



# Privacy Policy

This Privacy Policy is effective as of -2-2021

Expressive Moments Mobile LLC. (“e-Chures”, “we” or “us”) are firmly committed to protecting your privacy. You should understand what we do with data relating to you (“personal information”) which we collect when you visit our mobile application and/or the website, echures.com(the “Platform”) and how we use and disclose the information. We are committed to complying with all data protection laws as are applicable to us. The data controller for personal information collected from a visitor to the Platform is Expressive Moments Mobile LLC.

**By using our Platform or by otherwise giving us your personal information you are accepting the practices described in this Privacy Policy. If you do not agree to this Privacy Policy, please do not use our Platform or give us any of your personal information. We reserve the right to make changes to this Privacy Policy at any time. Any changes will be posted in this Privacy Policy. We encourage you to regularly review this Privacy Policy to make sure you are aware of any changes and how your data may be used.**

If you have any questions or comments about the Policy, please contact us. This Policy is incorporated into and is subject to the [Terms of Service](#). Your use of Platform and any personal information that you provide on the Platform remains subject to the terms of this Platform Privacy Policy and e-Chures Terms of Service. Please click on any of the following questions to be directed to the relevant answer in the main body of this Policy.

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## HOW WE COLLECT YOUR PERSONAL INFORMATION

We may collect the following personal information relating to you:

- **Account Information:** You need to register to use our Platform. In the course of installing, accessing and using the services, we must receive or otherwise collect information that identifies you as a specific individual and can be used to contact or identify you (“**Personal Information**”). The types of information we receive and collect from you will be Name, address, email ID, phone number.
- **Device and location Information:** The Platform automatically collects certain technical information relating to the device you use to visit the Platform. Specifically, we use cookies and similar technologies to help us understand your activity on the Platform. A “**cookie**” is a small piece of data that a Platform can send to your browser, which may then be stored on your device. Data that we collect automatically includes your internet protocol (“**IP**”) address, location, your device’s identification information, and the actions taken on our Platform (e.g., links that you click) as well as other sites that you may visit. For further information on the cookies and similar technologies we use on our Platform and why we use them, please review our **Cookie Notice**.
- **Payment Information:** If you use the Service to make or receive payments, we will also collect certain financial information, such as credit card or other financial account information.
- **Children Information:** The Service is intended for users 16 and older. We do not knowingly collect Personal Information from anyone younger than age 16. If we become aware that a child younger than 16 has provided us with Personal Information, we will use commercially reasonable efforts to delete such information from our files. If you are the parent or legal guardian of a child younger than age 18 and believe that E-Chures has collected Personal Information from your child, please contact us at 916-582-4411
- **Anonymous Information:** We sometimes collect anonymous information from visits to the Platform. Anonymous information (or click stream data) refers to information that does not and will not directly or indirectly reveal your identity, e.g., aggregated data relating to all of our Platform visitors. We may use this data to analyse trends and statistics and to help us provide you with a better experience using our Platform.

If you provide us with personal information of third parties (such as the details of your administrative assistant or your emergency contact), you agree to: (a) notify each individual before sharing their personal information with us, (b) explain that their personal information will be processed in accordance with this Privacy Policy, and (c) obtain their consent, where appropriate.



## WHY WE NEED TO COLLECT YOUR PERSONAL INFORMATION

To the extent permitted by applicable law, we use your personal information for various purposes, such as to:

- provide you with the services and information that you have requested.
- manage and maintain our relationship with you, including responding to an inquiry, question or comment made by you and providing you with other customer support.
- communicate important notices to you, such as information about changes to this Platform Privacy Policy and service updates.
- carry out analytics and market research and internal reporting to enable us to plan, develop and improve our Platform, our Services and marketing activities. (For example, we may use your IP address to help diagnose problems with our server, to administer the Platform, to refine the Platform based on which features people use most often, to help identify Platform users (such as you) and gather general demographic information about Platform users.)
- inform you of our new services that we think you will find valuable by sending promotional messages via email, SMS, phone, post and/or other similar communications means. (If you would prefer not to receive these communications, simply follow the unsubscribe instructions on the promotional communications that you receive.)
- create a profile about you to help us personalize our communications to you, including to ensure that you receive relevant marketing communications based on your actions on this particular Platform or your geographic location based on your IP address.
- prevent and detect unlawful behaviour, and protect or enforce our legal rights, for example defending us in case of legal disputes.

## TO WHOM WE GIVE YOUR PERSONAL INFORMATION

We will not sell your personal information to anyone outside the E-Chures. However, we may need to disclose your personal information to third parties in the following instances:

- **Information shared with other Users:** You share your information (including messages) as you use and communicate with other registered Users through our Services.
- **Service providers:** We will disclose your personal information to companies that provide services to us, such as companies that assist us in operating our Platform and vendors that assist us with marketing campaigns. The service providers are required to keep your personal information confidential and are not permitted to use your personal information for any other purpose than to carry out the services they are performing for us.
- **Third parties to meet applicable legal requirements:** We may need to disclose your personal information to a third party if it is necessary to comply with a legal obligation or the decision of a judicial authority, a public authority or a government body, or if disclosure is necessary for national security, law enforcement or other public interest.
- **Business partners:** We will disclose your personal information to our business partners if it is necessary for providing Services to you, such as payment gateway, certain software and related services.



- **Third parties in connection with a business sale:** If we make a sale or transfer of assets, or are otherwise involved in a merger or business/asset transfer, we may transfer your personal information to one or more third parties as part of that transaction.
- **Other third parties with your consent:** We may also share your personal information with other third parties when you separately consent to such sharing.

## HOW LONG WE RETAIN YOUR PERSONAL INFORMATION

Your personal information will be retained only for so long as reasonably necessary for the purposes set out in this Platform Privacy Policy in accordance with applicable laws, including for the purposes of satisfying any legal, regulatory, accounting or reporting requirements. Your information may persist in copies made for backup and business continuity purposes for additional time. If you choose to provide us with Personal Information, we encourage you to routinely update the data to ensure that we have accurate and up-to-date information about you.

## HOW WE PROTECT YOUR PERSONAL INFORMATION

e-Chures implements appropriate security measures designed to prevent unlawful or unauthorized processing of personal information and accidental loss of or damage to personal information. The data collected via our Platform is stored in a secure server with our ISP who will take periodic backups of such data.

## CHILDREN'S PRIVACY PROTECTION

The Platform are not intentionally targeted to, or intended for, children under the age of 16. We do not knowingly collect data relating to children.

## CONTROLLING YOUR PERSONAL INFORMATION

### Accessing of Personal data

- (i) If you would like request information about your personal data which we have collected, or inquire about the manner in which your personal data may have been used or disclosed by us within the past year, please contact us. In order to facilitate processing of your request, we may need to ask for further information relating to your request.
- (ii) We reserve the right to charge a reasonable fee for retrieving your personal data records. If so, we will inform you of the fee before processing your request.
- (iii) We will respond to your request as soon as reasonably possible. Should we not be able to respond to your request within thirty (30) days from the date of your request, we will inform you in writing. If we are unable to provide you with any personal data or to make a correction requested by you, we shall generally inform you of the reasons why we are unable to do so (except where we are not required to do so under the applicable laws and regulations).

### Updating or modifying your Personal Data

- (i) It is crucial that you provide us with accurate personal data. You are responsible for informing us of changes to your personal data, or in the event you believe that the personal data we have about you is inaccurate, incomplete, or out of date. You can update your personal data by accessing your account on the Platform. If you are unable



to update your personal data through your account, you can do so by contacting us via homepage by filling out the questionnaire.

#### **Withdrawal of consent and deletion of Personal Data**

- (i) You may communicate the withdrawal of your consent to the continued use or disclosure of your personal data for any of the purposes mentioned in this Privacy Policy, or request the deletion of your personal data, by contacting us through the contact details provided in the Platform.
- (ii) Please note that if you communicate your withdrawal of your consent to our use or disclosure of your personal data as mentioned above, or request the deletion of your personal data, we may not be in a position to continue to provide our Services to you or perform on any contract we have with you, and we will not be liable in the event that we do not continue to provide our Services to, or perform our contract with you. Our legal rights and remedies are expressly reserved in such an event.

#### **LINKS AND THIRD PARTIES**

The Platform contains links to other Platforms, including sites controlled by third parties independent of us. e-Chures is not responsible for the privacy practices or the contents of such Platforms that is not owned by e-Chures. We encourage you to read the privacy notices of such Platforms before providing any personal information to them. We do not take responsibility of any other party's site hyperlinked to e-Chures web site or in which any part of the e-Chures web site has been hyperlinked or for the opinions of third parties expressed on or through our Platform.

#### **CONTACT US**

Any questions, concerns or complaints about our processing operations and our commitment to this Platform Privacy Policy should be addressed to e-Chures's Data Protection Officer at [www.security@echures.com](mailto:www.security@echures.com) addition to contacting us, in certain countries you have the right to lodge a complaint with your local data protection authority if you so choose.



## GDPR Annex

**Annex: Additional information for the purposes of the EU General Data Protection Regulation, the Swiss Federal Data Protection Act and the UK Data Protection Act (“GDPR Annex”)**

This GDPR Annex complements and supplements the main body of the Platform Privacy Policy and covers the processing of personal information subject to EU Regulation 2016/679, also known as the EU General Data Protection Regulation (“GDPR”), the Swiss Federal Data Protection Act and the UK Data Protection Act, 2018. In case of any conflicts between the main body of the Platform Privacy Policy and the GDPR Annex, the GDPR Annex will have precedence.

We will notify you of any material changes or additions to this Platform Privacy Policy and will provide you with a copy of any amended Platform Privacy Policy(s) by use of your e-mail address provided to us, or by any other suitable means.

If you have any questions relating to this GDPR Annex or our processing of your personal information, please contact our Data Protection Officer at: [www.security@echures.com](mailto:www.security@echures.com)

### [PURPOSES AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION](#)

### [YOUR RIGHTS](#)

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## PURPOSES AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION

To the extent permitted by applicable law, we use your personal information for the purposes identified in the main body of the Platform Privacy Policy based on the following legal grounds:

- **Consent:** We may process your personal information if you consent to such processing, e.g. for receiving promotional messages via phone or electronic communications means from us. You have the right to withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any prior processing based on your consent. Please note that even after withdrawal of your consent we may be entitled to continue processing your personal information if other legal grounds apply. To withdraw your consent, you can use the unsubscribe instructions in the promotional communications you receive.
- **Contractual necessity:** Where it is necessary to enter into a contract with you for the provision of our Services or to perform our obligations under that contract. If you do not provide us with your personal information for processing as described below, we may not be able to provide the service, product or information requested.
- **Our legitimate interests:** We may process your personal information where it is necessary for our legitimate interests as a company, including to manage, promote and improve our business and manage our risk.
- **Compliance with applicable law:** We may Process your Personal Information where the processing is required by applicable law;



## YOUR RIGHTS

You have the following rights with respect to your personal information that we process, subject to conditions and restrictions set out in the applicable laws:

- To learn whether your personal information is processed by us and to request a copy of your personal information and information relating to the processing of your personal information.
- To request the correction of any inaccurate or incomplete personal information.
- To request the erasure of your personal information or the restriction of the processing of your personal information.
- To object to our processing of your personal information.
- To withdraw consent, you have given.
- Under certain circumstances, to demand data portability.
- To lodge a complaint with the applicable data protection supervisory authority.

To exercise your rights to the extent allowed under applicable law, please email at [www.info@echures.com](mailto:www.info@echures.com)

## DATA TRANSFERS

As detailed under the section '**International transfers of your personal information**', your personal information may be processed by us in countries outside your country of residence. Some of these countries may not provide for the same level of data protection as the European Economic Area, Switzerland and/or the United Kingdom (as applicable). In this event, we will ensure that the recipient of your personal information offers an adequate level of protection, for instance by entering into standard contractual clauses for the transfer of data as approved by the European Commission (or the relevant data protection supervisory authority, as applicable).



## Annex for California Residents

### **California Online Privacy Protection Act (CalOPPA) – “California Do Not Track Disclosures”**

In accordance with the CalOPPA, we may collect Personal Information about your online activities when you use the Services. While we give our users many avenues to opt out of providing Personal Information, we do not respond to Web browsers’ “do not track” signals. California’s “Shine the Light” law, Civil Code Section 1798.83, permits our users who are California residents to periodically request and obtain certain information about any Personal Information disclosed to third parties for direct marketing purposes. If you are a California resident and wish to refrain us from gathering your Personal Information, please submit your request in writing to the contact details set out in page 1 above.

**California Consumer Privacy Act (CCPA)** –The CCPA gives California consumers enhanced rights with respect to their personal information that is collected by businesses. First, California consumers may opt out of having their personal information sold to other persons or parties. Second, California consumers have a right to know:

- What specific pieces of information a business has about the consumer;
- Categories of personal information it has collected about the consumer;
- Categories of sources from which the personal information is collected;
- Categories of personal information that the business sold or disclosed for a business purpose about the consumer;
- Categories of third parties to whom the personal information was sold or disclosed for a business purpose; and
- The business or commercial purpose for collecting or selling personal information.

Third, California consumers can request that the personal information a business has collected about them be deleted from the business’s systems and records.

With your consent, e-Chures may sell personal information to third parties. You can request to opt out of the sale of your personal information at any time by completing the questionnaire on our homepage or by sending an email at [www.info@echures.com](mailto:www.info@echures.com). We have fifteen (15) days after receipt to implement a request to opt out.

To make a “request to know” or request to delete your personal information, send us an e-mail at [info@echures.com](mailto:info@echures.com). (Please put either “Request to Know” or “Request to Delete” in the subject heading of your email.)

We will confirm receipt of your request to know or delete within fifteen (15) days along with a description of what steps we will take to verify and respond. We must provide the requested information or delete your personal information within forty-five (45) days of receipt of your request but can use an additional forty-five (45) days, but we will let you know additional time is needed.

When contacting us, we may ask you to provide certain, limited personal information, such as your name, email address and/or username to verify your request and to match with our records and systems. We will not retain this personal information or use it for any other purpose. And we need to search our records and systems only for the preceding twelve (12) months.