

# Privacy Policy

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At CreativeX, we take your privacy seriously. Please read this Privacy Policy to learn how we treat your personal data. **By using or accessing our Services in any manner, you acknowledge that you accept the practices and policies outlined below, and you hereby consent that we will collect, use and share your information as described in this Privacy Policy.**

Remember that your use of CreativeX's Services is at all times subject to our [Terms of Use](#), which incorporates this Privacy Policy. Any terms we use in this Policy without defining them have the definitions given to them in the Terms of Use.

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## 1.0 What this privacy policy covers

This Privacy Policy covers how we treat Personal Data that we gather when you access or use our Services. "Personal Data" means any information that identifies or relates to a particular individual and also includes information referred to as "personally identifiable information" or "personal information" under applicable data privacy laws, rules or regulations. This Privacy Policy does not cover the practices of companies we don't own or control or people we don't manage.

## 2.0 Personal data

### 2.1 Categories of personal data we collect

This chart details the categories of Personal Data that we collect and have collected over the past 12 months:

<u>Category of Personal Data</u>	<u>Examples of Personal Data We Collect</u>	<u>Categories of Third Parties With Whom We Share this Personal Data:</u>
Profile or Contact Data	<ul style="list-style-type: none"> <li>• First and last name</li> <li>• Email</li> <li>• Phone Numbers</li> <li>• Unique identifiers such as passwords</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Business Partners</li> <li>• Advertising Partners</li> <li>• Parties You Authorise, Access or Authenticate</li> </ul>
Device/IP Data	<ul style="list-style-type: none"> <li>• IP address</li> <li>• Device ID</li> <li>• Domain server</li> <li>• Type of device/operating system/browser used to access the Services</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Analytics Partners</li> <li>• Advertising Partners</li> <li>• Parties You Authorise, Access or Authenticate</li> </ul>
Web Analytics	<ul style="list-style-type: none"> <li>• Web page interactions</li> <li>• Referring webpage/source through which you accessed the Services</li> <li>• Non-identifiable request IDs</li> <li>• Statistics associated with the interaction between device or browser and the Services</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Analytics Partners</li> <li>• Advertising Partners</li> <li>• Parties You Authorise, Access or Authenticate</li> </ul>
Professional or Employment-Related Data	<ul style="list-style-type: none"> <li>• Job title</li> <li>• Employer name</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Business Partners</li> <li>• Parties You Authorise, Access or Authenticate</li> </ul>
Sensory Data	<ul style="list-style-type: none"> <li>• user interactions with website</li> </ul>	<ul style="list-style-type: none"> <li>• Service Providers</li> <li>• Analytics Partners</li> <li>• Parties You Authorise, Access or Authenticate</li> </ul>

### 2.2 Categories of sources of personal data

We collect Personal Data about you from the following categories of sources:

#### You

- When you provide such information directly to us.
  - When you create an account or use our interactive tools and Services.
  - When you voluntarily provide information in free-form text boxes through the Services or through responses to surveys or questionnaires.
  - When you send us an email or otherwise contact us.
- When you use the Services, such information is collected automatically.
  - Through Cookies (defined in the "Tracking Tools and Opt-Out" section below).
  - If you use a location-enabled browser, we may receive information about your location.

- If you download and install certain applications and software we make available, we may receive and collect information transmitted from your computing device for the purpose of providing you the relevant Services, such as information regarding when you are logged on and available to receive updates or alert notices.

#### Third Parties

- Vendors
  - We may use analytics providers to analyse how you interact and engage with the Services, or third parties may help us provide you with customer support.
  - We may use vendors to obtain information to generate leads and create user profiles.
- Advertising Partners
  - We receive information about you from some of our vendors who assist us with marketing or promotional services related to how you interact with our websites, applications, products, Services, advertisements or communications.

### 2.3 Our commercial or business purposes for collecting personal data

#### Providing, Customizing and Improving the Services

- Creating and managing your account or other user profiles.
- Processing orders or other transactions; billing.
- Providing you with the products, services or information you request.
- Meeting or fulfilling the reason you provided the information to us.
- Providing support and assistance for the Services.
- Improving the Services, including testing, research, internal analytics and product development.
- Personalising the Services, website content and communications based on your preferences.
- Doing fraud protection, security and debugging.
- Carrying out other business purposes stated when collecting your Personal Data or as otherwise set forth in applicable data privacy laws, such as the California Consumer Privacy Act (the "CCPA").
- To facilitate the generation of security logging data that may derive geographic region from IP address.

#### Marketing the Services

- Marketing and selling the Services.

#### Corresponding with You

- Responding to correspondence that we receive from you, contacting you when necessary or requested, and sending you information about CreativeX or the Services.
- Sending emails and other communications according to your preferences or that display content that we think will interest you.

#### Meeting Legal Requirements and Enforcing Legal Terms

- Fulfilling our legal obligations under applicable law, regulation, court order or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities.
- Protecting the rights, property or safety of you, CreativeX or another party.
- Enforcing any agreements with you.
- Responding to claims that any posting or other content violates third-party rights.
- Resolving disputes.

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated or incompatible purposes without providing you notice.

## 3.0 How We May Disclose Your Personal Data

We may disclose your Personal Data to the categories of service providers and other parties listed in this section. Depending on state laws that may be applicable to you, some of these disclosures may constitute a "sale" of your Personal Data. For more information, please refer to the state-specific sections below.

- **Service Providers.** These parties help us provide the Services or perform business functions on our behalf. They may include:
  - Hosting, technology and communication providers.
  - Security and fraud prevention consultants.

- Support and customer service vendors.
- Product fulfilment and delivery providers.
- Payment processors.
- **Advertising Partners.** These parties help us market our services and provide you with other offers that may be of interest to you. They include:
  - Ad networks.
  - Marketing providers.
- **Analytics Partners.** These parties provide analytics on web traffic or usage of the Services. They may include:
  - Companies that track how users found or were referred to the Services.
  - Companies that track how users interact with the Services.
- **Business Partners.** These parties partner with us in offering various services. They may include:
  - Businesses that you have a relationship with.
  - Companies that we partner with to offer joint services, or promotional offers, or opportunities.
- **Parties You Authorise, Access or Authenticate.** They may include:
  - Third parties you access through the services.
  - Social media services.
  - Other users.

#### Legal Obligations

We may share any Personal Data that we collect with third parties in conjunction with any of the activities set forth under "Meeting Legal Requirements and Enforcing Legal Terms" in the "Our Commercial or Business Purposes for Collecting Personal Data" section above.

#### Business Transfers

All of your Personal Data that we collect may be transferred to a third party if we undergo a merger, acquisition, bankruptcy or other transaction in which that third party assumes control of our business (in whole or in part). Should one of these events occur, we will make reasonable efforts to notify you before your information becomes subject to different privacy and security policies and practices.

#### Data that is Not Personal Data

We may create aggregated, de-identified or anonymized data from the Personal Data we collect, including by removing information that makes the data personally identifiable to a particular user. We may use such aggregated, de-identified or anonymized data and share it with third parties for our lawful business purposes, including to analyse, build and improve the Services and promote our business, provided that we will not share such data in a manner that could identify you.

## 4.0 Tracking tools and opt-out

The Services use cookies and similar technologies such as pixel tags, web beacons, clear GIFs and JavaScript (collectively, "Cookies") to enable our servers to recognize your web browser, tell us how and when you visit and use our Services, analyse trends, learn about our user base and operate and improve our Services. Cookies are small pieces of data— usually text files – placed on your computer, tablet, phone or similar device when you use that device to access our Services. We may also supplement the information we collect from you with information received from third parties, including third parties that have placed their own Cookies on your device(s). Please note that because of our use of Cookies, the Services do not support "Do Not Track" requests sent from a browser at this time.

We use the following types of Cookies:

- Essential Cookies. Essential Cookies are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of our Services. Disabling these Cookies may make certain features and services unavailable.
- Personalisation Cookies. Personalisation Cookies are used to record your choices and settings regarding our Services, maintain your preferences over time and recognize you when you return to our Services. These Cookies help us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- Analytics Cookies. Analytics Cookies allow us to understand how visitors use our Services. They do this by collecting information about the number of visitors to the Services, what pages visitors view on our Services and how long visitors are viewing pages on the Services. Analytics Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the Services' content for those who engage with our advertising. For example, Google LLC ("Google") uses cookies in connection with its Google Analytics

services. Google's ability to use and share information collected by Google Analytics about your visits to the Services is subject to the Google Analytics Terms of Use and the Google Privacy Policy. You have the option to opt-out of Google's use of Cookies by visiting the Google advertising opt-out page at [www.google.com/privacy\\_ads.html](http://www.google.com/privacy_ads.html) or the Google Analytics Opt-out Browser Add-on at <https://tools.google.com/dlpage/gaoptout/>.

- Marketing Cookies. Marketing Cookies collect data about your online activity and identify your interests so that we can provide advertising that we believe is relevant to you. For more information about this, please see the section below titled "Information about Interest-Based Advertisements."

You can decide whether or not to accept Cookies through your internet browser's settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your device. You may also be provided an option to exercise rights over the use of Cookies by clicking the Cookie icon at the bottom left of our website. If you do this, however, you may have to manually adjust some preferences every time you visit our website and some of the Services and functionalities may not work.

To explore what additional Cookie settings are available to you, look in the "preferences" or "options" section of your browser's menu. To find out more information about Cookies, including information about how to manage and delete Cookies, please visit <http://www.allaboutcookies.org/> or <https://ico.org.uk/for-the-public/online/cookies/> if you are located in the European Union.

#### Information about Interest-Based Advertisements:

We may serve advertisements, and also allow third-party ad networks, including third-party ad servers, ad agencies, ad technology vendors and research firms, to serve advertisements through the Services. These advertisements may be targeted to users who fit certain general profile categories or display certain preferences or behaviours ("Interest-Based Ads"). Information for Interest-Based Ads (including Personal Data) may be provided to us by you, or derived from the usage patterns of particular users on the Services and/or services of third parties. Such information may be gathered through tracking users' activities across time and unaffiliated properties, including when you leave the Services. To accomplish this, we or our service providers may deliver Cookies, including a file (known as a "web beacon") from an ad network to you through the Services. Web beacons allow ad networks to provide anonymized, aggregated auditing, research and reporting for us and for advertisers. Web beacons also enable ad networks to serve targeted advertisements to you when you visit other websites. Web beacons allow ad networks to view, edit or set their own Cookies on your browser, just as if you had requested a web page from their site.

## 5.0 Data security

We seek to protect your Personal Data from unauthorised access, use and disclosure using appropriate physical, technical, organisational and administrative security measures based on the type of Personal Data and how we are processing that data. A summary of the information security controls deployed by CreativeX can be found at <https://www.creativex.com/legal/creativex-trust-centre>.

You should also help protect your data by appropriately selecting and protecting your password and/or other sign-on mechanism; limiting access to your computer or device and browser; and signing off after you have finished accessing your account. Although we work to protect the security of your account and other data that we hold in our records, please be aware that no method of transmitting data over the internet or storing data is completely secure.

## 6.0 Data retention

We retain Personal Data about you for as long as you have an open account with us or as otherwise necessary to provide you with our Services. When establishing a retention period for specific categories of data, we consider who we collected the data from, our need for the Personal Data, why we collected the Personal Data, and the sensitivity of the Personal Data. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you

personally.

## 7.0 Personal data of children

As noted in the Terms of Use, we do not knowingly collect or solicit Personal Data about children under 16 years of age; if you are a child under the age of 16, please do not attempt to register for or otherwise use the Services or send us any Personal Data. If we learn we have collected Personal Data from a child under 16 years of age, we will delete that information as quickly as possible. If you believe that a child under 16 years of age may have provided Personal Data to us, please contact us at [legal@creativex.com](mailto:legal@creativex.com)

## 8.0 California resident rights

If you are a California resident, you have the rights set forth in this section. Please see the "Exercising Your Rights" section below for instructions regarding how to exercise these rights. Please note that we may process Personal Data of our customers' end users or employees in connection with our provision of certain services to our customers. If we are processing your Personal Data as a service provider, you should contact the entity that collected your Personal Data in the first instance to address your rights with respect to such data. Additionally, please note that these rights are subject to certain conditions and exceptions under applicable law, which may permit or require us to deny your request.

If there are any conflicts between this section and any other provision of this Privacy Policy and you are a California resident, the portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following rights apply to you, please contact us at [legal@creativex.com](mailto:legal@creativex.com)

### Access

You have the right to request certain information about our collection and use of your Personal Data over the past 12 months. In response, we will provide you with the following information:

- The categories of Personal Data that we have collected about you.
- The categories of sources from which that Personal Data was collected.
- The business or commercial purpose for collecting or selling your Personal Data.
- The categories of third parties with whom we have shared your Personal Data.
- The specific pieces of Personal Data that we have collected about you.

If we have disclosed your Personal Data to any third parties for a business purpose over the past 12 months, we will identify the categories of Personal Data shared with each category of third party recipient. If we have sold your Personal Data over the past 12 months, we will identify the categories of Personal Data sold to each category of third party recipient.

You may request the above information beyond the 12-month period, but no earlier than January 1, 2022. If you do make such a request, we are required to provide that information unless doing so proves impossible or would involve disproportionate effort.

### Deletion

You have the right to request that we delete the Personal Data that we have collected about you. Under the CCPA, this right is subject to certain exceptions: for example, we may need to retain your Personal Data to provide you with the Services or complete a transaction or other action you have requested. If your deletion request is subject to one of these exceptions, we may deny your deletion request.

### Correction

You have the right to request that we correct any inaccurate Personal Data we have collected about you. Under the CCPA, this right is subject to certain exceptions: for example, if we decide, based on the totality of circumstances related to your Personal Data, that such data is correct. If your correction request is subject to one of these exceptions, we may deny your request.

### Targeted Advertising; Personal Data Sales and Shares Opt-Out

As described in the "Tracking Tools, Advertising and Opt-Out" section above, we have incorporated certain marketing-related Cookies from certain third parties into our Services, which constitute a "sale" and "share" under the CCPA. We do not otherwise "sell" or "share" your Personal Data.

We do not sell or share your Personal Data in any other way than through the use of Cookies. These Cookies allow those third parties to receive information about your activity on our Services that is associated with your browser or device. Those third parties may use that data to serve you relevant ads on our Services or on other websites you visit. Under the CCPA, disclosing your data through third party Cookies for online advertising may be considered "selling" or "sharing" of information. You can opt out by following the instructions in this section.

We may sell or share your Personal Data to the following categories of third parties:

- Ad Networks.
- Marketing provider

Over the past 12 months, we may have sold or shared the following categories of your Personal Data to categories of third parties listed above:

- Device/IP Data
- Web Analytics

We may have sold or shared the foregoing categories of Personal Data for the following business or commercial purposes:

- Marketing and selling the Services.
- Showing you advertisements, including interest-based or online behavioural advertising.

You have the right to opt-out of the sale or share of your Personal Data by following the instructions in the "Exercising Your Rights" section. Once you have submitted an opt-out request, we will not ask you to reauthorize the sale of your Personal Data for at least 12 months.

To our knowledge, we do not sell or share the Personal Data of minors under 16 years of age.

#### Limit the Use of Sensitive Personal Information

Consumers have certain rights over the processing of their Sensitive Personal Information. However, we do not collect Sensitive Personal Information.

#### We Will Not Discriminate Against You for Exercising Your Rights Under the CCPA

We will not discriminate against you for exercising your rights under the CCPA. We will not deny you our goods or services, charge you different prices or rates, or provide you a lower quality of goods and services if you exercise your rights under the CCPA. However, we may offer different tiers of our Services as allowed by applicable data privacy laws (including the CCPA) with varying prices, rates or levels of quality of the goods or services you receive related to the value of Personal Data

#### Exercising Your Rights

To exercise the rights described above, you or your Authorized Agent (defined below) must send us a request that (1) provides sufficient information to allow us to verify that you are the person about whom we have collected Personal Data (including first and last name, email address, employer name and job title); and (2) describes your request in sufficient detail to allow us to understand, evaluate and respond to it. Each request that meets both of these criteria will be considered a "Valid Request." We may not respond to requests that do not meet these criteria. We will only use Personal Data provided in a Valid Request to verify your identity and complete your request. You do not need an account to submit a Valid Request.

We will work to respond to your Valid Request within 45 days of receipt. We will not charge you a fee for making a Valid Request unless your Valid Request(s) is excessive, repetitive or manifestly unfounded. If we determine that your Valid Request warrants a fee, we will notify you of the fee and explain that decision before completing your request.

You may submit a Valid Request to exercise your right to access, deletion, or correction, please email us at [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com)

You may opt-out to our "selling" or "sharing" in connection with our targeted advertising activities by:

- Accessing your cookie consent settings via the cookie icon at the bottom left of our website, or
- By implementing the Global Privacy Control or similar universal privacy control that is legally recognized by a government agency or industry standard and that complies with applicable State Privacy Laws. The signal issued by the control must be initiated by your browser and applies to the specific device and browser you use at the time you cast the signal. Please note this does not include Do Not Track signals.

You may also authorise an agent (an "Authorized Agent") to exercise your rights on your behalf. To do this, you must provide your Authorized Agent with written permission to exercise your rights on your

behalf, and we may request a copy of this written permission from your Authorised Agent when they make a request on your behalf.

#### We Will Not Discriminate Against You for Exercising Your Rights Under the CCPA

We will not discriminate against you for exercising your rights under the CCPA. We will not deny you our goods or services, charge you different prices or rates, or provide you a lower quality of goods and services if you exercise your rights under the CCPA. However, we may offer different tiers of our Services as allowed by applicable data privacy laws (including the CCPA) with varying prices, rates or levels of quality of the goods or services you receive related to the value of Personal Data that we receive from you.

## 9.0 Other state law privacy rights

#### California Resident Rights

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Data to third parties for such third parties' direct marketing purposes; in order to submit such a request, please contact us at [legal@creativex.com](mailto:legal@creativex.com)

#### Nevada Resident Rights

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Data to third parties who intend to licence or sell that Personal Data. You can exercise this right by contacting us at [legal@creativex.com](mailto:legal@creativex.com) with the subject line "Nevada Do Not Sell Request" and providing us with your name and the email address associated with your account.

## 10.0 European union data subject rights

#### EU and UK Residents

If you are a resident of the European Union ("EU"), United Kingdom ("UK"), Lichtenstein, Norway or Iceland, you may have additional rights under the EU General Data Protection Regulation (the "GDPR") with respect to your Personal Data, as outlined below.

For this section, we use the terms "Personal Data" and "processing" as they are defined in the GDPR, but "Personal Data" generally means information that can be used to individually identify a person, and "processing" generally covers actions that can be performed in connection with data such as collection, use, storage and disclosure. CreativeX will be the controller of your Personal Data processed in connection with the Services.

If there are any conflicts between this section and any other provision of this Privacy Policy, the policy or portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at [legal@creativex.com](mailto:legal@creativex.com). Note that we may also process Personal Data of our customers' end users or employees in connection with our provision of certain services to customers, in which case we are the processor of Personal Data. If we are the processor of your Personal Data (i.e., not the controller), please contact the controller party in the first instance to address your rights with respect to such data.

#### Personal Data We Collect

The "Categories of Personal Data We Collect" section above details the Personal Data that we collect from you.

#### Personal Data Use and Processing Grounds

The "Our Commercial or Business Purposes for Collecting Personal Data" section above explains how we use your Personal Data.

We will only process your Personal Data if we have a lawful basis for doing so. Lawful bases for processing include consent, contractual necessity and our "legitimate interests" or the legitimate interest of others, as further described below.

- Contractual Necessity: We process the following categories of Personal Data as a matter of "contractual necessity", meaning that we need to process the data to perform under our Terms of Use with you, which enables us to provide you with the Services. When we process data due

to contractual necessity, failure to provide such Personal Data will result in your inability to use some or all portions of the Services that require such data.

- Profile or Contact Data; and
  - Device/IP Data
  - Professional or Employment-Related Data.
- **Legitimate Interest:** We process the following categories of Personal Data when we believe it furthers the legitimate interest of us or third parties:
    - Profile or Contact Data; and
    - Professional or Employment-Related Data
    - Device/IP Data;
    - Web Analytics; and
    - Sensory Data.

We may also de-identify or anonymize Personal Data to further our legitimate interests.

Examples of these legitimate interests include (as described in more detail above):

- Providing, customising and improving the Services.
  - Marketing the Services.
  - Corresponding with you.
  - Meeting legal requirements and enforcing legal terms.
  - Completing corporate transactions.
- **Consent:** In some cases, we process Personal Data based on the consent you expressly grant to us at the time we collect such data. When we process Personal Data based on your consent, it will be expressly indicated to you at the point and time of collection.
  - **Other Processing Grounds:** From time to time we may also need to process Personal Data to comply with a legal obligation, if it is necessary to protect the vital interests of you or other data subjects, or if it is necessary for a task carried out in the public interest.

#### Sharing Personal Data

The "How We Share Your Personal Data" section above details how we share your Personal Data with third parties.

#### EU and UK Data Subject Rights

You have certain rights with respect to your Personal Data, including those set forth below. For more information about these rights, or to submit a request, please email us at [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com). Please note that in some circumstances, we may not be able to fully comply with your request, such as if it is frivolous or extremely impractical, if it jeopardises the rights of others, or if it is not required by law, but in those circumstances, we will still respond to notify you of such a decision. In some cases, we may also need you to provide us with additional information, which may include Personal Data, if necessary to verify your identity and the nature of your request.

- **Access:** You can request more information about the Personal Data we hold about you and request a copy of such Personal Data. You can also access certain of your Personal Data by emailing [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com). The information shall be provided by email. For any further copies requested by you, we may charge a reasonable fee based on administrative costs.
- **Rectification:** If you believe that any Personal Data we are holding about you is incorrect or incomplete, you can request that we correct or supplement such data. You can also correct some of this information directly by emailing [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com)
- **Erasure:** You can request that we erase some or all of your Personal Data from our systems by emailing [legal@creativex.com](mailto:legal@creativex.com).
- **Withdrawal of Consent:** If we are processing your Personal Data based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your consent at any time by emailing [legal@creativex.com](mailto:legal@creativex.com). Please note, however, that if you exercise this right, you may have to then provide express consent on a case-by-case basis for the use or disclosure of certain of your Personal Data, if such use or disclosure is necessary to enable you to utilise some or all of our Services.
- **Portability:** You can ask for a copy of your Personal Data in a machine-readable format. by emailing [legal@creativex.com](mailto:legal@creativex.com). For any further copies requested by you, we may charge a reasonable fee based on administrative costs. You can also request that we transmit the data to another controller where technically feasible by emailing [legal@creativex.com](mailto:legal@creativex.com). We may charge a reasonable fee based on administrative costs.
- **Objection:** You can contact us to let us know that you object to the further use or disclosure of your Personal Data for certain purposes, such as for direct marketing purposes by emailing [legal@creativex.com](mailto:legal@creativex.com).

- **Restriction of Processing:** You can ask us to restrict further processing of your Personal Data by emailing [legal@creativex.com](mailto:legal@creativex.com).

**Right to File Complaint:** You can submit a data protection complaint with us If you have concerns about how CreativeX has collected, used, shared, retained, transferred or otherwise processed your personal data.. You can submit a complaint by contacting: [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com)

If you are dissatisfied with our response to your complaint, you may have the right to lodge a complaint with the Information Commissioner's Office ("ICO") in the United Kingdom or another competent supervisory authority in your country of residence, place of work or place of the alleged infringement.

Information about the ICO complaints process can be found at [www.ico.org.uk](http://www.ico.org.uk) A list of Supervisory Authorities is available here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

Further information can be found within section 12 - Data Protection Complaints. [Transfers of Personal Data](#)

The Services are hosted and operated in the United States ("U.S.") through CreativeX and its service providers, and if you do not reside in the U.S., laws in the U.S. may differ from the laws where you reside. By using the Services, you acknowledge that any Personal Data about you, regardless of whether provided by you or obtained from a third party, is being provided to CreativeX in the U.S. and will be hosted on U.S. servers, and you authorise CreativeX to transfer, store and process your information to and in the U.S., and possibly other countries. You hereby consent to the transfer of your data to the U.S. pursuant to: (i) a data processing agreement incorporating standard data protection clauses promulgated by the European Commission, a copy of which can be obtained at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32010D0087>, or (ii) the Data Privacy Framework(s), discussed below.

#### Data Privacy Framework(s)

Picasso Labs, Inc., dba CreativeX ("CreativeX") complies with the EU-U.S. Data Privacy Framework ("EU-U.S. DPF"), and the UK Extension to the EU-U.S. DPF ("UK-U.S. DPF") as set forth by the U.S. Department of Commerce. CreativeX has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles ("EU-U.S. DPF Principles") with regard to the processing of all personal data received from the European Union in reliance on the EU-U.S. DPF and from the United Kingdom (and Gibraltar) in reliance on the UK Extension to the EU-U.S. DPF (the "EU-UK DPF Principles"). If there is any conflict between the terms in this Privacy Policy and the EU-U.S. DPF Principles, and the EU-UK DPF Principles, the EU-U.S. DPF Principles, and the EU-UK DPF Principles shall govern. To learn more about the EU-U.S. DPF and the UK-U.S. DPF, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

The Federal Trade Commission has jurisdiction over CreativeX's compliance with the EU-U.S. DPF, and the EU-UK DPF. This Privacy Policy describes the types of Personal Data we collect, the purposes for which we collect and use your Personal Data, and the purposes for which we disclose your Personal Data to certain types of third parties in the sections above. Pursuant to the EU-U.S. DPF, and the EU-UK DPF, EU and UK individuals have the right to obtain our confirmation of whether we maintain Personal Data relating to them in the U.S. Upon request, we will provide EU and UK individuals with access to the Personal Data that we hold about them. EU and UK individuals may also correct, amend, or delete the Personal Data we hold about them where it is inaccurate, or has been processed in violation of the EU-U.S. DPF Principles and the EU-UK DPF Principles, except where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy in the case in question, or where the rights of persons other than the individual would be violated. An EU and UK individual who seeks access, or who seeks to correct, amend, or delete inaccurate data transferred to the U.S. under the EU-U.S. DPF and the EU-UK DPF, should direct their query to [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com). If requested to remove data, we will respond within a reasonable timeframe. For more information about rights afforded to EU and UK individuals, please see the "European Union and United Kingdom Data Subject Rights" section of this Privacy Policy.

In addition, under the EU-U.S. DPF and the EU-UK DPF, we will provide EU and UK individuals with the choice to opt-out from the sharing of their Personal Data with any third parties (other than our agents or those that act on our behalf or under our instruction), or before we use it for a purpose that is materially different from the purpose for which it was originally collected or subsequently authorised.

We will provide EU and UK individuals with the choice to opt-in to sharing their sensitive Personal Data with any third parties or if we plan to process their Personal Data for a purpose other than those for which it was originally collected or subsequently authorised. EU and UK individuals may request to limit the use and disclosure of your Personal Data by submitting a written request to [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com).

In addition to any other disclosures described in our Privacy Policy, in certain situations, we may be required to disclose Personal Data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

CreativeX's accountability for Personal Data that it receives in the U.S. under the EU-U.S. DPF and the EU-UK DPF and subsequently transfers to a third party acting as an agent on our behalf is described in the EU-U.S. DPF Principles and the EU-UK DPF Principles. In particular, CreativeX remains liable under the EU-U.S. DPF Principles and the EU-UK DPF Principles if our agents process Personal Data in a manner inconsistent with the EU-U.S. DPF Principles and the EU-UK DPF Principles, unless CreativeX proves that we are not responsible for the event giving rise to the damage.

In compliance with the EU-U.S. DPF and the EU-UK DPF, CreativeX commits to resolve EU-U.S. DPF Principles and EU-UK DPF Principles -related complaints about our collection and use of your Personal Data. EU and UK individuals with inquiries or complaints regarding our handling of personal data received in reliance on the DPF should first contact CreativeX at [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com).

In compliance with the EU-U.S. DPF and the EU-UK DPF, CreativeX commits to refer unresolved complaints concerning our handling of personal data received in reliance on the EU-U.S. DPF and the EU-UK DPF to JAMS, an alternative dispute resolution provider based in the U.S. If you are an EU or UK individual and you do not receive timely acknowledgment of your EU-U.S. DPF Principles or EU-UK DPF Principles -related complaint from us, or if we have not addressed your EU-U.S. DPF Principles or EU-UK DPF Principles -related complaint to your satisfaction, please visit <https://www.jamsadr.com/dpf-dispute-resolution> for more information or to file a complaint. The services of JAMS are provided at no cost to you.

Notwithstanding the foregoing, with regard to unresolved complaints concerning our handling of human resources data received in reliance on the EU-U.S. DPF and the EU-UK DPF in the context of the employment relationship, CreativeX commits to cooperate and comply with, respectively, the panel established by the EU data protection authorities, the UK Information Commissioner's Office and the Gibraltar Regulatory Authority and Information Commissioner.

If your EU-U.S. DPF and the EU-UK DPF complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See Annex 1 of the Data Privacy Framework Principles, located at <https://www.dataprivacyframework.gov/framework-article/ANNEX-I-introduction>

## 11.0 Changes to this privacy policy

We're constantly trying to improve our Services, so we may need to change this Privacy Policy from time to time, but we will alert you to any such changes by placing a notice on the CreativeX website, by sending you an email and/or by some other means. Please note that if you've opted not to receive legal notice emails from us (or you haven't provided us with your email address), those legal notices will still govern your use of the Services, and you are still responsible for reading and understanding them. If you use the Services after any changes to the Privacy Policy have been posted, that means you agree to all of the changes. Use of information we collect is subject to the Privacy Policy in effect at the time such information is collected.

## 12.0 Data Protection Complaints

If you have concerns about how CreativeX has collected, used, shared, retained, transferred or otherwise processed your personal data, you may submit a data protection complaint to us. You can submit a complaint by contacting: [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com)

Please provide sufficient information to allow us to understand and investigate your concerns. In accordance with applicable UK data protection law, CreativeX will:

- acknowledge receipt of your complaint within 30 days;
- investigate the issues raised;
- make reasonable enquiries where necessary to assess the complaint;
- keep you informed of progress where appropriate; and
- provide the outcome of our investigation without undue delay.

Examples of data protection complaints may include concerns relating to:

- access to personal data;
- requests for correction or deletion of personal data;
- the accuracy of personal data;
- data retention practices;
- data sharing or disclosure;
- international transfers of personal data;
- marketing communications;
- security incidents involving personal data; or
- any other concern regarding CreativeX's processing of personal data.

If you are dissatisfied with our response to your complaint, you may have the right to lodge a complaint with the Information Commissioner's Office ("ICO") in the United Kingdom or another competent supervisory authority in your country of residence, place of work or place of the alleged infringement. Information about the ICO complaints process can be found at [www.ico.org.uk](http://www.ico.org.uk)

## 13.0 Contact information

If you have any questions or comments about this Privacy Policy, the ways in which we collect and use your Personal Data or your choices and rights regarding such collection and use, please do not hesitate to contact us at:

- <https://www.creativex.com/>
- [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com)

If you are located in the EU or UK, you may use the following information to contact our EU or UK-Based Member Representative:

- UK Member Representative: [dataprivacy@creativex.com](mailto:dataprivacy@creativex.com)  
Address: 42 Southwark Street (FL 3), SE1 1UN, London, UK
- European Representative Pursuant to Article 27 of the General Data Protection Regulation (GDPR): Picasso Labs Inc. DBA CreativeX has appointed European Data Protection Office (EDPO) as its GDPR Representative in the EU. You can contact EDPO regarding matters pertaining to the GDPR:
  - by using EDPO's online request form: <https://edpo.com/gdpr-data-request/>
  - by writing to EDPO at: Avenue Huart Hamoir 71, 1030 Brussels, Belgium