

Wink Privacy Policy

Effective: February 12, 2020

Wink is developed by 9 Count Inc. This Privacy Policy applies to the Wink app, and to avoid confusion, we refer to Wink as the relevant entity throughout this policy. However, 9 Count is the business that collects and stores your information. Wink - and 9 Count- knows that you take your privacy seriously. Your data and privacy is important to us and our affiliated companies (collectively, “Wink”, “us”, “our”, or “we”). This privacy policy (the “Privacy Policy”) explains how we collect, use, and share data from or about individuals who use the Wink App (“app”) or visit our website at www.getwinkapp.com (collectively, the “Services”) to make friends online. By using our Services, you agree to the collection, use, disclosure, and procedures this Privacy Policy describes. Beyond the Privacy Policy, your use of our Services is also subject to our [Terms of Service](#) and [Community Guidelines](#).

Please note that Wink is not a dating app. It is a place to make friends online. Please use it accordingly.

INFORMATION WE COLLECT

We collect a variety of information from or about you or your devices from various sources, as described below.

Information you give us directly.

- **Registration information.** When you sign up to use the app, you provide us with basic information like your phone number, Snapchat display name, Snapchat username, age, country, and gender.
- **Profile information.** When you create a profile on the app, you provide us with information such as profile pictures, name (first and/or last), and any other information you choose to provide. Please see the “Other users” section under “HOW IS INFORMATION SHARED” below for important details about how your profile information is viewable by other users.
- **Messages.** When you send or receive a message through the app, we collect the contents of the message, any attachments to the message (including, for example, voice messages and photos), and information about the message (such as who you are communicating with).

- **Wink communications.** When you reach out to us (through, for example, an in-app report or email, we collect and store the contents and details of that communication, including things like date, time, method of communication, and resolution (if applicable).
- **Polls, surveys, and questionnaires.** When you voluntarily respond to polls, surveys, and questionnaires, we receive the contents of your responses and any other information you provide, such as your address and basic demographic information.

Information we collect when you use our Services.

- **Log and data usage information.** We collect information about your activity on the Services and how you use the Services, such as the date and time you send a message, who you chat with, your internet protocol ("IP") address, and how you use third-party websites or services accessed through the app (like Bitmoji).
- **Device and browser information.** We collect information from and about the device you use to access our Services, which may include information like your hardware model, operating system version, device model and/or carrier, web browser type and settings, push notification tokens, advertising identifiers (e.g. Apple IDFA or Google Advertising ID), unique device identifiers, and mobile network information.
- **Location information.** We use your IP address to infer your general location when you use the Services.
- **Information collected from cookies and similar technologies.** We and our third party partners, such as advertising partners, may collect information through the use of cookies and similar technologies like web beacons. Cookies are small text files containing a string of alphanumeric characters. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be used by your browser on subsequent visits to our Services.

Please review your web browser's "Help" file to learn the proper way to modify your cookie settings. Please note that if you delete or choose not to accept cookies from the Service, you may not be able to utilize the features of the Service to their fullest potential.

Information we get from Third Parties.

- **Information from third parties.** We may receive information about you from third parties, including third parties that integrate with the Services or that provide services to us. This may include information such as log and data usage information collected from our Services or other online services, device and browser information, location information, and information collected through cookies or other similar technologies. We may combine

this information with demographic and other interest-based segment information we receive from third parties.

- **Information from third party services.** If you created your account using a third party account, such as your Snapchat account, we may receive certain information about you from these third parties such as your first name, last name, and Bitmoji. If you wish to limit the information we receive, you should visit the privacy settings of your third party accounts to learn about your options.

HOW WE USE INFORMATION

We use the information we collect to:

- **Provide, maintain, improve, and enhance the Services.** We use information we collect about you to provide the Services you request from us and to provide the functionality of the app and the features you choose to use. For example, we use the information we collect to facilitate your use of the app's features, to allow you to connect with other users, to deliver your messages, and to display your intended themes and profile images.
- **Personalize your experience on the Services.** For example, we use the information we collect to personalize content and make suggestions that are relevant to you.
- **Understand and analyze how you use the Services.** We aim to continuously improve our offerings to bring you the best way to make meaningful connections. Accordingly, we are continuously analyzing how users access and use the app and its features in order to improve existing Services and develop new ones. Our analysis of how you use the app can help us do things like evaluate the popularity and functionality of certain features, identify and fix potential bugs, and understand what our users want.
- **Communicate with you.** The information we collect lets us respond to your comments and questions or otherwise provide customer support, and keep you updated on other information such as Wink's latest product announcements, software updates, and upcoming events.
- **Enable social functionality.** We use the information we collect to support the social functionality of the Services, including to allow you to post content on third party services, such as social media networks.
- **Promote safety and security.** We also use information to find and prevent fraud and promote trust and safety on the Services. For example, we may scan your messages for inappropriate content to protect the safety and integrity of our Services and users.

- **Compliance purposes.** We may use the information we collect to enforce our Terms of Service, Community Guidelines, and other legal rights, or as may be required by applicable laws and regulations or requested by any judicial process or governmental agency.
- **Deliver ads and other sponsored content.** We use the information we collect, including information about your interests, actions and connections, -to select, personalize, and deliver ads, offers and other sponsored content.
- **Send you push notifications.** We may use the information we collect to send you push notifications.
- **Other purposes.** We may also use the information we collect for other purposes for which we provide notice at the time the information is collected.

HOW IS INFORMATION SHARED

- **Other users.** Our Service is a social service intended to help you make new friends and interact with them. Please be aware that your profile information will always be viewable by other users. You may edit your profile information within the app through your profile settings. We are not responsible for other users' use of available information, so you should carefully consider whether and what to include in your profile or otherwise share through the Services. We also share your information if you ask us to. For example, we send the messages and other content you ask us to send to other users either directly or within a group chat. Please be aware that anyone you send a message to will have their own copy of the message and any content attached to that message. Therefore, even if you delete your copy of the message from your account, they may duplicate, store, or reshare at their own discretion.
- **Social networks.** Our services allow you to share information with social networking services, such as Snapchat. You understand and agree that the use of your information by any social networking websites will be governed by the privacy policies of these third party platforms and your settings on that platform. We encourage you to review their privacy policies before sharing any information with them.
- **Third party integrations.** Certain features you use through Wink are offered by third parties such as linking to Snapchat to use a Bitmoji as your profile picture. Those features may include things such as GIFs, emojis, smileys, web pages optimized for Wink, etc. When you choose to use these third-party features, or other services that use, or are integrated with, our Services, those third parties (and other users of those third party services) may be able to see things like your user profile and receive information about what you post or share. These third parties may use this information as described in their privacy policies, which can include advertising. You understand and agree that the use of your information by these third parties will be governed by the privacy policies of these

third party platforms and your settings on that platform. We encourage you to review their privacy policies before sharing any information with them.

- **Our service providers.** We share the information we collect with third-party service providers that help operate our business. Examples include suppliers who host our data or provide customer service.
- **Our related companies.** We may share some or all of your information with our affiliated companies, subsidiaries, or joint ventures.
- **To protect Wink and its users, or for legal purposes.** We may access, preserve, and disclose your information if we believe doing so is required or appropriate to: (a) detect, prevent or address fraud or other illegal activity (b) respond to your requests; (c) comply with law enforcement requests and legal process, such as subpoenas, warrants, production orders, or similar instruments; or (d) protect your, our, or others' rights, property, or safety, including when there is an emergency involving potential harm, loss of security or serious injury to people or threats of such emergencies. For the avoidance of doubt, we may disclose your information if you post any objectionable content on or through the Services.
- **Merger, financing or sale.** We may share your information with service providers, advisors, potential transactional partners, or other third parties in connection with the consideration, negotiation, or completion of a merger, financing, acquisition, dissolution transaction, bankruptcy or proceeding involving the sale, transfer, or divestiture of all or a portion of our business or assets.
- **Advertising partners.** We work with third party advertising partners to show you ads that we think may interest you. Please see the "USER CONTROLS" section below for information about how to opt-out of receiving interest-based ads from some of these partners.
- **Consent.** We may also share your information with your permission.

USER CONTROLS

- **Update your information.** You can update your profile information through your app settings.
- **Delete your account.** You can request to delete your account by emailing support@getwinkapp.com. You should be aware that even if you delete your account, some of your information may still be available to other users through the app and will not be deleted by us.

- **Blocking and reporting users.** You can block users or report users who are engaging in harmful or offensive conduct to us through the controls provided in the app.

- **Marketing and promotional communications.** You may unsubscribe from emails in the footer of any marketing or promotional email. Please note that even if you opt-out of receiving marketing or promotional messages from us, you will continue to receive administrative messages from us.

- **Interest-based advertising.** We adhere to the Digital Advertising Alliance (“DAA”) Self-Regulatory Principles for Online Behavioral Advertising. You may opt out of interest-based advertising as follows:

1. You may opt out of seeing interest-based ads from us or our third party advertising partners on your desktop browser and/or mobile web browser by visiting the DAA at <http://www.aboutads.info/choices/> or by visiting the Network Advertising Initiative (“NAI”) at <http://www.networkadvertising.org/choices/>.

2. You may opt out of seeing interest-based ads in the App by downloading the DAA’s AppChoices application, which is available at <http://www.aboutads.info/appchoices>.

3. Certain versions of your device’s operating system permit you to opt out of interest based advertising. Please visit your device settings to limit such tracking.

Please note that when you opt out of interest-based ads, you will still see ads, but they will no longer be based on your interests or behavior.

SECURITY OF YOUR INFORMATION

We make reasonable efforts to protect your information by using safeguards designed to improve the security of the information we maintain. Despite these efforts, you should know that we cannot guarantee the privacy or security of your information because we cannot fully eliminate the security risks associated with online transmissions.

INTERNATIONAL USERS

Our App and all of our data, including your Data, are hosted on servers in the United States. If you are using or accessing the Services from outside of the United States, your Data will be transferred to, processed and stored in the United States. As a result, United States federal and state governments, courts, or law enforcement or regulatory agencies may be able to obtain your Data through laws applicable in the United States. United States laws may not offer the same privacy protections as the law of your jurisdiction.

Personal information collected in the EU may be transferred to, and stored at, a destination outside of the EU and processed by employees operating outside of the EU who work for

us, one of our business partners, or service providers. We utilize standard contract clauses (see <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010D0087>), rely on the European Commission's adequacy decisions about certain countries, as applicable, and obtain your consent for these data transfers to the United States and other countries. When we transfer personal information across country borders, we will make sure there is a transfer mechanism in place to transfer the data in a manner consistent with that described in this Privacy Policy.

For citizens of the European Union, you should know that Wink is a controller and a processor of your personal information. The legal bases for which we collect and use the information described above depends on what the information is and why we collected it. The four bases upon which we rely include:

- **Contract.** This means we need the information to perform our contract with you. For example, when you want to send a message, we use information to carry out your request to transmit that message to its intended recipient.
- **Legitimate Interests.** This means we have a legitimate interest that does not outweigh your privacy rights. When we collect and process information based on our legitimate interests, we consider how we can accomplish what we need to in a way that is the least obtrusive on your privacy. For example, it is in our interest to protect your safety and security in the app, so we collect and use information that has been flagged by users or requested by law enforcement; to make sure you are satisfied with how the Services work, troubleshoot technical problems or develop new features, we collect and use information about how you and others use the Services; and to respond to your service inquiries, we collect and use information in that request and, if relevant to the inquiry, information about how you access and use the Services.
- **Legal Obligations.** We may need to use your personal information to comply with a law enforcement preservation request, subpoena, or other legal process or to protect the rights of other users.
- **Consent.** If we have no other legal basis for collecting or using your information, we will ask you for consent for a specific purpose. If we do, you have the right to withdraw consent at any time. Withdrawing your consent will not apply to any processing conducted in reliance on lawful processing bases other than consent.

EU Users' Rights

In addition to other rights detailed in the policy (such as requesting deletion, correction or updating of your personal information), EU citizens have certain rights regarding your personal information, including:

- **Right to Object and Restrict Processing.** You have the right to object to or restrict our use of your personal information for direct marketing purposes or under certain circumstances when the legal bases for using your information is based upon our legitimate interest. If you wish to object to our use of your information, you can send us a request to delete your account by emailing us at support@getwinkapp.com.
- **Right to Erasure.** You have the right to have your personal data erased and no longer processed. You can send us a request to delete your account by clicking here. Upon receiving the request, we will make a reasonable effort to delete your personal information from the app and from our internal network within a reasonable period of time as long as we are not obligated to preserve your information due to things like law enforcement preservation requests, subpoenas, investigations, litigation, or otherwise meet any of our other legal obligations. We may also retain depersonalized information after deletion.
- **Data Portability.** You can exercise your right to export your personal data by emailing support@getwinkapp.com.
- **File a complaint.** You have the right to complain to the data protection authority located in your Member State. To find contact details, [click here](#).

CALIFORNIA USERS

If you are a California user, please refer to our California Resident Privacy Notice for additional information about the data we collect and your rights.

CHILDREN'S PRIVACY

We don't knowingly collect personal information from children under 13, and no part of our Services is directed to children under 13. If we learn that we have inadvertently collected the personal information of a child under 13, we will take steps to delete the information as soon as possible. If you learn that a child under 13 has provided us with personal information in violation of this Privacy Policy, you may alert us at legal@getwinkapp.com.

THIRD PARTIES

This Privacy Policy does not apply to services offered by other companies or individuals, including products or services that we link to or display on the Services. We are not responsible for the privacy practices of these third parties. We encourage you to read their privacy policies before providing any information to them.

CHANGES TO THIS PRIVACY POLICY

We may amend this Privacy Policy from time to time, and the updated version will be effective when posted. We encourage you to regularly check this page to review any changes we might make. If we make material changes to the Privacy Policy, we will notify

you by posting an announcement on our Services, or by sending you an email or other communication

CONTACT US

If you have any questions, comments, complaints or suggestions, please contact us at:

9 Count, Inc.

Attention: Privacy Office

Contact form: <https://www.9count.co/contact>

Email: support@getwinkapp.com

California Resident Privacy Notice

This California Resident Privacy Notice supplements the information and disclosures contained in our Privacy Policy [<https://getwinkapp.com/privacy/>]. It applies to individuals residing in California from whom we collect Personal Information as a business under California law.

Personal Information Collection, Disclosure, and Sale

For the purposes of this notice, **Personal Information** means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household, or as otherwise defined by the California Consumer Privacy Act of 2018 (California Civil Code §§ 1798.100 to 1798.199) and its implementing regulations, as amended or superseded from time to time (“CCPA”).

Personal Information does not include information that is:

- Lawfully made available from government records.
- Deidentified or aggregate information.
- Otherwise excluded from the scope of the CCPA.

In the preceding twelve months since this notice was last updated, we have collected Personal Information from you, your devices, our affiliates, third parties, and from categories of sources otherwise described in our Privacy Policy [<https://getwinkapp.com/privacy/>]. The examples of Personal Information provided for each category reflect each category’s statutory definition and may not reflect all of the specific types of Personal Information associated with each category.

We have collected, disclosed for a business purpose, or sold the following categories of Personal Information in the preceding twelve months since this notice was last updated:

Category	We Collect	We Disclose	We Sell
A. Identifiers <i>Examples:</i> Name, postal address, unique personal identifier, online identifier, internet protocol address, email address, account name, or other similar identifiers.	Yes	Yes	No
B. Categories of Personal Information in Cal. Civ. Code Section 1798.80(e) <i>Examples:</i> Name, signature, address, telephone number.	Yes	No	No

<p>C. Characteristics of Protected Classifications under California or Federal Law</p> <p><i>Examples: Sex (including gender and pregnancy, childbirth, breastfeeding or related medical conditions).</i></p>	Yes	Yes	No
<p>D. Commercial Information</p>	No	No	No
<p>E. Biometric Information</p>	No	No	No
<p>F. Internet or Other Electronic Network Activity Information</p> <p><i>Examples: Browsing history, search history, and information regarding a consumer’s interaction with an internet website, application or advertisement.</i></p>	Yes	Yes	No
<p>G. Geolocation Data</p> <p><i>Example: Precise physical location.</i></p>	No	No	No
<p>H. Sensory Information</p> <p><i>Examples: Audio, electronic, visual, thermal, olfactory, or similar information.</i></p>	No	No	No
<p>I. Professional or employment-related information.</p>	No	No	No
<p>J. Non-Public Education Information (as defined in 20 U.S.C. 1232g; 34 C.F.R. Part 99).</p>	No	No	No
<p>K. Inferences Drawn from Personal Information</p> <p><i>Examples: Consumer profiles reflecting a consumer’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.</i></p>	Yes	Yes	No

In the preceding twelve months, we have not sold any California resident's Personal Information.

Use of Personal Information

We collect, use, and disclose your Personal Information in accordance with the purposes disclosed in our Privacy Policy [<https://getwinkapp.com/privacy/>] and for the specific business purposes below:

- **Auditing Interactions:** Auditing related to a current interaction with you and concurrent transactions, including, but not limited to, counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards.
- **Fraud and Incident Prevention:** Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity.
- **Debugging:** Debugging to identify and repair errors that impair existing intended functionality.
- **Transient Use:** Short-term, transient use.
- **Contracting Vendors:** Contracting with service providers to perform services on our behalf or on their behalf, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing advertising or marketing services, providing analytic services, or providing similar services on behalf of the business or service provider.
- **Product Improvement:** Undertaking activities to verify or maintain the quality or safety of our services, and to improve, upgrade, or enhance our services.
- **Notified Purpose:** For other purposes for which we provide specific notice at the time the information is collected.

Disclosure of Your Personal Information

Pursuant to our Privacy Policy [<https://getwinkapp.com/privacy/>], we disclose your Personal Information to our affiliates, service providers, and third parties for which you have authorized us to disclose your information.

Your California Privacy Rights

If you are a California resident, you may exercise the following rights.

Right to Know and Access. You may submit a verifiable request for information regarding the: (1) categories of Personal Information (as defined by the CCPA) collected, sold, or disclosed by us; (2) purposes for which categories of Personal Information are collected or sold by us; (3) categories of sources from which we collect Personal Information; and (4) specific pieces of Personal Information we have collected about you.

Right to Equal Service and Price. You have the right not to receive discriminatory treatment for the exercise of your CCPA privacy rights, subject to certain limitations.

Right to Delete. Subject to certain exceptions, you may submit a verifiable request that we delete Personal Information about you that we have collected from you.

Submit Requests. To exercise your rights under the CCPA, please send an email to support@getwinkapp.com, or use our online form [<http://9count.co/contact>]. Requests for access to or deletion of Personal Information are subject to our ability to reasonably verify your identity in light of the information requested and pursuant to relevant CCPA requirements, limitations, and regulations.

Verification. To verify your access or deletion request, please log into your account and navigate to our online form. Alternatively, please provide us with a screenshot of your Wink account. The screenshot should display your [name, user name, and account settings] so we can verify your identity in our records. We may provide you with a temporary user name which we will ask you to change your user name to before sending us a screenshot of your account.,

Do Not Track

There is no accepted standard on how to respond to Do Not Track signals, and we do not respond to such signals.

Contact Information

If you have any questions, comments, or concerns about our processing activities, or you would like to exercise your privacy rights please email us at support@getwinkapp.com or write to us at:

9 Count, Inc.
Attention: Privacy Office

Contact form: <https://www.9count.co/contact>

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