

DECART.AI PRIVACY POLICY
Last Updated: October 29, 2024

This privacy policy (“**Privacy Policy**”) governs how Decart.AI Inc. (“**Decart.ai**”, “**we**”, “**our**” or “**us**”) use, collect and store Personal Data we collect or receive from or about you (“**you**”) in connection with <https://decart-ai.webflow.io/> and <https://oasis.eu.decart.ai/> (the “**Websites**”) or Decart.ai mobile application and any other mobile software application, that we license (the “**App**”; collectively, the “**Platform**”), such as in the following use cases:

- (i) When you browse or visit our Website;
- (ii) When you make use of, or interact with, our Platform:
 - a. When you create an account and when you log in
 - b. When you contact us (e.g. customer support, need help, submit a request)
 - c. When you subscribe to our distribution list(s) / newsletter(s) / blog(s) / social community(s)
- (iii) When we process your Input (As defined in our Terms of Use) to create Outputs (As defined in our Terms of Use)
 - a. When you generate pictures
 - b. When you interact with our video model
- (iv) When you interact with us on our social media profiles

Please read this Privacy Policy carefully, so you can understand our practices and your rights in relation to personal data. “**Personal Data**” or “**Personal Information**” means any information that can be used, alone or together with other data, to uniquely identify any living human being and any information deemed as Personally Identifiable Information by privacy laws. Please note that this is a master privacy policy and some of its provisions only apply to individuals in certain jurisdictions. For example, the legal basis in the table below is only relevant to GDPR-protected. **Important note:** Nothing in this Privacy Policy is intended to limit in any way your statutory right, including your rights to a remedy or means of enforcement.

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This Privacy Policy can be updated from time to time and, therefore, we ask you to check back periodically for the latest version of this Privacy Policy. If we implement significant changes to the use of your Personal Data in a manner different from that stated at the time of collection, we will notify you by posting a notice on our Platform or by other means. The Platform is owned and operated by Decart Ai, Inc., which is the data controller.

1. WHAT INFORMATION WE COLLECT, WHY WE COLLECT IT, AND HOW IT IS USED

Specific Personal Data we collect	Why is Personal Data collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Data	Consequences of not providing the Personal Data
When you browse or visit our Website				
Cookies, analytic tools, and log files	<ul style="list-style-type: none"> • To review or improve the usage and operations of our Website • To analyze trends • To administer the Website • To track users’ movement around the Website • To determine the effectiveness of promotional campaigns • To improve the Platform and fixing 	Consent Legitimate Interest (e.g., essential cookies)	3 rd party platforms such as the Analytics Tools detailed in Section 8 below.	Certain non-essential Website features may not be available
When you make use of, or interact with, our Platform				
(a) When you create an account and when you log in				
<ul style="list-style-type: none"> • Full name • Age • Gender • Country • Email address • IP Adress • Password 	<ul style="list-style-type: none"> • To be able to create an account • To be able to log in • To be able to enjoy features available to registered users only 	Legitimate interest (e.g. to provide you with the Platform) Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.	3 rd party platforms such as for the following purposes: In the case that the Platform allows and/or requires signup and/or sign in via services using OAuth (or similar), then the 3 rd party providing the service (for example, Google) may also have access to the data. In the case that the Platform allows and/or requires email verification, then 3 rd party providers may be used in order to perform this verification.	Cannot create an account Cannot log in Cannot enjoy all the features of the Platform
(b) When you contact us (e.g. customer support, need help, submit a request)				

<ul style="list-style-type: none"> • Full name • Email address • Message • Username (on the social media platform from which you reached out to us) 	<ul style="list-style-type: none"> • To process and answer questions • To provide support (e.g., to solve problems, bugs or issues) 	<p>Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.</p> <p>Legitimate interest (e.g. respond to your request).</p>	<p>3rd party platforms such as “X” for answering your questions and providing support.</p>	<p>Cannot process and answer questions</p> <p>Cannot provide support (e.g., to solve problems, bugs or issues)</p>
(c) When you subscribe to our distribution list(s) / newsletter(s) / blog(s) / social community(s)				
<ul style="list-style-type: none"> • Full name • Email address • Usernames • Handles on social communities 	<ul style="list-style-type: none"> • To add you to our mailing list • To send you marketing communications and surveys • To enable you to take part in our social communities 	<p>Legitimate interest (e.g. to send you marketing communications)</p> <p>Consent (in some contexts)</p>	<p>N/A</p>	<p>Cannot send you marketing communications</p> <p>Cannot join our social communities</p>
When we process your Input (As defined in our Terms of Use) to create Outputs (As defined in our Terms of Use)				
(a) When you generate pictures				
<ul style="list-style-type: none"> • Input (as defined in our Terms of Use) • Images(s) 	<ul style="list-style-type: none"> • To improve and develop our Platform and new features and conduct research • For marketing, analytics, and statistics purposes 	<p>Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.</p>	<p>N/A</p>	<p>Cannot create your character</p> <p>Cannot provide you with the Outputs</p>
(b) When you interact with our video model				
<ul style="list-style-type: none"> • Input (as defined in our Terms of Use) • Account Information • Other information you provide 	<ul style="list-style-type: none"> • To interact with our Platform • To improve and develop our Platform and new features and conduct research 	<p>Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.</p>	<p>N/A</p>	<p>Cannot provide you with the Outputs</p>
When you interact with us on our social media profiles				
<ul style="list-style-type: none"> • Social Media Account • Content of interaction (text, images, etc.), including metadata (for example, timestamp) 	<ul style="list-style-type: none"> • To process and answer questions • To provide support • To review our services • To process your feedback 	<p>Legitimate interest</p>	<p>The 3rd party social media platforms may have access to the data communicated.</p>	<p>Cannot contact with you on social media</p>

Finally, please note that some of the abovementioned Personal Data will be used for detecting, taking steps to prevent, and prosecution of fraud or other illegal activity, to identify and repair errors, to conduct audits, and for security purposes. Personal Data may also be used to comply with applicable laws, with investigations performed by the relevant authorities, law enforcement purposes, and/or to exercise or defend legal claims. In certain cases, we may or will anonymize or de-identify your Personal Data and further use it for internal and external purposes, including, without limitation, to improve the services, to further the business and for research purposes. “Anonymous Information” means information which does not enable identification of an individual user, such as aggregated information about the use of our services.

2. HOW WE PROTECT AND RETAIN YOUR INFORMATION

- 2.1. **Security.** We have implemented appropriate technical, organizational and security measures designed to protect your Personal Data. However, please note that we cannot guarantee that the information will not be compromised as a result of unauthorized penetration to our servers. As the security of information depends in part on the security of the computer, device or network you use to communicate with us and the security you use to protect your user IDs and passwords, please make sure to take appropriate measures to protect this information.
- 2.2. **Retention of your Personal Data.** Your Personal Data will be stored until we delete the record and we proactively delete it or you send a valid deletion request, please note that in some circumstances we may store your Personal Data for longer periods of time, for example (i) where we are required to do so in accordance with legal, regulatory, tax or accounting requirements, or (ii) for us to have an accurate record of your dealings with us in the event of any complaints or challenges, or (iii) if we reasonably believe there is a prospect of litigation relating to your Personal Data or dealings.

3. HOW WE SHARE YOUR PERSONAL DATA

In addition to the recipients described above, we may share your Personal Data as follows:

- 3.1. With our business partners with whom we jointly offer products or services. We may also share Personal Data with our affiliated companies.
- 3.2. To the extent necessary, with regulators, courts or competent authorities, to comply with applicable laws, regulations and rules (including, without limitation, federal, state or local laws), and requests of law enforcement, regulatory and other governmental agencies or if required to do so by court order;
- 3.3. If, in the future, we sell or transfer, or we consider selling or transferring, some or all of our business, shares or assets to a third party, we will disclose your Personal Data to such third party (whether actual or potential) in connection with the foregoing events;
- 3.4. In the event that we are acquired by, or merged with, a third party entity, or in the event of bankruptcy or a comparable event, we reserve the right to transfer, disclose or assign your Personal Data in connection with the foregoing events, including, in connection with, or during negotiations of, any merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or to another company; and/or
- 3.5. Where you have provided your consent to us sharing or transferring your Personal Data (e.g., where you provide us with marketing consents or opt-in to optional additional services or functionality).
- 3.6. If you want to receive the list of the current recipients of your Personal Data, please make your request by contacting us to privacy@Decart.ai.

4. ADDITIONAL INFORMATION REGARDING TRANSFERS OF PERSONAL DATA

1. **Internal transfers:** Transfers to affiliates of Decart will be covered by an internal processing agreement entered into by the affiliates of Decart (an intra-group data processing agreement) which contractually obliges each member to ensure that Personal Data receives an adequate and consistent level of protection wherever it is transferred to.
2. **External transfers:** Where we transfer your Personal Data outside of EU/EEA (for example to third parties who provide us with services), we will generally obtain contractual commitments from them to protect your Personal Data.
3. **Transfer mechanisms:** When Decart engages transfers of personal information, it relies on Adequacy Decisions adopted by the European Commission based on Article 45 of the GDPR, Standard Contractual Clauses laid down by the European Commission, or any other approved transfer mechanism (such as the recipient's registration with the EU-US Data Privacy Framework). Decart continually monitors the circumstances surrounding such transfers to ensure that these maintain, in practice, a level of protection that is essentially equivalent to the level of protection guaranteed by the GDPR.

5. YOUR PRIVACY RIGHTS. HOW TO DELETE YOUR ACCOUNT

5.1. Rights:

5.1.1. The following rights (which may be subject to certain exemptions or derogations) shall apply to certain individuals (some of which only apply to individuals protected by the GDPR):

- a. You have a right to access Personal Data held about you. Your right of access may normally be exercised free of charge, however we reserve the right to charge an appropriate administrative fee where permitted by applicable law;
- b. You have the right to request that we rectify any Personal Data we hold that is inaccurate or misleading;
- c. You have the right to request the erasure/deletion of your Personal Data (e.g. from our records). Please note that there may be circumstances in which we are required to retain your Personal Data, for example for the establishment, exercise or defense of legal claims;
- d. You have the right to object, to or to request restriction, of the processing;
- e. You have the right to data portability. This means that you may have the right to receive your Personal Data in a structured, commonly used and machine-readable format, and that you have the right to transmit that data to another controller;
- f. You have the right to object to profiling;
- g. You have the right to withdraw your consent at any time. Please note that there may be circumstances in which we are entitled to continue processing your data, in particular if the processing is required to meet our legal and regulatory obligations. Also, please note that the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal;
- h. You also have a right to request certain details of the basis on which your Personal Data is transferred outside the European Economic Area, but data transfer agreements and/or other details may need to be partially redacted for reasons of commercial confidentiality;
- i. You have a right to lodge a complaint with your local data protection supervisory authority (i.e., your place of habitual residence, place of work or place of alleged infringement) at any time or before the relevant institutions in your place of residence. We ask that you please attempt to resolve any issues with us before you contact your local supervisory authority and/or relevant institution.

5.2. You can exercise your rights by contacting us at contact@Decart.ai. You may use an authorized agent to submit a request on your behalf if you provide the authorized agent written permission signed by you. Subject to legal and other permissible considerations, we will make every reasonable effort to honor your request promptly in accordance with applicable law or inform you if we require further information in order to fulfil your request. When processing your request, we may ask you for additional information to confirm or verify your identity and for security purposes, before processing and/or honoring your request. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive. In the event that your request would adversely affect the rights and freedoms of others (for example, would impact the duty of confidentiality we owe to others) or if we are legally entitled to deal with your request in a different way than initially requested, we will address your request to the maximum extent possible, all in accordance with applicable law.

5.3. **Deleting your account:** Should you ever decide to delete your account, you may do so by emailing contact@Decart.ai. If you terminate your account, any association between your account and Personal Data we store will no longer be accessible through your account. However, given the nature of sharing on certain services, any public activity on your account prior to deletion will remain stored on our servers and will remain accessible to the public.

5.4. **Marketing emails – opt-out:** You may choose not to receive marketing email of this type by sending a single email with the subject "BLOCK" to contact@Decart.ai. Please note that the email must come from the email account you wish to block **OR** if you receive an unwanted email from us, you can use the unsubscribe link found at the bottom of the email to opt out of receiving future emails, and we will process your request within a reasonable time after receipt.

6. **USE BY CHILDREN.** We do not offer our products or services for use by children and, therefore, we do not knowingly collect Personal Data from, and/or about children under the age of thirteen (13). If you are under the age of eighteen (18), do not provide any Personal Data to us without the involvement of a parent or a guardian. For the purposes of the GDPR, we do not intend to *offer information society services directly to children*. In the event that we become aware that you provide Personal Data in violation of applicable privacy laws, we reserve the right to delete it. If you believe that we might have any such information, please contact us at contact@Decart.ai

7. **INTERACTION WITH THIRD PARTY PRODUCTS.** We enable you to interact with third party websites, mobile software applications and products or services that are not owned or controlled by us (each a “**Third Party Service**”). We are not responsible for the privacy practices or the content of such Third Party Services. Please be aware that Third Party Services can collect Personal Data from you. Accordingly, we encourage you to read the terms and conditions and privacy policies of each Third Party Service.

8. ANALYTIC TOOLS

- **Google Analytics.** The Website may use a tool called “**Google Analytics**” to collect information about use of the Website. Google Analytics collects information such as how often users visit this Website, what pages they visit when they do so, and what other websites they used prior to coming to this Website. We use the information we get from Google Analytics to maintain and improve the Website and our products. We do not combine the information collected through the use of Google Analytics with Personal Information we collect. Google’s ability to use and share information collected by Google Analytics about your visits to this Website is restricted by the Google Analytics Terms of Service, available at <https://marketingplatform.google.com/about/analytics/terms/us/>, and the Google Privacy Policy, available at <http://www.google.com/policies/privacy/>. You may learn more about how Google collects and processes data specifically in connection with Google Analytics at <http://www.google.com/policies/privacy/partners/>. You may prevent your data from being used by Google Analytics by downloading and installing the [./Google Analytics Opt-out Browser Add-on](https://tools.google.com/dlpage/gaoptout), available at <https://tools.google.com/dlpage/gaoptout>
- We use log files. We use such information to analyze trends, administer the Website, track users’ movement around the Website, and gather demographic information.
- We reserve the right to remove or add new analytic tools.

9. SPECIFIC PROVISIONS APPLICABLE UNDER CALIFORNIA PRIVACY LAW

9.1. **California Privacy Rights:** California Civil Code Section 1798.83 permits our customers who are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an email to privacy@clientname.com. Please note that we are only required to respond to one request per customer each year.

9.2. **Our California Do Not Track Notice (Shine the Light):** Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers.

9.3. **Deletion of Content from California Residents:** If you are a California resident under the age of 18 and a registered user, California Business and Professions Code Section 22581 permits you to remove content or Personal Information you have publicly posted. If you wish to remove such content or Personal Information and you specify which content or Personal Information you wish to be removed, we will do so in accordance with applicable law. Please be aware that after removal you may not be able to restore removed content. In addition, such removal does not ensure complete or comprehensive removal of the content or Personal Information you have posted and that there may be circumstances in which the law does not require us to enable removal of content.

10. **CONTACT US.** If you have any questions, concerns or complaints regarding our compliance with this notice and the data protection laws, or if you wish to exercise your rights, we encourage you to first contact us at contact@Decart.ai.
