

## ***KingsChat Privacy Policy***

***[Last Updated: June 1, 2020]***

“**KingsChat**”, a messaging application which allows for one-on-one chat, group messaging, and multimedia sharing in real-time (hereinafter referred to as the “**Application**”) and the website, located at [www.joinkingschat.com](http://www.joinkingschat.com) (the “**Site**”), are a copyrighted product (i) of Kinging LLC, a United States limited liability company established and registered under the relevant laws of the state of Delaware (hereinafter referred to as the “**Company**”, “**we**”, “**us**”, or “**our**”), and (ii) operated by the Company. We are committed to protecting your privacy. This Privacy Policy describes how we collect, store, use and disclose Personal Information (defined below) from individuals who use the Application or the Site.

By accessing and using the Application or the Site, you acknowledge that you accept the practices and policies outlined in this Privacy Policy and you hereby consent that we will collect, store, use, and disclose your Personal Information in the following ways.

We reserve the right, in its sole discretion, to modify this Privacy Policy at any time by posting a notice inside the Application or on the Site. You shall be responsible for reviewing and becoming familiar with any such modifications. Your access and use of the Application or the Site following such notification constitutes your acceptance of the practices of this Privacy Policy as modified.

### **1. Collection of Information**

"**Personal Information**" shall mean any personally identifiable information such as your name, telephone number or e-mail address and any other non-public information about you that is associated with or linked to any of the foregoing information.

We collect Personal Information from you when you use the Application or the Site in a manner as described below.

#### **1.1. Account.**

We will ask you to provide your full name, profile picture, and a phone number upon your registering for account associated with the Application or the Site (“**Account**”). After downloading the Application you will also be asked to verify your phone number in order to complete the process of creating the Account. We will send a verification code to your phone number. You will need to enter this verification code into the Application in order to complete the process of creating your account. We will retain your phone number in an encrypted format only.

## **1.2. Synced Contacts.**

The contacts of people (“**Friend(s)**”) in your mobile device’s phone book, who have accounts with the Company (associated with the Application or the Site), will be automatically added to your contact list within the Application. You may elect to remove any such friend by visiting the “**Block Contact**” feature that is under the Settings tab. This feature enables us to easily provide you with the access to your existing friends from your mobile device’s phone book.

## **1.3. Profile Picture.**

The Application includes a profile picture feature that allows you to add a picture to your profile in your Account. If you elect to use this feature, other users will be able to see your profile picture.

## **1.4. Messages.**

The Application may be used to send messages between users of the Application. If you send a message to one or more other user(s), we will retain the message, the sender and recipient data, and associate it with your phone number or account.

## **1.5. Picture, video, and data sharing.**

The Application may be used to send pictures, videos, audio files, and data on any user’s location (“**Media File(s)**”), between users of the Application. If you send any such Media File to one or more other user(s), we will retain such file or data on your behalf and disclose it to the intended recipient(s).

## **1.6. Groups.**

The Application allows you to send Media Files to more than one user at a time by sending any such Media File to a group of users (“**Group**”). You can create Groups by inviting other users or be invited to a Group. Once a user is added to a conversation/group, such user will receive all messages and Media Files sent by you as part of that conversation.

## **1.7. Third Party Applications.**

We may permit certain third-party applications to provide content through the Application (“**Third Party Application(s)**”). The Application may be used to send content provided by Third Party Application(s) between users who have the Third Party Application installed on their mobile devices. For example, if you have a Third Party Application installed, you may choose to share the Third Party Application’s content with another user.

When you elect to do so, the Third Party Application will have access to your name and the intended recipient’s name and will send a message to the intended recipient.

When the intended recipient receives the message, the recipient will be directed to the Third Party Application (if the recipient has the Third Party Application installed on his/her mobile device) or to the Third Party Application's download page (if the recipient does not have the Third Party Application installed on his/her mobile device).

If the recipient loads the Third-Party Application, the recipient will have access to your name and the Third-Party Application's content sent by you. For information on third party information collection policies and practices, you must contact such third parties.

### **1.8. Public Profile.**

The Application may display your full name, phone number, and profile picture associated with your Account. Your public profile will be shown to anyone who knows your phone number within the Application.

### **1.9. Other Information You Provide.**

We may also collect Personal Information from time to time through (i) other communications with you (ii) information downloads, (iii) product or service purchases, (iv) user support, (v) feedback, and (vi) surveys and forums. If you post any information to a public forum, you understand that other users will be able to see it.

### **1.10. Information Collected Via Technology.**

To make our Application and Site more useful to you, we may collect certain information about you and your mobile device via technologies (“**Technology Data**”). Like most companies, we may automatically gather the Technology Data and store it in log files each time you visit our Site or use the Application. Such Technology Data may include, but is not limited to, the type of device you have, your device ID and push tokens (if you have a device from Apple), a generated device ID internal to the Application (if you have a Android device), Internet Protocol (IP) address of the TCP connection for each authentication request, the date/time stamp for various Application activities, and other similar diagnostic logs.

We may also use Cookies (as defined below) and navigational data like Uniform Resource Locators (URL) to gather information regarding the date and time of your visit on the Site or of your use of the Application and the solutions and information which you searched and which you viewed.

“**Cookies**” are tiny text files which identify your mobile device or computer to our server as a unique user when you visit certain pages of the Application or the Site and they are stored by your Internet browser on your mobile device's or computer's hard drive. Cookies can be used to (i) recognize your

Internet Protocol (IP) address, and/or (ii) help you save you time (a) while you are visiting/using the Application or the Site, or (b) when you want to enter, the Application or the Site.

We only use cookies for your convenience in using the Application or the Site and not for obtaining or using any other information about you (for example targeted advertising).

Your browser can be set to not accept cookies, but if you elect to do so, some parts of the Application or the Site may not work properly on your mobile device.

## **2. Use of Information**

**2.1.** Generally, we collect, store, use and disclose information to enable us to (i) improve your experience when you use the Application and visit the Site, (ii) create/open your Account, (iii) identify you as a user, (iv) respond to your inquiries and emails, (v) improve the Application and the Site, (vi) send you administrative and service related communications, and (vi) send you newsletters, surveys, offers, and other promotional materials. Except as set out in this Privacy Policy, your Personal Information will not be used for any other purpose without informing you first by updating this Privacy Policy.

**2.2.** Except for the limited disclosures described in this Privacy Policy, we don't sell customer lists and we will endeavor to keep your Personal Information private.

**2.3.** Anonymous aggregate statistics that do not personally identify a user will be kept and used by us for various purposes including analysis and reporting of usage patterns. We reserve the right to use and disclose anonymous aggregate statistics for any purpose and to any third party in its sole discretion.

## **3. Disclosures & Transfers**

In addition to the disclosures described in Sections 2 and 3, we may additionally disclose your information as follows:

**3.1.** Our servers are located in the United States, and as such, your Personal Information may be available to the U.S. government or its agencies under a lawful order, irrespective of the safeguards we have put in place for the protection of your Personal Information.

**3.2.** From time to time we may employ third parties to help us provide or improve the Application and/or the Site. These third parties may have limited access to databases of the Application's and the Site's user information or registered member information solely for the

purpose of helping us provide or improve the Application and the Site and they will not be able to use the information about our registered users or visitors for any other purpose.

**3.3.** We may disclose Personal Information in some other limited circumstances, but we will specifically describe them to you by revising this Privacy Policy.

**3.4.** We may, and you hereby authorize us to, disclose your Personal Information (including messages) to a third party without your consent: (a) if we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other website users, or anyone else (including the rights or property of anyone else) that could be harmed by such activities, (b) in connection with any legal investigation, and/or (c) when we believe in good faith that such disclosure is required by and in accordance with the law or to respond to subpoenas or warrants served on the Company.

**3.5.** We may also disclose your Personal Information in connection with a corporate re-organization, a merger or acquisition with another entity, or a sale of all or a substantial portion of our assets or stock provided that the information disclosed continues to be used for the purposes as permitted by this Privacy Policy by the entity acquiring the information. Although we currently do not have a parent company, any subsidiaries, joint ventures, or other companies under a common control (collectively, “Affiliates”), we may in the future. We may share some or all of your Personal Information with these Affiliates, in which case we will require our Affiliates to comply with this Privacy Policy.

#### **4. Security**

**4.1.** The security of your Personal Information is important to us. We use commercially reasonable efforts to store and maintain your Personal Information in a secure environment and have implemented commercially reasonable procedures designed to limit unauthorized access, use or disclosure of your Personal Information. Despite these measures, you should know that we cannot fully eliminate security risks associated with Personal Information.

**4.2.** You are also responsible for helping us protect the security of your Personal Information. For instance, never give out your password, and remember to log out of your Account when you are finished using the Application.

#### **5. Children.**

We do not knowingly collect or solicit personal information from anyone under the age of 13 or knowingly allow such persons to open an account associated with the Application and/or

the Site. If you are under 13, please do not attempt to open any such account or to send any information about yourself to us. No one under the age of 13 may provide any personal information to the Company, on the Site or via the Application. In the event that we learn that we have collected personal information from a child under the age of 13 without any prior parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about a child under the age of 13, please contact us at [support@joinkingschat.com](mailto:support@joinkingschat.com).

## **6. Your Rights and Choices.**

You have choices regarding our use and disclosure of your Personal Information:

**a. Opting out of receiving electronic communications from us.** If you no longer want to receive marketing-related emails from us, you may opt-out via the unsubscribe link included in such emails. We will try to comply with your request(s) as soon as reasonably practicable. Please note that if you opt-out of receiving marketing-related emails from us, we may still send you important administrative messages that we are required to provide you in connection with your Account, or your use of the Application.

**b. How you can see or change your Account Personal Information.** If You would like to review, correct, or update Personal Information that You have previously disclosed to us, You may do so by contacting us.

**c. Your data protection rights.** Depending on your location and subject to applicable law, you may have the following rights with regard to the Personal Information we control about you:

- The right to request confirmation of whether KingsChat processes Personal Information relating to you, and if so, to request a copy of that Personal Information;
- The right to request that KingsChat rectifies or updates your Personal Information that is inaccurate, incomplete or outdated;
- The right to request that KingsChat erase your Personal Information in certain circumstances provided by law;
- The right to request that KingsChat restrict the use of your Personal Information in certain circumstances, such as while KingsChat considers another request that you have submitted (including a request that KingsChat make an update to your Personal Information); and

- The right to request that we export to another company, where technically feasible, your Personal Information that we hold in order to provide services to you.

Where the processing of your Personal Information is based on your previously given consent, you have the right to withdraw your consent at any time. You may also have the right to object to the processing of your Personal Information on grounds relating to your particular situation.

**d. Process for exercising data protection rights.** In order to exercise your data protection rights, you may contact KingsChat as described in the Contact Us section below. We take each request seriously. We will comply with your request to the extent required by applicable law. We will not be able to respond to a request if we no longer hold your Personal Information. If you feel that you have not received a satisfactory response from us, you may consult with the data protection authority in your country.

For your protection, we may need to verify your identity before responding to your request, such as verifying that the email address from which you send the request matches your email address that we have on file. If we no longer need to process Personal Information about you in order to maintain your Account, or for you to use the Application, we will not maintain, acquire or process additional information in order to identify you for the purpose of responding to your request.

## **7. Security and Retention.**

We make reasonable efforts to ensure a level of security appropriate to the risk associated with the processing of Personal Information. We maintain organizational, technical and administrative measures designed to protect Personal Information within our organization against unauthorized access, destruction, loss, alteration or misuse. Your Personal Information is only accessible to a limited number of personnel who need access to the information to perform their duties. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of your Account has been compromised), please contact us immediately.

We retain your Personal Information as long as you maintain an Account, and/or you utilize the Application. We retain Personal Information after we cease providing services directly or indirectly to you, even if you close your Account, or delete the Application, to the extent necessary to comply with our legal and regulatory obligations, and for the purpose of fraud monitoring, detection and prevention. We also retain Personal Information to comply with our tax, accounting, and financial reporting obligations, where we are required to retain the data by our contractual commitments to our

financial partners, and where data retention is mandated by the payment methods that we support. Where we retain data, we do so in accordance with any limitation periods and records retention obligations that are imposed by applicable law.

## **8. International Data Transfers.**

We are a global business. Personal Information may be stored and processed in any country where we have operations or where we engage service providers. We may transfer Personal Information that we maintain about you to recipients in countries other than the country in which the Personal Information was originally collected, including to the United States. Those countries may have data protection rules that are different from those of your country. However, we will take measures to ensure that any such transfers comply with applicable data protection laws and that your Personal Information remains protected to the standards described in this Privacy Policy. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your Personal Information.

If you are located in the European Economic Area (“EEA”), the UK or Switzerland, we comply with applicable laws to provide an adequate level of data protection for the transfer of your Personal Information to the US. By submitting your Personal Information, you agree to the transfer, storing or processing of it outside of your jurisdiction.

## **9. Jurisdiction-specific Provisions.**

United States - California residents. This section provides additional details about the personal information we collect about California consumers as well as the rights of California consumers under the California Consumer Privacy Act (CCPA).

**a. How We Collect, Use, and Disclose your Personal Information.** The Personal Data We Collect section describes the personal information we may have collected over the last 12 months, including the categories of sources of that information. We collect this information for the purposes described in the How We Use Personal Data section. We share this information as described in the How We Disclose Personal Data section. KingsChat uses cookies, including advertising cookies, as described in our How We Use Cookies section.

**b. Your CCPA Rights and Choices.** As a California consumer and subject to certain limitations under the CCPA, you have choices regarding our use and disclosure of your personal information:

- Exercising the right to know. You may request, up to twice in a 12-month period, the following information about the personal information we have collected about you during the past 12 months:

- the categories and specific pieces of personal information we have collected about you;
  - the categories of sources from which we collected the personal information;
  - the business or commercial purpose for which we collected the personal information;
  - the categories of third parties with whom we shared the personal information; and
  - the categories of personal information about you that we disclosed for a business purpose, and the categories of third parties to whom we disclosed that information for a business purpose.
- Exercising the right to delete. You may request that we delete the personal information we have collected from you, subject to certain limitations under applicable law.
  - Exercising the right to opt-out from a sale. You may request to opt out of any “sale” of your personal information that may take place. We do not use, share, rent or sell the Personal Data of our Users’ Customers for interest-based advertising. We do not sell or rent the Personal Data of our Users, their Customers or our Site visitors.
  - Non-discrimination. The CCPA provides that you may not be discriminated against for exercising these rights.

To submit a request to exercise any of the rights described above, you may contact KingsChat using the details in the Contact Us section below. We may need to verify your identity before responding to your request, such as verifying that the email address from which you send the request matches your email address that we have on file. Authentication based on a government-issued and valid identification document may be required. If you are a Customer of a KingsChat User, please direct your requests directly to the KingsChat User with whom you shared your personal information

## **10. Contact Us**

Should you have any query in relation to this Privacy Policy or how we handle your personal information, please email us at [support@joinkingschat.com](mailto:support@joinkingschat.com).