

Privacy Policy

I. INTRODUCTION. REGIONAL PATTERNS

InCardio (“we,” “us” or “our”) takes your privacy seriously. This Privacy policy (“Privacy policy”) explains our data protection policy and describes the types of information we may process when you install and/or use software application for mobile devices (the “App”, “our App”).

When we refer to personal data (or personal information) we mean any information of any kind relating to a natural person who can be identified, directly or indirectly, in particular by reference to such data.

It is a natural person who can be identified directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his or her physical, physiological, mental, economic, cultural or social status.

Our Privacy policy applies to all users, and others who access the App (“Users”).

For the purposes of the GDPR, we are the data controller, unless otherwise stated.

PLEASE READ THE FOLLOWING PRIVACY POLICY, FOR INFORMATION REGARDING THE WAYS YOUR PERSONAL INFORMATION MAY BE PROCESSED, CAREFULLY. WHEN YOU USE THE APP YOU ACKNOWLEDGE THAT YOU HAVE READ, UNDERSTOOD, AND AGREE TO BE BOUND BY THESE TERMS.

- the categories of personal information that is processed; the categories of sources from which personal information is obtained; the purpose for processing of user personal data; the categories of third parties with whom we may share your personal information; the specific pieces of personal information that we might have obtained about a particular user provided that the data given in the request is reliable enough and allows to identify the user.

Please use the navigation links through this Privacy Policy:

PERSONAL INFORMATION

All about the categories of information, its sources and purposes of processing

Please mind that according to CCPA personal information does not include de-identified or aggregated consumer information.

SHARING

How your information can be shared.

Please note that all third parties that are engaged in processing user data are service providers that use such information on the basis of agreement and pursuant to business purpose.

OPT-OUT OPTIONS

If you don't want us to share device identifiers and geolocation data with service providers please check your device settings to opt out as described below.

REQUESTS

When submitting a verifiable request, you should be ready to:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative, which may include: name, address, city, state, and zip code and email address. We may use this information to surface a series of security questions to verify your identity. If you are making a request through an authorized agent acting on your behalf, such authorized agent must provide written authorization confirming or a power of attorney, signed by you.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We will not be able to respond to your request or provide you with personal information if we cannot:

(i) verify your identity or authority to make the request; or (ii) confirm that the personal information

relates to you. We may ask you for additional information or documents to verify your identity. We may also carry out checks, including with third party identity verification services, to verify your identity before taking any action with your personal information. This is regarded as a safeguard measure to prevent disclosure of your personal information under a fake or scam request.

We ensure that personal information provided in a verifiable consumer request will be used only to verify the requestor's identity or authority to make the request and not for any other purpose. We will keep it for the adequate term reasonably needed for the purpose described above and delete after the purpose is fulfilled.

We try to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time, we will inform you of the reason and extension period in writing. Please note that we are only required to respond to two requests per customer each year.

EQUAL RIGHTS

Nothing in the way we deal with your request shall be interpreted as discrimination, which means that we will not set up different pricing or products, or different level or quality of services for you, if you choose to exercise your rights. However, in some circumstances, we may not be able to provide services if you choose to delete your personal information from our records.

SALE OF DATA

We do not sell any of your personal data to third parties.

II. INFORMATION WE PROCESS

There are several categories of information that can be processed.

Information that you submit, functional information

We may process the following information about you when you use the App. This information is necessary for the adequate performance of the contract between you and us. Without such information it is impossible to provide complete functionality of the App and perform the requested services. What data can be processed (depending on the App's functionality):

- **Personal Information** (gender, date of birth, weight records, heart rate, duration of activity, body state "active/ rest", percentage of fat, height, etc.) which you may fill in when you choose tracking physical parameters for your convenience.
- **Contact Information** (name, e-mail address, as well as any other content included in the email) which you may fill in by yourself when you contact us via email, support form. We collect, store and process it by our cloud storage provider (Amazon.com, Inc.). We use such information to respond effectively to your inquiry, fulfill your requests, and send you communications that you request and perform the requested services.
- **Payment Information.** You may be required to enter your email address if you choose to purchase the subscription via App's web page. Additionally, if you have purchased the subscription on App's web page and you want to cancel it via our support chat within the App

Personal Information is stored locally on your device and cannot be not transferred to our server storage. This information is never shared with third parties, unless you share it by yourself. You can remove or alter your Personal Information at any time. This information will be fully erased from your device when you choose to uninstall the App.

The App may allow you to add notes when you choose a tag for your heart rate measurement. Please mind that this section is designed for accumulating data relating to your experience when you use the App. Do not enter any personally identifiable information in the field "Notes".

App functionality also allows you to take tests that may concern your health conditions. Note that we neither store nor share your test answers/test results with third parties.

- **Activity Information** directly related to your use of the App. We may have technical access to your camera roll required as a light sensor in order to estimate your heart rate. During a measurement, images from the camera feed are processed locally on your device and deleted immediately afterwards. However, we cannot collect, store or use the data contained in your camera roll.

Your heart rate measurement using the App may estimate a variety of metrics such as your heart rate, pulse waveform, endurance score. If you choose to save your measurement, this information will be stored locally on your device. The App also will save the timestamp of the measurement in order to help you keep a record. You can always decline to save a measurement, or delete a previously saved measurement through the App.

Information That Is Processed Automatically

When you use the App, some information about your device and your user behavior may be processed automatically. This information is generally non-personal, i.e. it does not, on its own, permit direct association with any specific individual, and we may access it only in aggregated form. We process this information on the ground of our **legitimate interest** in improving our App and giving our users the best experience. If we do not access such data we may not be able to provide you with all the features of the App.

We use third-party automatic data processing technologies to analyze certain information sent by your device via our App (advertising or analytics tools). Some of them launch automated processing of your personal data, including profiling, which means any form of automated processing of personal data used to evaluate certain personal aspects relating to you, in particular to analyze or predict aspects concerning your personal preferences, interests, behavior, location or movements (see the list of data described below). Processing information through automatic data processing technologies starts automatically when you first launch the App.

- **Device Details.** When you use a mobile device (tablet / phone / smartwatch) to access our App, some of the details about your device are reported, including “device identifiers”. Device identifiers are small data files or similar data structures stored on or associated with your mobile device, which uniquely identify your mobile device (but not your personality). Device identifier enables generalized reporting or personalized content and ads by the third parties.

What data can be processed:

- Information about the device itself: type of your device, type of operating system and its version, model and manufacturer, screen size, screen density, orientation, audio volume and battery, device memory usage.
- Information about the internet connection: mobile carrier, network provider, network type, IP address, timestamp and duration of sessions, speed, browser.
- Location-related information: IP address, the country code/ region/ state/ city associated with your SIM card or your device, language setting, time zone, neighboring commercial points of interest (eg. “coffee shop”).
- Device identifiers: Identity For Advertisers for iOS devices/ Advertising ID or player identifiers (if they are set up by the App’s developer).
- **Information about the applications.** Name, API key (identifier for application), version, properties of our App can be reported for automated processing and analysis. Some services also record the list of applications and/or processes which are installed or run on your device.
- **Cookies and similar technologies.** When you use the App, cookies and similar technologies may be used (pixels, web beacons, scripts). A cookie is a text file containing small amounts of information which is downloaded to your device when you access the App. The text file is then sent back to the server each time you use the App. This enables us to operate the App more effectively. For example, we will know how many users access a specific areas or features within our App and which links or ads they clicked on. We use this aggregated information to understand and optimize how our App is used, improve our marketing efforts, and provide content and features that are of interest to you. We may ask advertisers or other partners to serve ads or services to the App, which may use cookies or similar technologies.
- **Log file information.** Log file information is automatically reported each time you make a request to access the App. It can also be provided when the App is installed on your device. When you use our App, analytics tools automatically record certain log file information,

including time and date when you start and stop using the App, and how you interact with the App.

- **Ad-related information.** The following data might be reported about the ads you can view: the date and time a particular ad is served; a record if that ad was “clicked” or if it was shown as a “conversion” event; what the ad offer is about; what type of ad it is (e.g., text, image, or video); which ad placement is involved (where the ad offer is displayed within the App); whether you respond to the ad.
- **In-game events.** When you use our App, analytics tools automatically record in-game information (tutorial steps, leveling up, payments, in-app purchases, custom events, progression events, method of limiting the processing of user data).

Information provided automatically to advertising or analytics tools does not generally come to our control, therefore we cannot be responsible for processing such information. Please mind that some services are engaged in personal data profiling and may obtain information related to your personality and/or your device by using technologies that do not belong to our scope of responsibility. In case when your user ID is linked to your Facebook account, Facebook may use your device information in association with categorized data that were already recorded in its databases (eg. your age, gender or other demographic indication). We do not control, supervise or stand surety for how the third parties process your personal data, that might be collected by their own means (not through our App). Any information request regarding the disclosure of your personal information should be directed to such third parties (see Section IV).

Payment Information

Our e-commerce provider (Apple) is responsible for billing, processing and charging for your purchases, handles your personal information and keeps it absolutely safe and secure. We cannot access or use your credit or debit card information. You may access the applicable “in-app” purchase rules and policies directly from the app stores.

III. THE PURPOSES OF PROCESSING YOUR PERSONAL DATA

Our mission is to constantly improve our App and provide you with new experiences. As part of this mission, we use your information for the following purposes:

- (a) **To make our service available.** We use information that you submit, functional information and information that is processed automatically to provide you with all requested services. We may process some of your payment information if you want to cancel your subscription purchased on App’s web page.
- (b) **To improve, test and monitor the effectiveness of our App.** We use information that is processed automatically to better understand user behavior and trends, detect potential outages and technical issues, to operate, protect, improve, and optimize our App.
- (c) **To provide you with interest-based (behavioral) advertising or other targeted content.** We may use information that is processed automatically for marketing purposes (to show ads that may be of interest to you based on your preferences). We provide personalized content and information to you, which can include online ads or other forms of marketing.
- (d) **To communicate with you.** We use the contact information we have to communicate with you through newsletters, i.e. to send you marketing notifications, receive your feedback about our App experience, and let you know about our policies and terms. We also use your information to respond to you when you contact us.
- (e) **To prevent fraud and spam, to enforce the law.** We really want our App to be free of spam and fraudulent content so that you feel safe and free. We may use your information to prevent, detect, and investigate fraud, security breaches, potentially prohibited or illegal activities, protect our trademarks and enforce our Terms of Use.

If any new purposes for processing your personal data arise we will let you know we start to process information on that other purpose by introducing the corresponding changes to this Privacy policy.

IV. SHARING OF YOUR INFORMATION

We will share your information with third parties only in the ways that are described in this Privacy policy. We adhere to the U.S. Digital Advertising Alliance's Self-Regulatory Principles for the Mobile Environment.

Please note that while integrating external services we choose third parties that can assure they apply all necessary technical and organizational measures to protect user personal data. However, we cannot guarantee the security of any information transmitted from us to any such third party. We are not responsible for any accidental loss or unauthorized access to your personal data through a fault of third parties.

We will not rent or sell your personal data to any third parties, but we may share your information from tools like cookies, log files, and device identifiers and location data, with third-party organizations that provide automatic data processing technologies for the App. We do not control or influence these third parties' tracking technologies or how they may be used.

We may engage the following third-party service providers in order to provide us with necessary infrastructure for delivery and improvement of our services:

In case you want to learn more about the services and privacy options (including opt-out) please consult the correspondent websites and privacy policies.

Our App may contain links to third-party websites/services or you may access the App from a third-party site. We are not responsible for the privacy practices of these third-party sites or services linked to or from our App, including the information or content contained within them.

We may disclose your personal information if it is needed for objective reasons, due to the public interest or in other unforeseen circumstances:

- as required by law;
- when we believe, in good faith, that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request;
- if we are involved in a merger, acquisition, or sale of all or a portion of our assets, you will be notified via prominent notice in our App of any change in ownership or your personal information usage, as well as any choices you may have regarding your personal information.

V. INTERNATIONAL DATA TRANSFERS

We work in the cross-border area and provide our App to our Users around the world.

We and third-party organizations that provide automatic data processing technologies for the App or our third-party advertising partners may transfer the automatically processed information across borders and from your country or jurisdiction to other countries or jurisdictions around the world.

If you are located in the European Union or other regions with laws governing data processing that may differ from U.S. law, please note that we may transfer information, including personal information, to a country and jurisdiction that does not have the same data protection laws as in your jurisdiction. This means that your personal information can be transferred to a third country, a territory or one or more specified sectors within that third country, or to the international organization where data protection and confidentiality regulations may not provide the same level of protection of a personal data as your country does.

We try to make sure that the recipient of any personal data provides a proper protection of the personal data received, in accordance with the current legislation on the protection of such information. By using the App, you agree that we may transfer your personal data to any third country, a territory or one or more specified sectors within that third country, or to the international organization.

For the purposes of data storage, we recourse to the services of the hosting organizations. We take your privacy seriously and, therefore, encrypt your personal data - if possible - before sending it to the hosting organizations for the purposes of its storage. Please note that we cooperate only with those hosting organizations that have passed our security and reliability check.

VI. HOW LONG WE USE YOUR PERSONAL DATA

We generally retain your personal information for as long as is necessary for performing the functional service of the App and to comply with our legal obligations. If you no longer want us to use your

information that we physically access and store, you can request that we erase your personal information and close your account.

However, some data may still be stored for a certain time period (but no longer than the storage purpose requires) if information is necessary to comply with legal obligation (taxation, accounting, audit) or in order to maintain safety and data backup settings, prevent fraud or other malicious acts.

VII. EXERCISING YOUR RIGHTS

Applicable data protection laws give you certain rights regarding your personal information. You have the following options in relation to your personal information that was collected:

- **Data Access and Portability.** You can request copies of your personal information.
- **Change or Correct Data.** Where you cannot update data by yourself through your account, you have the right to ask to correct change, update or rectify your data.
- **Data Retention and Deletion.** The user data is generally retained for as long as your user profile is in existence or as it is needed to provide the relevant services. However, specific retention times can vary based on context of the processing performed. You have the right to ask to delete all or some of the personal data that is held about you.
- **Restriction of Processing.** Under certain circumstances, you may have the right to limit the ways in which your personal information is used.

When your personal information is processed automatically you may object to such processing in some circumstances. Where your personal information is processed for direct marketing purposes, you may ask to cease processing your data for these direct marketing purposes. In order to exercise your right please contact the third party services listed in the Section IV of this Privacy Policy to learn how you can object to processing your data. Most of them have clear instructions on their privacy pages, functional API or other options.

VIII. HOW TO OPT OUT

Opt-out of marketing tracking

If you don't want third-party service providers to use to personalize ads on the basis of your interests please follow the instructions below:

- Choose option "Limit Ad Tracking" on your iOS device in Settings/ Privacy/ Advertising, please find additional information here: <https://support.apple.com/en-us/HT202074>;
- Choose option "Opt out of Ad Personalization" on your Android device in Settings/ Google/ Ads.

Please mind when you opt out of certain interest based advertising, you may still continue to receive contextual ads based on other non-personal information, such as ads related to the content of other digital products you are using.

Opt-out of Location Data Processing

If you don't want third-party service providers to use your precise location data, or street-level location information about you please follow the instructions below:

- iOS 11 or later: turn Location Services off for the applicable Product via the menu "Settings > Privacy > Location Services". Then select the applicable App and set the "Share My Location" status to "Never". Please see additional information here: <https://support.apple.com/en-us/HT203033>.
- Android 5.0 or later: turn Location off for the applicable Product via the menu "Settings > Apps > [applicable Product] > Permissions > Location". Then turn off the "Location" button.

IX. SECURITY

The security of your personal information is highly important to us. We follow generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it.

We take reasonable and appropriate measures to protect personal information from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in the processing and the nature of the personal information.

We implement appropriate technical and organizational measures, which are designed to implement data-protection principles, such as data minimization, in an effective manner and to integrate the necessary safeguards into the processing. We seek your personal data to be encrypted with proper and strong encryption algorithms, including hashing where possible.

Unfortunately, no method of transmission over the Internet, or method of electronic storage, is 100% secure. We do our best to protect your personal data, nevertheless, we cannot guarantee its absolute security. In the event that your personal information is compromised as a breach of security, we will promptly notify you in compliance with applicable law.

If you have any questions about the security of our App, you can contact us through the contact form displayed below.

X. CHILDREN'S PRIVACY

Our App is not intended for children under the age of 18. Therefore, we do not knowingly collect or solicit any personal information from children under 18. No one under age 18 may provide any personal information to the App. If you are under 18, do not use or provide any information on this App or through any of its features. Do not provide any information about yourself, including your email address. If we learn that we have collected personal information from a child under age 18 without verification of parental consent, we will erase that information as quickly as possible. If you believe that we might have any information from or about a child under 18, please contact us.

XI. CHANGES TO THE PRIVACY POLICY

This Privacy policy is updated regularly.

Whenever we change this Privacy policy, we will post those changes to this Privacy policy and other places that we consider appropriate. Additional forms of notice of modifications or updates as appropriate under the circumstances may be provided to you.

XII. HOW TO CONTACT US

If you have any questions about this Privacy Policy, please feel free to contact us via BandizelFedirov@gmail.com