your information may be subject to access requests from governments, courts, or law enforcement in the United States according to laws of the United States. By using the Site or App or providing us with any information, you consent to the transfer to, and processing, usage, sharing and storage of your information in the United States and in other countries, as set forth in this Policy.

13.Links

For your convenience, the Site or App and this Policy may contain links to other websites. Sunbird is not responsible for the privacy practices, advertising, products, services, or the content of such other websites. None of the links on the Site or App should be deemed to imply that Sunbird endorses or has any affiliation with the links.

14.Security

We incorporate commercially reasonable safeguards to help protect and secure your Personal Information. In addition to its partnership with cybersecurity experts, Sunbird is also working towards ISO 27001/27701 certifications. ISO 27701 is an international standard that outlines best practices for privacy management. It provides a framework for organizations to implement privacy controls and manage privacy risks.

However, no data transmission over the Internet, mobile networks, wireless transmission, or electronic storage of information can be guaranteed 100% secure. As a result, we cannot guarantee or warrant the security of any information you transmit to or from the Site or App, and you provide us with your information at your own risk.

15.Third Party Marketing

California Civil Code Section 1798.83 permits our users who are California residents to request and obtain from us a list of what Personal Information (if any) we disclosed to third parties for their own direct marketing purposes in the preceding calendar year and the names and addresses of those third parties. We do not currently disclose Personal Information protected under this section to third parties for their own direct marketing purposes.

16.Your Rights Under the General Data Protection Regulation

This section of the Policy applies if you are a data subject who resides or is located in the European Economic Area ("**EEA**"). We adopt this section to comply with European privacy laws, including the General Data Protection Regulation ("**GDPR**"). Any terms defined in the GDPR have the same meaning when used in this section.

Under applicable law, we are considered the "data controller" of the Personal Information we handle under this Policy. In other words, we are responsible for deciding how to collect, use and disclose this information, subject to applicable law.

We want to ensure that the Personal Information we possess is always accurate and therefore we encourage you to update your information in case any changes have occurred. We have listed below the

rights that you may be able to exercise in respect of the processing of your Personal Information, subject to applicable law. We take reasonable steps to ensure that the Personal Information that we process is limited to the Personal Information that are required in connection with the purposes set out in this Policy.

If you are a resident of or located within the EEA, you have certain data protection rights. These rights include:

- The right to access, update or delete the information we have collected from 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 Information.
- 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 we relied on your consent to process your Personal Information.

Legal Basis for Processing Personal Information

We rely on the following legal bases for processing your Personal Information:

- **Contract:** To conclude or perform a contract with you; for example:
    - To provide other Services;
    - To manage our accounts and records;
    - To handle your inquiries and requests;
- **Legitimate Interests:** When we process your Personal Information for our legitimate interests, we make sure to consider and balance any potential impact on you and your rights under data protection laws. Our legitimate business interests do not automatically override your interests – we will not use your Personal Information for activities where our interests are overridden by the impact on you unless we have your consent or those activities are otherwise required or permitted to by law. You have the right to object to processing that is based on our legitimate interests, as further described below. Examples of legitimate interests include:
    - To respond to your customer service inquiries and requests for information;
    - To maintain, improve, and analyze our Site, App, ads, and Services we offer;
    - To conduct marketing activities;
    - To detect, prevent, or investigate security breaches or fraud; and
    - To facilitate the functionality of our Site and App;
- **Legal Compliance:** To comply with our legal obligations; for example:
    - To maintain appropriate records for internal administrative purposes and as required by applicable law, and
    - To provide important product safety information.
- **Consent:** We will send you information by email on our Services or other promotions only with your consent or if you otherwise opt-in to receiving those communications. If you do not provide us with your consent to the processing of your Personal Information for this purpose, we will not send you this information. You have the right to withdraw your consent at any time as described below.

How to Exercise Your Rights Under the GDPR

If applicable, you may exercise any of your rights under the GDPR by submitting a verifiable data subject request to us by using the contact details below. You may make a request related to your Personal Information or on behalf of someone for which you have authorization. You must include your full name, email address, and attest to the fact that you are a citizen or resident of the EEA by including your country of citizenship or residence in your request. We may require you to confirm your identity and/or legal standing for the request as well as your residency in the EEA to obtain the information. We will respond to your request within 30 days or let you know if we need additional time.

Please note that we will ask you to verify your identity before responding to such requests, and we may deny your request if we are unable to verify your identity or authority to make the request.

Should you wish to raise a concern about our use of your data (and without prejudice to any other rights you may have), you have the right to do so with your local supervisory authority; however, we hope that we can assist with any queries or concerns you may have about our use of your Personal Information first by contacting us using the information in the Contact Us section below.

17.Your Rights Under the UK GDPR

If you are based in the United Kingdom, the following provisions also apply:

If we share your personal data within Sunbird or with third parties located outside the United Kingdom, we take steps to ensure that appropriate safeguards are in place to guarantee the continued protection of your personal data, such as by entering into the international data transfer addendum to the European Commission's Standard Contractual Clauses, adopted by the UK Government under section 119A of the Data Protection Act 2018.

You have the same data subject rights as those for the EU listed above, except that references to the "GDPR" should be read as references to the "UK GDPR" and complaints should be filed with the UK supervisory authority, the Information Commissioner's Office.

18.Changes to This Privacy Policy

We may change this Privacy Policy at any time. We will post all changes to this Policy on this page and will indicate at the top of the page the modified policy's effective date. We therefore encourage you to refer to this page on an ongoing basis so that you are aware of our current privacy policy. If required by the applicable law, we will notify you of the changes.

By continuing to use the Site, App or Services or providing us with information following such a replacement Policy being uploaded, you agree that you will be bound by the Privacy Policy as changed.

19.Contact Us

If you have any questions or suggestions regarding this Policy, please contact us as follows:

Sunbird Messaging, Inc.

Email: hello@sunbirdapp.com

Contact number: 323-SUNBIRD