

## GAPERGUIDE INC. – PRIVACY POLICY 2020

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Your privacy is important to us. This Policy is provided to explain how we collect, use, share and store your Personal Information.

### **Policy Overview**

Welcome to the GaperGuide Privacy Policy (the “Policy”). This Policy is incorporated in and forms a part of the GaperGuide Terms of Service (the “Agreement”) between GaperGuide Inc. (“GaperGuide”, “us”, “we” or “our”), the owner and operator of gaperguide.com (the “Site”) and the GaperGuide audio tours (“Tours”), and you (“you” or “your” or “user(s)”), a user of the Site and/or Tours (together, the “Services”). The Agreement can be found here for reference [gaperguide.com/terms-of-service/](http://gaperguide.com/terms-of-service/). The Agreement, which incorporates this Policy, governs your use of the Services. This Policy is subject to the terms and conditions of the Agreement, and in any conflict between the terms of this Policy and the terms of the Agreement, the Agreement shall govern.

PLEASE READ THIS POLICY CAREFULLY. THIS AGREEMENT CONSTITUTES A LEGALLY BINDING AGREEMENT BETWEEN YOU AND GAPERGUIDE, AND IS DEEMED ACCEPTED BY YOU EACH TIME THAT YOU USE, ACCESS OR DOWNLOAD ANY OF THE SERVICES. IF YOU DO NOT ACCEPT THIS AGREEMENT, DO NOT USE, ACCESS OR DOWNLOAD ANY OF THE SERVICES.

For the purposes of this Policy, “Personal Information” is information that, either alone or in combination with other information collected, identifies an individual. When we combine other information (i.e. information that does not, on its own, identify an individual) with Personal Information, we treat the combined information as Personal Information, as long as such combination persists. Personal Information does not include information that, though it was previously Personal Information, has been de-coupled from information that identifies an individual, or has been aggregated with others’ Personal Information in a way that eliminates identification of any particular individual.

### **Information Collection**

**General Use.** General use of the Services does not require you to disclose to GaperGuide any Personal Information. Any Personal Information collected through your download of the Tours is governed by the third-party marketplace from which you access and download such Services (such as the iTunes App Store, Google Play, or TravelStorysGPS).

**Communications.** You may wish from time to time to communicate with GaperGuide via email, through the Site, social media, or another form of correspondence (a “Communication”), which may include Communications connected to this Policy. In addition, you may wish from time to time to subscribe to a newsletter, respond to a survey, fill out a form or otherwise enter information on our Site or through a third-party service where such information is delivered to GaperGuide (each, also a “Communication”). You may be required to include Personal Information with your Communication, such as your name, email address, mailing address or phone number. Any information received by us through a Communication is governed by this Policy.

**Feedback.** Any suggestions or comments for improving or modifying the Services that are included in your Communication (“Feedback”) will be deemed to be non-confidential and non-proprietary, and you agree that: (a) GaperGuide is therefore not subject to any confidentiality obligations with respect to the

Feedback; (b) the Feedback is not confidential or proprietary information of any third-party, nor subject to United States export control laws, and you have all of the necessary rights to disclose the Feedback to us; (c) GaperGuide may irrevocably freely use, reproduce and publicize the Feedback; and (d) you are not, nor is any other party, entitled to receive any compensation or reimbursement of any kind from us in relation to the Feedback.

**Automatic Collection.** By using the Services, we may automatically collect information about how you use the Services, the specific areas of the Site that you visit, the times of those visits, and about your computer or mobile device, including without limitation, error and crash reports and your Internet protocol (IP) address, first use date, usage counter, device ID, physical location, browser and operating system type, resolution of your screen, language settings in your browser, and referring URLs, and other technical information. This information is necessary for providing personalized and location-based content as well as for analyzing web traffic, troubleshooting problems, preventing fraud, and improving the Services. All such information collected by us is governed by this Policy, but may not be Personal Information.

### **Information Use**

You hereby consent to our using your Personal Information provided to us:

- to deliver our Services to you;
- to improve our Services in order to better serve you;
- to appropriately respond to your Communication, if applicable;
- to contact you about feature updates and informational and service-related communications;
- in aggregate with others' Personal Information; and
- for internal statistical, marketing or operational purposes, including without limitation generating sales reports and measuring and understanding demographic, user interest, purchasing and other trends among our customers.

### **Information Disclosure**

**General Policy.** We will share your Personal Information with third parties only in the ways that are described in this Policy. We do not sell your Personal Information to third parties. In any event, any third-party that receives your Personal Information in accordance with this Policy will be required to follow the privacy practices set forth herein.

**Service Providers.** We may provide your Personal Information to third parties that provide services to help us with our business activities and the provision of the Services. For example, we may use third-party service providers to help us analyze usage of our Services, track the effectiveness of our marketing campaigns, collect and process error and crash reports, host web servers and store data. These third parties are authorized to use your Personal Information only as necessary to provide these services to us.

**Transfer.** We may also transfer Personal Information to an affiliate or a third-party in the event of a proposed reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of GaperGuide's business, assets or equity, including, without limitation, in connection with any bankruptcy or similar proceeding. In connection with same, your consent to this Privacy Policy is deemed transferable to the benefit of GaperGuide.

Legal Disclosure. GaperGuide may also disclose Personal Information about you to others as we believe to be necessary or appropriate: (a) under applicable law or regulation, including laws or regulations outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public authorities and law enforcement officials, including officials outside your country of residence; (d) to assist or support theft investigations involving our products or property; (e) to enforce the Agreement and this Policy; (f) to protect our operations or those of any of our affiliates; (g) to protect the rights, privacy, safety or property of GaperGuide, its affiliates, you and others; or (h) to permit us to pursue available remedies or limit the damages that we may sustain.

### **Information Security**

GaperGuide follows commercially reasonable and generally accepted industry standards to protect the Personal Information submitted to us, both during transmission and once we receive it. Because no method of transmission over the Internet, or method of electronic storage, is 100% secure, we do not guarantee the security of your Personal Information.

### **Third-party Policies**

The Services may contain links to third-party websites or applications that are not owned, maintained or operated by GaperGuide. Any such links are provided solely as a convenience to you and not as an endorsement by GaperGuide. GaperGuide is not responsible for the content of such linked third-party websites or applications and does not make any representations or warranties regarding the content or the privacy practices of such third parties. GaperGuide disclaims any liability associated with your access, to, use of, download of, or reliance on, such third-party websites or applications and their content. If you decide to access, use or download any such third-party websites or applications, you do so at your sole risk.

The Services may integrate software development kits, application programming interfaces and other third-party software, routines, protocols or tools which may collect and interact with Personal Information. While GaperGuide follows commercially reasonable and generally accepted industry standards when evaluating and integrating third-party components in the Services, we are not ultimately responsible for the practices of such third-party developers and providers.

### **Cookies**

We may use cookies, pixel tags, web beacons, or other similar tools on our Site or in our communications with you to help personalize and maximize your GaperGuide experience. We may also engage one or more third-party service providers to provide online advertisements on our behalf. They may use cookies, pixel tags, web beacons or other similar technology to collect information about your visits to the Site, and they may use that information to send you targeted advertisements.

If you do not wish to accept cookies, you have the option of blocking or disabling cookies. Your computer provides you with the ability to clear all cookies that have been stored onto your hard drive, should you wish to do so. However, please be aware that you may be unable to access certain parts of the Services if you block or disable our cookies.

For more information regarding this practice and to opt-out of such collection and use of this information by our third-party service providers, please see [Networkadvertising.org](http://Networkadvertising.org).

## **Email Marketing**

If you expressly opt-in, you may receive communications from GaperGuide about products and services that may be of interest to you. If you no longer wish to receive such communications, you may opt-out at any time by clicking “Unsubscribe” in any such communication or by contacting us at [info@gaperguide.com](mailto:info@gaperguide.com).

## **Children**

The Services are not intended for, nor does GaperGuide knowingly collect information from, children under the age of 14. If we learn that we have collected Personal Information from a child under 14, we will take steps to delete the information as soon as possible. If you are aware of a person under the age of 14 using the Services, please contact us at [info@gaperguide.com](mailto:info@gaperguide.com).

## **Withdrawal of Consent & Changes to Personal Information**

GaperGuide takes reasonable steps to help ensure that the Personal Information we collect from you is accurate, complete and current. You may request access to your Personal Information and request that erroneous or inaccurate Personal Information be updated. You may also request that your Personal Information be deleted. GaperGuide will respond to your requests in accordance with applicable law. For your protection, we may only implement requests with respect to the Personal Information associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We may decline to process requests that jeopardize the privacy of others, are commercially impractical, or would cause us to take any action that is not permissible under applicable laws. Additionally, as permitted by applicable laws, and as further set out below, we may need to retain certain Personal Information for a longer period of time.

You may withdraw your consent for our collection, use and disclosure of your Personal Information at any time. If you wish to withdraw your consent, please contact us at [info@gaperguide.com](mailto:info@gaperguide.com). This will affect your ability to use the Services. You may not use the Services if you have withdrawn consent, and if you continue to use the Services, your consent to this Policy is deemed renewed.

## **Data Retention**

We may indefinitely retain any information that is not Personal Information for the purposes of research and development and marketing.

In addition, we may continue to store your Personal Information (“Retention”), even after you have withdrawn your consent to this Policy: (a) if we reasonably believe such Retention is necessary to comply with our legal obligations, to prevent fraud or abuse, to resolve disputes, or to enforce this Policy or the Agreement; and (b) otherwise for a limited period to reasonably allow for the complete deletion of your Personal Information from our servers and backup systems.

## **Contact Us**

If you have any questions about GaperGuide’s privacy and data management policies, contact us at [info@gaperguide.com](mailto:info@gaperguide.com).