



PRIVACY NOTICE

Effective Date: March 27, 2024

This Privacy Notice describes how Avatar Buddy, LLC (“Avatar Buddy”, “our”, or “we”) collects, uses, shares, and protects your personal information when you interact with our website (avatarbuddy.ai), our application (app.avatarbuddy.ai), communications we send, and our social media (the “Services”).

Avatar Buddy is a platform that allows you to submit queries to our artificial intelligence engine to receive coaching, feedback, and other advice. Avatar Buddy has partnerships with companies and organizations who may facilitate your use of our Services; however, when you interact with Avatar Buddy, we are providing our Services directly to you and do not share your information with the organization or company that referred you to us.

This Privacy Notice explains the following:

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For questions about our privacy practices, please contact us at legal@avatarbuddy.ai or write to us at:

Avatar Buddy, LLC
4173 S Le Jeune Road
Coconut Grove, FL 33146

This Privacy Notice does not apply to non-Avatar Buddy websites or services that state they are offered under a different privacy notice. Please review the privacy notices on those websites and services directly to understand their privacy practices.

1. **THE INFORMATION WE COLLECT**

Depending on the nature of your interaction with Avatar Buddy, we may collect personal information as follows:

- a. Directly from you, when you provide information to us or interact with us:
 - *Account information*, such as contact information (name, email address, telephone number, zip code), username and password, information about who you are (age and gender), and usage preferences.
 - *Query contents*, which includes any information you provide when you communicate with the Services, including text, images, audio, and any other information exchanged during your conversations with Avatar Buddy.



- *Any other information you choose to provide, such as feedback and customer service inquiries.*
- b. Automatically from you, we collect *device information and online user activity* when you utilize or interact with our Services as described in the next section.

2. COOKIES AND INFORMATION COLLECTED BY AUTOMATED MEANS

When you interact with our Services, certain information about you is automatically collected via cookies and similar technologies (referred to collectively herein as "cookies"). Cookies are small text files that are stored within your device's memory by a website. Cookies enable a website such as ours to keep track of your activities to improve user experience and ensure the security of our Services. As you use our Services, the following information is automatically collected from you:

- *Usage details* about your interaction with our website, such as which pages you access, frequency of access, what you click on, search terms, date and length of visit, and referring website addresses.
- *Device information*, including the IP address and other details of a device that you use to connect, such as device type and unique device identifier, hardware model, operating system, browser, mobile network information, mobile carrier, and the device's telephone number.
- *Location information* where you choose to provide us with access to information about your device's location.

Much of this information is collected through cookies operated by our partners who assist us in with user experience and security. You may be able to opt out of tracking by cookies or control how information collected by cookies is being used via a number of means, as described in Your Privacy Choices. Your browser or device may include "Do Not Track" functionality; please note that we do not respond to such signals. However, our Services are designed to honor Global Privacy Control signals.

Please note our website (avatarbuddy.ai) uses Google Analytics to conduct analytics and to collect information about usage details. You can learn more about privacy and Google Analytics by visiting <https://support.google.com/analytics/answer/6004245>. You may prevent your data from being collected and used by Google Analytics by opting out through the use of the Google Analytics Opt-out Browser Add-on, available at <https://tools.google.com/dlpage/gaoptout>. We use Google Analytics in restricted data processing mode.

3. HOW WE USE YOUR INFORMATION

When you use the Services, our platform leverages artificial intelligence platforms (including platforms operated by third parties) to analyze the queries you submit and generate responses.

We may also use your information to:

- *Respond to your inquiries*, questions, and other requests, and provide support.
- *Interact with you*, including to maintain your account, and notify you regarding important notices and changes to this Privacy Notice, our End User License Agreement, and other policies.
- *Grow Avatar Buddy*, understand our customer base, conduct market research and statistical analysis, understand the effectiveness of our marketing, manage customer and other business relationships, and develop new services.



- *Optimize the Services*, obtain insights into usage patterns of the Services, monitor performance of the Services, ensure the security of the Services, diagnose and fix technology problems, and conduct analytics on your use of the Services.
- *Comply with legal and regulatory obligations*, establish, protect, or exercise our legal rights, defend against legal claims or demands, and detect, investigate, prevent, or take action against illegal activities, fraud, or situations involving potential threats to the rights, property, or personal safety of any person.

Avatar Buddy may also use and share in an aggregate or de-identified manner information at our discretion, including for research, analysis, marketing, and improvement of the Services.

4. HOW WE SHARE YOUR INFORMATION

Avatar Buddy may share information as follows:

- *With artificial intelligence platforms*: Our Services leverage artificial intelligence platforms (including platforms operated by third parties) to analyze the queries you submit and generate responses. When Avatar Buddy receives your query, we share your query, including any information you may share about yourself, with these artificial intelligence platform to generate a response for you. Once we receive responses back from the platforms, we evaluate the responses to determine the most appropriate response to your query. This response is then passed along to you. This sharing is necessary to provide you with the requested Services and we would not be able to respond to your query without doing so. When you submit a query, you are directing us to share your query with the selected artificial intelligence platform for these purposes. If you use these artificial intelligence platforms outside of Avatar Buddy, you are entering into a separate relationship with those platforms.
- *With service providers* that we believe need the information to perform a technology, business, or other professional function for us such as IT services, maintenance and hosting, customer service, accounting, auditing, and tax services, and other professional services.
- *With analytics partners* who collect information via tracking technologies on our Services to assist us with measuring visits and traffic on our Services so we can measure and improve the performance of the Services.
- *When required by law* and when we are legally required to do so, such as in response to or in compliance with court or regulatory agency orders, legal proceedings, or legal process, to exercise our legal rights, to defend against legal claims or demands, or to comply with the requirements of any applicable law.
- *To prevent harm* or if we believe it is necessary in order to detect, investigate, prevent, or take action against illegal activities, fraud, or situations involving potential threats to the rights, property, or personal safety of any person.
- *As part of a business transaction* with another entity or its affiliates or service providers in connection with a contemplated or actual merger, acquisition, consolidation, change of control, or sale of all or a portion of our assets, or if we undergo bankruptcy or liquidation. We cannot promise that an acquiring party or the merged entity will have the same privacy practices or treat your information the same as described in this Privacy Notice.

5. HOW WE PROTECT AND STORE INFORMATION

We use a combination of physical, technical, and administrative safeguards to protect the information we collect through the Services. While we use these precautions to safeguard your information, we cannot guarantee the security of the networks, systems, servers, devices, and databases we operate or that are operated on our behalf. If you use our Services outside of the United States, you understand that we may collect, process, and store your personal information in the United States and other countries.



6. RETENTION OF YOUR INFORMATION

We maintain a copy of your queries with Avatar Buddy. Our standard practice is to store your queries with a unique identifier that allows us to retrieve your conversation history each time you query with us. If you choose to delete your query, we will still retain your query, but we will not assign you a unique identifier that would allow us to track the query back to you or identify multiple queries as coming from you. We retain queries for the period of time necessary for us to provide the Services, plus a reasonable period, thereafter, as determined by the criteria listed below.

As to your account information and any other information we collect, we will retain your information for as long as is necessary to complete the purposes for which it was collected, or as may be required by law.

California law requires us to provide information regarding the criteria we use to determine the length of time for which we retain personal information. We utilize the following criteria to determine the length of time for which we retain information:

- The business purposes for which the information is used, and the length of time for which the information is required to achieve those purposes;
- Whether we are required to retain the information type in order to comply with legal obligations or contractual commitments, to defend against potential legal claims, or as otherwise necessary to investigate theft or other activities potentially in violation of our policies and procedures applicable to you or against the law, to ensure a secure online environment, or to protect health and safety;
- The privacy impact of ongoing retention; and
- The manner in which information is maintained and flows through our systems, and how best to manage the lifecycle of information in light of the volume and complexity of the systems in our infrastructure.

Individual pieces of personal information may exist in different systems that are used for different business or legal purposes. A different maximum retention period may apply to each use case of the information. Certain individual pieces of information may also be stored in combination with other individual pieces of information, and the maximum retention period may be determined by the purpose for which that information set is used.

7. YOUR PRIVACY OPTIONS

You may have certain choices when it comes to how we collect and use your information as follows:

- *Update and view your account information:* You can access your account at any time to update and view certain information associated with your account, such as your name, email address, and password.
- *Unsubscribe from marketing communications:* If you no longer wish to receive marketing communications from us, you can click the unsubscribe link at the bottom of any email from Avatar Buddy.
- *Change or view your cookie preferences:* You have several options to either prevent our collection of information regarding your online activity:
 - If your browser offers you the ability to use the Global Privacy Control (GPC) to communicate your privacy preferences to us, we honor such signals.
 - You also modify your browser setting to disable or reject cookies across the internet; but if you do so, some features of our Services may not function properly or be available.



8. CHILDREN'S INFORMATION

We do not knowingly or intentionally gather personal information about children under the age of thirteen (13). If we have inadvertently collected the personal information of a child, a parent or guardian of that child may contact us at info@avatarbuddy.ai to request that we delete the information from our records or otherwise cease the use of that information in accordance with applicable law.

9. UPDATES

We may make changes to this Privacy Notice from time to time. The "Effective Date" at the top of this page indicates when this Privacy Notice was last revised. We may also notify you in other ways from time to time about the collection, use, and disclosure of your personal information described in this Privacy Notice.

10. STATE-SPECIFIC DISCLOSURES

a. California

The California Consumer Privacy Act ("CCPA") provides California residents with rights to receive certain disclosures regarding the collection, use, and sharing of personal information, rights to access, delete, correct certain personal information we collect about them, restrict us from "selling" or "sharing" certain personal information, and limit our use of sensitive personal information, as defined by the law and described in the categories below. These rights apply to all residents of California, regardless of whether you are a personal user of the Services or a representative of a business customer. As a California resident, you have a right not to receive discriminatory treatment for the exercise of your privacy rights.

Information We Collect

Our Services enable you to submit free-form queries. You control the content of these queries, and you may choose to include information about yourself which would be considered personal information under the law. We use any personal information you submit for the purposes described in How We Use Your Information and retain such information as described in Retention of Your Information.

In addition to your queries, we actively collect certain personal information to enable you to participate in the services. The following chart describes our practices with regard to the collection, use, and retention of such personal information. The categories we use to describe the information are those listed in the CCPA. Certain personal information may fall into multiple categories, and in some circumstances, how we use and how long we keep the information within each category will vary. The examples of personal information listed below are illustrative and do not represent a complete description of the information we process.

| Category | Required Information |
|---|---|
| Personal identifiers | <u>Examples of what we collect:</u> Name, email address, phone number, address, unique identifiers (such as those assigned in cookies). <u>Sources:</u> Directly from you; analytics partners. <u>Purpose of collection and use:</u> All purposes listed in How We Use Your Information. <u>Retention Considerations:</u> Certain personal identifiers are maintained throughout our relationship with you in order to provide the Services, plus a reasonable period, thereafter, as determined by the criteria listed above. |
| Personal information categories listed in the | <u>Examples of what we collect:</u> Address, telephone number, address. <u>Sources:</u> Directly from you. |



| Category | Required Information |
|---|--|
| California Customer Records statute (Cal. Civ. Code § 1798.80(e)) | <p><u>Purpose of collection and use:</u> All purposes listed in How We Use Your Information.</p> <p><u>Retention Considerations:</u> Certain personal identifiers are maintained throughout our relationship with you in order to provide the Services, plus a reasonable period, thereafter, as determined by the criteria listed above.</p> |
| Internet or other similar network activity | <p><u>Examples of what we collect:</u> Unique identifier, cookie or tracking pixel information, device ID, browsing history, search history, IP address, interaction with a website.</p> <p><u>Sources:</u> Automatically from you; analytics partners</p> <p><u>Purpose of collection and use:</u> All purposes listed in How We Use Your Information.</p> <p><u>Retention Considerations:</u> Internet or other similar network activity is typically deleted at regular intervals when the information is no longer necessary for the purpose for which it was collected.</p> |
| Sensitive information | <p><u>Examples of what we collect:</u> Account log-in information with password.</p> <p><u>Sources:</u> Directly from you.</p> <p><u>Purpose of collection and use:</u> All purposes listed in How We Use Your Information.</p> <p><u>Retention Considerations:</u> Information that is associated with your account will be retained for the length of time for which you are a user, plus a reasonable period, thereafter, as determined by the criteria listed above.</p> |

We do not collect the following categories of information as a matter of course:

- Additional categories of information listed in California Consumer Records Statute
- Audio, electronic, visual, thermal, olfactory, or similar information
- Biometric information
- Educational information
- Professional or employment-related information

Sale, Sharing, and Other Disclosure of Personal Information

Any category of personal information listed in the chart above may be disclosed for a business purpose to service providers and contractors, which are companies or individuals that we engage to conduct activities on our behalf. Service providers and contractors are restricted from using personal information for any purpose not related to our engagement.

The CCPA also requires us to provide you with information regarding the parties to whom we “sell” or “share” your information, and the parties to whom we disclose your information for a business purpose. Under the CCPA, a business “sells” personal information when it discloses personal information to a company for monetary or other benefit. A company may be considered a third party either because the purpose for its sharing of personal information is not for an enumerated business purpose under the CCPA, or because its contract does not restrict it from using personal information for other purposes. We do not “sell” your personal information or “share” your information for purposes of cross-contextual behavioral advertising.

We may disclose your information in other ways that are not considered sales under the law. Please see “How We Share Your Information” above for more information about how we share your information.



Right to Access, Correction, and Deletion

You have the right to request access to personal information collected about you and information regarding the source of that information, the purposes for which we collect it, and the third parties and service providers with whom we share it. You also have the right to request we correct inaccurate Personal information and to request, in certain circumstances, that we delete any Personal information that we have collected directly from you.

You may submit a request to exercise your rights to know/access, correct, or delete your personal information by info@avatarbuddy.ai. You may authorize another individual or a business registered with the California Secretary of State, called an authorized agent, to make requests on your behalf through these means.

In order to process your request, we must verify your request. We do this by asking you to provide personal identifiers we can match against information we may have collected from you previously and confirm your request using the email account stated in the request. We may have a reason under the law why we do not have to comply with your request, or why we may comply with it in a more limited way than you anticipated. If we do, we will explain that to you in our response.

Right to Opt Out of Sale/Sharing

You have the right to opt out of our sale or sharing of your personal information to third parties; however, we do not sell or share your personal information.

Right to Limit Use of Sensitive Personal Information

You have the right to request that we limit the use of your sensitive personal information to certain purposes allowed by law. However, we do not process your sensitive personal information in circumstances that would be subject to the right to limit.

b. Colorado, Connecticut, and Virginia

Certain state laws provide residents with rights related to their personal information. You or your authorized agent may subject a request to exercise the following rights:

- *Colorado residents*: access the personal information we maintain about you, request that we delete or correct your personal information, restrict certain uses of your sensitive personal information, opt out of our sale of your personal information or use of your personal information for targeted advertising, opt of out profiling.
- *Connecticut residents*: access the personal information we maintain about you, request that we delete or correct your personal information, restrict certain uses of your sensitive personal information, opt out of our sale of your personal information or use of your personal information for targeted advertising, opt of out profiling.
- *Virginia residents*: access the personal information we maintain about you, request that we delete or correct your personal information, restrict certain uses of your sensitive personal information, opt out of our sale of your personal information or use of your personal information for targeted advertising, opt of out profiling.

You have a right not to receive discriminatory treatment for the exercise of your privacy rights and can submit your request to exercise your access, deletion, or correction rights at info@avatarbuddy.ai. In order to process your request, we must verify your request. We do this by asking you to provide personal identifiers we can match against information we may have collected from you previously and confirm your request using the email account stated in the request. We may have a reason under the law why we do not have to comply with your request, or why we may comply with it in a more limited way than you anticipated. If we do, we will explain that to you in our response.



We do not sell or share your personal information. We also do not process sensitive personal information in any ways that are subject to your right to restrict; however, you may always choose not to provide us with this information.

If we deny your request, you have the right to appeal our decision. You can request further review by contacting us at info@avatarbuddy.ai.