

# iMagik, LLC. Privacy Policy

Protecting your privacy is our priority. iMagik, LLC is committed to respecting your privacy rights and adhering to all relevant laws and regulations concerning the collection and handling of your personal data through our app, iMagik, and its connected services.

"Personal information" is defined as any data that can be used to recognize you. This might encompass details about you as an individual (e.g., name, address, date of birth), details about your devices, transactional details, and data about your interactions with an app or digital service.

If our app provides links to other third-party platforms or services, be aware that they operate under their own privacy guidelines. Once you navigate to a third-party platform or service, you should familiarize yourself with their privacy practices. Our Privacy Policy does not govern your actions once you exit our app.

Effective date of this policy: October 8, 2023.

Updated last: October 8, 2023.

## Data We Gather

The data we accumulate can be grouped into two main categories: "actively provided" data and "passively gathered" data.

"Actively provided" data pertains to information you consciously submit to us while engaging with our app and its related services.

"Passively gathered" data pertains to information that your device automatically shares when you use our app and services.

## Log Details

As you connect to our servers through our app, standard data from your device might be automatically recorded. This can include your device's IP address, the type and version of your device, your actions within the app, timestamps, and other usage-related information.

If you encounter errors in the app, data about the error and the situation it occurred in is automatically recorded. This data may consist of specific details about your device, your actions leading up to the error, and other pertinent technical details. It's possible you won't be informed of these errors when they occur.

While this data might not directly identify you, when combined with other data, it could potentially recognize individuals.

## Personal Data Collection

We may request personal details, such as when you share content with us or reach out to us. This can include, but isn't limited to:

Name

Email

Social media accounts

### **Content Provided by Users**

We understand "user-provided content" as materials (text, photos, videos) willingly shared with us by users for display on our platform, website, or sharing on our social media accounts. All content shared by users is connected to the account or email used for submission.

Remember, content you offer for publishing will become public after its posting and any necessary review. Once public, third parties not governed by this policy might access this content.

### **Justified Reasons for Processing Your Personal Data**

We only gather and utilize your personal details when we have a valid justification. In these cases, we solely gather necessary information to deliver our services.

#### Information Collection and Purpose

Your personal details may be collected when you:

- Sign up for an account
- Engage in our contests, promotions, and surveys
- Access our content via mobile or web
- Reach out via email, social platforms, or similar technologies
- Mention us on social media platforms

Your data may be collected, held, and used for reasons like:

- Delivering core app and platform services
- Enabling app, platform, and associated social media channels usage
- Conducting contests and offering added advantages

Voluntarily provided and passively collected personal data might be merged with other general data or research data from reputable sources. For instance, if you permit us access to your social media, the collected data might be combined to enhance your experience of our services and app.

### **Protection of Your Personal Data**

iMagik, LLC takes the safeguarding of your personal data seriously. We deploy industry-standard measures to guard against unauthorized access, use, alteration, or disclosure of your personal information. While we are committed to ensuring the safety of your data, please be aware that no electronic transmission or storage method is entirely foolproof. Absolute data security cannot be guaranteed.

The responsibility for choosing passwords and safeguarding their robustness falls on you, the user. It is crucial that you ensure the security of your information within the confines of our services, which includes maintaining the confidentiality of passwords linked to your accounts and personal information.

## **Retention Duration of Your Personal Data**

We store your personal data for the duration necessary for its intended purpose as stated in this privacy policy. For instance, if you establish an account with us, we might retain your data for as long as your account is active. If a particular reason for retaining your data ceases to exist, we will either delete your data or anonymize it.

There may be instances where, for legal, accounting, or other reasons, we may need to retain your information longer, such as for historical research, public interest, or statistical purposes.

## **Privacy of Minors**

We do not design our services or products for children below 13 years of age, and we never knowingly gather personal data from children under this age.

## **Sharing of Personal Data with External Entities**

Your personal data might be shared with:

- Subsidiaries, affiliates, or parent companies of iMagik, LLC.
- Third-party service providers aiding us in providing our services, encompassing IT services, data storage, hosting providers, advertising agencies, analytics, maintenance providers, marketing agencies, professional consultants, payment gateways, and more.
- Our employees, related entities, or contractors.
- Potential or current business partners or agents.
- Organizers of any promotional events, contests, or sweepstakes we manage.
- Credit agencies, courts, or regulatory bodies in instances of non-payment for our products or services.
- Law enforcement, courts, and regulatory bodies as mandated by law, or to safeguard our legal rights.
- Third parties, including subcontractors, assisting us in marketing, service provision, or data collection.
- Any organization that acquires, or to whom we transfer, a significant portion of our assets and operations.

We presently collaborate with:

- Google Analytics
- MailChimp
- Google AdSense
- Stripe
- Google Payments
- Apple Pay

## **International Data Transfers**

The data we gather may be processed and stored in the United States, Ireland, or in any location where our affiliates, partners, or third-party providers have facilities. The countries we transfer your data to might have different data protection regulations. We ensure any data transfers adhere to the law and that transferred data remains protected as per this privacy policy.

## **Your Data Rights and Management**

By supplying your personal data to us, you acknowledge its use as described in this policy. You always have the choice not to provide personal information, although this might impact your ability to use our app or services. If we obtain your personal data from a third party, we will safeguard it as described here.

You have various rights including, but not limited to, access, correction, non-discrimination, data breach notification, and complaint handling. To exercise these rights, please contact us through the provided details.

## **Cookie Usage**

This privacy policy extends to the use of cookies between your device and our servers. Cookies are small data pieces that apps store on your device. They allow the app's servers to recognize your device during use. We employ cookies to offer core app functionalities, track app performance, personalize your app experience, and deliver ads. All cookie data communications between your device and our servers are securely encrypted.

For additional details, please review our Cookie Policy.

## **Business Transactions**

Should iMagik, LLC or its assets be taken over, or in the rare event that we cease operations or face bankruptcy, assets inclusive of your personal data would be among those handed over to any entities that purchase us. You recognize that such events might transpire and that any entities who obtain us may, in compliance with relevant law, persist in utilizing your personal details in line with this policy, which they are obliged to uphold as it stands as the foundation for any possession or usage rights we hold over such data.

## **External Links in Our App**

Our application might have links leading to third-party websites not managed by us. Kindly note, we don't have influence over these websites' content or their policies, and we cannot be held accountable or liable for their privacy measures.

## **Amendments to the Policy**

We might amend our privacy policy as needed to mirror changes in our operations, contemporary best practices, or changes in laws or regulations. Should we modify this privacy policy, the updates will be posted here and on our official website.

For significant amendments, or where mandated by the law, we will notify you (based on your chosen communication preferences) and all our subscribed users with fresh details and links to the modified or revised policy.

When required by the law, we will seek your consent or provide you the choice to either accept or reject, as relevant, any new applications of your personal data.

## **For Compliance with the Australian Privacy Act (AU)**

### **International Data Transfers**

Exclusively under Australian privacy regulations, you understand that certain third parties might not be governed by the Privacy Act and the Australian Privacy Principles within the Privacy Act. You agree that if a third party violates the Australian Privacy Principles, it won't be held accountable under the Privacy Act, and you cannot pursue recourse under said Act.

## **For Compliance with the General Data Protection Regulation (GDPR) (EU)**

### **Role of Data Controller/Data Processor**

GDPR differentiates between entities that manage personal data for their objectives ("data controllers") and those that handle data on behalf of others ("data processors"). iMagik, LLC, situated at the address given in our Contact section, acts as a Data Controller regarding the personal data you share with us.

### **Legal Grounds for Processing Your Data**

We will only collect and utilize your personal data when legally permitted. If we require your consent for processing, and you're below 16, we will request consent from your parent or legal guardian.

### **Reasons for our data collection and use include:**

- **Your Consent:** You grant us permission to collect and use your data for specific reasons. Consent withdrawal is possible at any time, but past uses of your information remain unaffected.
- **Contract or Transaction Performance:** Especially when you engage in a transaction or contract with us or while preparing to do so.
- **Our Legitimate Interests:** When we believe it's essential for our legitimate purposes, such as optimizing and offering our services. Our interests are inclusive of R&D, understanding our clientele, marketing, ensuring service efficiency, and safeguarding our rights.
- **Law Compliance:** Occasionally, we might be legally obligated to maintain or use your personal details.

For further questions or clarifications on our privacy policy, please reach out using the contact information provided in our Contact Us section.

## **Transfers Beyond the European Economic Area (EEA)**

iMagik, LLC ensures that all transfers of personal data from countries within the EEA to outside territories are secured with the necessary precautions. This can include mechanisms like standard protection clauses endorsed by the European Commission, the adoption of binding organizational regulations, or other legally recognized methods.

## Managing and Exercising Your Data Rights

- **Limitation:** Should you feel uncertain about the precision of your data, or if you think it's been processed unlawfully, or if you want us to retain your data purely for a legal claim, or if we are weighing your objection to processing based on legitimate interests, you can ask us to limit how we use your personal data.
- **Opposition to Processing:** If our processing relies on legitimate or public interests, you can oppose this. In response, we need to display strong and valid reasons for the processing that surpasses your rights and interests to continue with handling your data.
- **Data Transferability:** You might be entitled to ask for a replica of the data we have about you. Whenever feasible, we will give this in a CSV or another user-friendly machine-readable format. You might also want us to forward this data to another entity.
- **Eradication:** You can ask us to remove your personal data we possess anytime. We'll undertake practical measures to erase your data from our active databases. On requesting deletion, we'll inform you about the implications on your utilization of our software, online platforms, or services. Exceptions to this right might arise due to specific legal grounds, which we'll communicate if relevant to your request. Should you end or eradicate your account, your personal data will be removed within 14 days from account deletion. However, remember that some data might remain with third parties like search engines if it has been public even once.

## Do Not Track Notice

Some web browsers have a "Do Not Track" function, allowing users to notify platforms not to monitor their online activities. Currently, iMagik, LLC doesn't act on these signals. Our commitment is to the standards detailed in this policy, ensuring legal, transparent, fair, and justified collection and processing of data.

## Usage of Cookies and Pixels

You can reject our site's cookies if your browser allows. Many browsers enable users to decline all or specific cookies. To know more, check the Cookies part of our policy.

## CCPA-Allowed Financial Rewards

Aligned with your non-discrimination rights, we might present CCPA-allowed financial incentives which can result in varying quality, rates, or prices for our offerings. Any such incentive will relate rationally to your data's worth and will be accompanied by explicit written conditions. Opting into such a program requires your prior consent, which you can retract anytime.

## Contact Us

For any questions or concerns regarding your privacy, you may contact us using the following details:

customerSupport@imagik.ai