

# Endearing Privacy Policy

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At Friends for Humanity, Inc. dba Endearing AI ("**Endearing**", "**our**", "**us**" or "**we**"), we value your privacy. This Privacy Policy outlines how we collect, use, and disclose your personal information when you use our Platform and any web-based or mobile applications (collectively, our "**Service**") and how you may exercise the rights applicable to you. By continuing to use our Services, you acknowledge and agree to the practices and policies outlined herein. To learn about our collection, use and disclosure of cookies, please visit our [Cookie Notice](#). Any capitalized term not defined herein shall have that meaning as described in the [Terms of Service](#).

## 1. Personal Information We Collect and How We Collect It

We may collect personal information from you and about you. Some examples of the information we may collect, how we may collect it, how we may use it, and how we may disclose it are described below. *Please note that we do not sell personal information or share personal information for targeted or cross-contextual advertising purposes.*

- **Account Data:** If you create an account with us, we collect your name, contact information, and account credentials. If you use our Service in connection with a third-party service, that third-party will send your information to us at your direction.
  - How we may collect it: Directly from you or from a third-party
  - How we may use it: To provide, analyze, and maintain our Service; to provide support and assistance in relation to our Service; to develop and improve our Service and to conduct research; to communicate with you; to ensure the security and integrity of our Service; for legal purposes.
  - How we may disclose it: To our contracted service providers; in connection with business transfers, for legal purposes; to our related companies; and to third-parties with which you interact or share information.
- **Payment Data:** Where you are conducting commerce on the Platform or receiving payment or providing payment (e.g., from Stripe or another payment provider), we may have third-parties process payment information, such as payment card information, and details regarding your transactions for us.
  - How we may collect it: Through a third-party processor (e.g., Apple App Store or Google Play Store).

- How we may use it: To provide, analyze, and maintain our Service; to provide support and assistance in relation to our Service; to ensure the security and integrity of our Service; for legal purposes.
  - How we may disclose it: To our contracted service providers; in connection with business transfers, and for legal purposes.
- Communication Data: If you communicate with us, such as by email, by our webpages, through our forum (such as a Discord community), in product comments, by our application, or on social media sites, we may collect personal information that you submit to us including your name, username, email address, any other information you voluntarily choose to provide us, and the contents of messages you send.
  - How we may collect it: Directly from you or an affiliate you provided it to directly; through a third-party that you may provide it to directly in connection with the Services.
  - How we may use it: To provide, analyze, and maintain our Service; to provide support and assistance in relation to our Service; to develop and improve our Service and to conduct research; to communicate with you; to ensure the security and integrity of our Service; for legal purposes.
  - How we may disclose it: To our contracted service providers; in connection with business transfers, for legal purposes; and to our related companies.
- Feedback Data: Where applicable, we will collect any information, comments, suggestions, or recommendations provided by users concerning our services, products, or overall user experience.
  - How we may collect it: Directly from you or our third-party service provider.
  - How we may use it: To provide, analyze, and maintain our Service; to provide support and assistance in relation to our Service; to develop and improve our Service and to conduct research; to ensure the security and integrity of our Service; for legal purposes.
  - How we may disclose it: To our contracted service providers; in connection with business transfers, for legal purposes; and to our related companies.
- Social Media Information: We have pages on social media sites like Instagram, Facebook, TikTok, X, Reddit, and YouTube. When you interact with our social media pages, we collect personal information that you choose to provide to us. In addition, the companies that host our social media pages may provide us with aggregate information and analytics about our social media activity.
  - How we may collect it: Directly from you or from companies that host our social media pages or our service providers.

- How we may use it: To provide, analyze, and maintain our Service; to provide support and assistance in relation to our Service; to develop and improve our Service and to conduct research; to communicate with you; to ensure the security and integrity of our Service; for legal purposes.
  - How we may disclose it: To our contracted service providers; in connection with business transfers, for legal purposes; to our related companies; and to third-parties with which you interact or share information.
- Technical Data: Technical data includes information such as your IP address, device type, country from which you access the Services, analytics information, browser type and version, browser plug-in types and versions, and operating system. This may also include information about your use of the Service and how you interact with the Service, including the types of content you view or engage with, the features you use, pages you view and other performance-based metrics.
  - How we may collect it: Automatically when you use or interact with the Service, including through analytics tools or service providers (such as, the Google API).
  - How we may use it: To provide, analyze, and maintain our Service; to provide support and assistance in relation to our Service; to develop and improve our Service and to conduct research; to communicate with you; to ensure the security and integrity of our Service; for legal purposes.
  - How we may disclose it: To our contracted service providers, vendors, or affiliates; in connection with business transfers, for legal purposes; and to our related companies.
- Location Data: We may determine the general area from which your device accesses our Services based on information like its IP address. Also, you may choose to provide more precise location information, such as your device's GPS location or from third-party services that you use (such as Google API). We obtain your consent prior to collecting precise location information.
  - How we may collect it: Directly from you or from third-party services that you use.
  - How we may use it: To provide, analyze, and maintain our Service; to provide support and assistance in relation to our Service; to develop and improve our Service and to conduct research; to communicate with you; to ensure the security and integrity of our Service; for legal purposes.
  - How we may disclose it: To our contracted service providers; in connection with business transfers, for legal purposes; to our related companies; and to third-parties with which you interact or share information.

We do not aim to collect sensitive personal information (e.g., information related to racial or ethnic origin, political opinions, religion or other beliefs, health, criminal background, or trade union membership) and ask that you do not provide us with any such information.

## **2. How We Use Personal Information**

We may use your personal information for a variety of purposes. Below, you will find examples and additional information regarding how we may use your personal information.

- To provide, analyze, develop, and maintain our Service.
- To provide support and assistance in relation to our Service.
- To develop and improve our Service and to conduct research.
- To communicate with you.
- To ensure the security and integrity of our Service.
- For legal purposes. This may include detecting what country you are located in so we can comply with relevant legal obligations.

We may also aggregate or de-identify your information so that it no longer identifies you and use this information for the purposes described above, such as to analyze the way our Service is being used, to improve and add features to them, and to conduct research. We will maintain and use de-identified information in de-identified form and will not attempt to re-identify the information, unless required by law.

## **3. How We Disclose Personal Information**

We may disclose your personal information to others. Below, you will find examples and additional information regarding how we may disclose your personal information.

- To our contracted service providers: To assist in providing the Service to you or performing business operations, we provide your personal information to service providers including providers of hosting, cloud, analytics, content delivery, support and safety monitoring, payment and transaction, and other technology services, for the purposes described above.
- In connection with business transfers: In connection with or during negotiation of any merger, financing, acquisition, bankruptcy, dissolution, transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets to another company. If required by applicable laws, we will use reasonable efforts to notify you of any transfer of personal information to an unaffiliated third-party.

- For legal purposes: To (i) comply with laws or to respond to lawful requests and legal process, (ii) protect our rights and property and our agents, customers, and others, including to enforce our agreements, policies, and terms of service, (iii) to protect against legal liability, or (iv) to protect the personal safety of ourselves, our customers, or any person.
- To our related companies: To our related or affiliated companies to the extent such sharing is necessary to fulfill a request you have submitted via our Service or for customer management, customer support, technical operations, or the purposes described above.
- To third-parties with which you interact or share information: Certain features may allow you to share information with third-parties, such as through a social media platform. Information you share with third-parties is governed by that third-party's terms and policies.

#### **4. Retention of Personal Information**

We retain your personal information where we have an ongoing legitimate business need to do so. In certain circumstances, we will retain your information for legal reasons after our contractual relationship has ended. The specific retention periods depend on the nature of the information and why it is collected and processed and the nature of any applicable legal requirement. For example, we may retain your personal information:

- When we have a legal obligation to do so (e.g., if we receive a court order, we would retain your information for longer than our usual retention periods);
- To address and resolve requests and complaints (e.g., if there is an ongoing complaint about or from you);
- To protect the safety, security, and integrity of our business and the Service, as well as to protect our rights and property and those of others (e.g., if we detect misuse of our Service or otherwise detect unusual activity on your account or in your interactions with us); and
- For litigation, regulatory or other legal matters (e.g., we would retain your information if there was an ongoing legal claim and the information was relevant to the claim, or there is an investigation by the U.S. Department of the Treasury's Office of Foreign Assets Control ("OFAC") in which we may need to participate in).

#### **5. Marketing**

Except as described herein, we do not collect and use your personal information for marketing purposes and do not share your personal information with third-parties for the purpose of marketing. We may use your personal information to send you marketing emails, such as newsletters, marketing or promotional materials, and other information that may be of interest to you. You may opt-out of receiving any or all of these marketing communications from us by following the unsubscribe link or instructions provided in any email we send, or by contacting us.

## **6. Security**

We implement commercially reasonable technical, administrative, and organizational measures designed to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. However, no security measure or method of data transmission over the internet is 100% secure. In addition, you are solely responsible for protecting your login credentials and password, limiting access to your devices, and signing out of websites and accounts after your sessions.

## **7. Links to Other Sites**

Our Service contains links to external websites or social media platforms that are not operated by us. Third-party websites and services have their own terms and conditions and privacy policies, and you should read these carefully before you submit any personal information to them.

## **8. Users Must Be At Least 13**

The Children's Online Privacy Protection Act (“**COPPA**”) requires that online service providers obtain parental consent before they knowingly collect personally identifiable information online from children who are under 13 years of age. Users of our Services must be at least 13 years old; any user under 13 is not authorized. Our Platform is not targeted to children under age 13. You must also be old enough to consent to the processing of your personal information. As a parent or guardian, you may provide consent on their behalf by contacting us by email. Additionally, we do not knowingly collect any personal information from children under 13 years of age. If you have reason to believe that a child under the age of 13 has provided personal information to us, please contact us as described below, and we will take reasonable steps to delete such information.

## **9. Privacy Rights and Choices**

Depending on where you are located and subject to applicable legal exceptions, you may have certain rights in relation to your personal information.

- You may have the right to request to access, correct, update or delete your personal information, subject to certain applicable legal exceptions.
- If we have collected and processed your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- The right to submit certain privacy requests through an Authorized Agent.
- The right to be free from discrimination for exercising the rights afforded to you under applicable privacy laws.
- The right to appeal a decision we make about your rights request.

**Exercising your rights:** To exercise your rights, you must submit a request to [privacy@endearing.ai](mailto:privacy@endearing.ai) and include your full legal name, date of birth, email address and username. Once you have submitted your request, we will respond within the time frame permitted by applicable privacy laws.

Please note, however, that your personal information may be exempt from such requests in certain circumstances, for example if we need to keep using your information to comply with our own legal obligations or to establish, exercise or defend legal claims. If an exception applies, we will inform you when responding to your request.

**Verification:** In order to protect your personal information, your ability to exercise some of the rights detailed in this Privacy Policy may be subject to your ability to verify that you are the person about whom your request pertains. For example, we may require you to verify your identity by validating your account credentials or submitting additional information to allow us to verify your identity.

**Authorized Agents:** To exercise your rights using an Authorized Agent (as defined under applicable law), 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 Authorized Agent when they make a request on your behalf. We reserve the right to deny a request from an Authorized Agent that does not submit proof that they have been authorized by you to act on your behalf.

Appeals: If we refuse to take action on a request within a reasonable period of time after receiving your request, you may appeal our decision by emailing us at [privacy@endearing.ai](mailto:privacy@endearing.ai). In such an appeal, you must (a) provide sufficient information to allow us to verify that you are the person about whom the original request pertains and to identify the original request, and (b) provide a description of the basis of your appeal. Please note that your appeal will be subject to your rights and obligations afforded to you under applicable law. We respond to all appeal requests as soon as we reasonably can, and no later than legally required.

Do Not Track: Please note that because the effect of “Do Not Track” signals remain unclear, and because there continues to be no consistent industry understanding of how to respond to such a signal, we do not alter our privacy practices when we detect a “Do Not Track” signal from your browser.

## **10. Changes**

We may update our Privacy Policy from time to time. When we do, we will publish an updated version and effective date on this page, unless another type of notice is required by applicable law. If you use the Service after any changes to the Privacy Policy have been posted, all such changes will apply to your use of the Service.

## **11. European Economic Area, United Kingdom, and Switzerland Users**

If you are located in the European Economic Area (“EEA”), United Kingdom (“UK”) or Switzerland (collectively, “**Europe**”) the following disclosures apply:

### **11.1 Data Controller**

Endearing which is based at 2261 Market Street, #85101, San Francisco, CA 94114, United States, is the controller of your personal information as described in this Privacy Policy, unless otherwise specified.

### **12.2 Legal Basis**

We provide below more details on the purposes for which we process your personal information, what information we process for each purpose, and the related legal bases.

- To process payments for our Service
  - We may process account data, communication data, and payment data



- This is necessary to perform our contract with you, or - if there is no contract - this is necessary for our legitimate interest in processing a payment at your request
- To provide our Service
  - We may process account data, communication data, payment data, technical usage data, and feedback data
  - This is necessary to perform our contract; otherwise, this is necessary for our legitimate interests (to provide and maintain our Service)
- To provide support and assistance in relation to our Service
  - We may process account data, communication data, payment data, technical usage data, and feedback data
  - This is necessary to perform our contract with you; otherwise, this is necessary for our legitimate interest to operate, provide and improve our business and to communicate with you
- To develop and improve our Service
  - We may process account data, communication data, payment data, technical usage data, and feedback data
  - This is necessary for our legitimate interest in improving and developing our Service
- To ensure the security and integrity of our Service
  - We may process account data, communication data, payment data, technical usage data, and feedback data
  - This is necessary for our and others' legitimate interests (to detect or prevent activities which are illegal or breach our terms, and/or to manage the security of our IT infrastructure, and the safety and security of our employees, customers and vendors)
- To comply with our legal obligations
  - We may process account data, communication data, payment data, technical usage data, and feedback data
  - This is necessary to comply with legal obligations in Europe (such as for age assurance or to protect our IT infrastructure); otherwise, this is necessary for our legitimate Interests in protecting against misuse or abuse of our Service, protecting personal property or safety, pursuing remedies available to us and limiting our damages, complying with judicial proceedings, court orders or legal processes, or to respond to lawful requests
- For our business or commercial purposes
  - We may process account data, communication data, payment data, technical usage data, and feedback data

- This is necessary for our legitimate interests (to identify new customers, data analysis, developing new products, identifying usage trends, and operating and expanding our business activities)

Except as stated herein, we do not aim to collect sensitive personal information (e.g., information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometric data, criminal background, or trade union membership) and ask that you do not provide us with any such information.

When we process your personal information because this is necessary for our, or someone else's legitimate interests, we may carry out a balancing test to document our interests, to consider what the impact of the processing is on individuals, and to determine if those interests outweigh our interests in the processing taking place.

### **12.3 Our Service Providers**

We process all of your personal information in the United States, where we maintain our primary data centers.

On some occasions, we may use service providers that may be involved in processing personal information as listed on our subprocessors page. These companies either participate in the EU-US Data Privacy Framework, the Swiss-US Data Privacy Framework and the UK extension to the EU-US Data Privacy Framework, which offer adequate protection for European personal information; or we have standard contractual clauses in place with them.

### **12.4 Your Rights**

- You may access, correct, update, or request deletion of your personal information.
- You can object to processing of your personal information when our processing is based on our legitimate interests, ask us to restrict processing of your personal information or request portability of your personal information, (i.e., your data to be transferred in a readable and standardized format).
- You have the right to opt-out of any marketing communications we may send at any time and to opt-out of profiling for purposes of direct marketing. We may still send you non-promotional transactional emails, legally required notices, or updates about ongoing business relations.
- If we have collected and processed your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect

processing of your personal information conducted in reliance on lawful processing grounds other than consent.

- You have the right to complain to a supervisory authority about our collection and use of your personal information. For more information, please contact your local supervisory authority. Contact details for supervisory authorities in the EEA and the UK are available [here](#). Certain supervisory authorities may require that you exhaust our own internal complaints process before looking into your complaint.
- In France, you can choose to ask us to keep or destroy your personal information, after your death, to a nominated third party. You may also be able to ask us to disclose your personal information, after your death, to a specified recipient.
- If you are from a different jurisdiction and believe you may have additional rights, please contact us as described below.

Sometimes your personal information may be exempt from such requests, for example if we need to keep using your information to comply with our own legal obligations or to establish, exercise or defend legal claims. If an exception applies, we will inform you when responding to your request. We may request that you provide us with information necessary to confirm your identity before responding to your request.

You may exercise your rights by contacting as described below.

### **13. California Users**

Under California Civil Code Section 1798 (**“California's Shine the Light”**), California residents with an established business relationship with us can request information once a year about sharing their Personal Data with third parties for the third parties' direct marketing purposes. After thorough analysis, we have determined that we are exempt from the California Consumer Privacy Act of 2018, and the later, California Privacy Rights Act of 2020 (collectively, **“CCPA”**).

If you'd like to request more information under the California Shine the Light law or other laws, and if you are a California resident, you can contact us using the contact information provided below.

### **14. Nevada Users**

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 license or sell that Personal Data. You can exercise this right by contacting us as described below with the subject line **“Nevada Do Not Sell Request”** and

providing us with your name and the email address associated with your account. We do not currently sell your Personal Data as sales are defined in Nevada Revised Statutes Chapter 603A. If you have any questions, please contact us as set forth below.

## **15. Contact Us**

If you have any queries or complaints about our collection, use, or storage of your personal information, or if you wish to exercise any of your rights in relation to your personal information, please contact our Data Protection Officer at [privacy@endeairng.ai](mailto:privacy@endeairng.ai) or by mail at the address described above.