

PRIVACY POLICY

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1. INTRODUCTION

- 1.1. Whichpik Limited (“Whichpik” or “we” “our Website” and “us”) is dedicated to the privacy of our Website’s (“Our Website”) visitors and users. We are dedicated to the protection and safeguard of our Users and Visitors’ personal data. This privacy policy gives you an insight into how we collect and use your data to maximise your experience on our Website. It shows how we collect, use, and protect the information. It also contains provisions on your rights regarding your privacy.
- 1.2. By using this Website or any of our services, you consent to the use of your personal data in the manner contained in this Policy, to the extent permitted by law. Please read this Policy carefully and note that the English version of this Policy is binding, all other translations are only for convenience purposes.
- 1.3. This Policy should be read and used together with our Cookies Policy and Terms of Use.

2. WHO WE ARE

- 2.1. We are Whichpik Limited, a company registered in England, United Kingdom and based in London. We are a photo comparison organisation that allows users conduct photo comparisons with human input.

3. INFORMATION WE COLLECT

Through the ways contained in 4, either provided to us by you, through third parties or through passive

and automated means, we collect the following information from you. The use of the information collected is as contained in 6.

- 3.1. **Registration Information:** When you register on our Website. In this case we may collect personal information that includes but are not limited to name, email address, password, any other information you choose to share with us. In cases where we collect a profile picture, the selected profile picture may be shown as a thumbnail next to some of your activities on our Website. Please note that this image is not frozen in time. For example, If you change your image in 2024, it is the new image that will appear next to your activities from 2021, not that from 2021.
- 3.2. **Service information** - This includes the information you provide to us that relates to our Services. This includes but is not limited to pictures uploaded for comparison, pictures selected when making your choices on our comparison tool, transaction information for issues related to the use of our Website etc.
- 3.3. **Compliance and Verification Information:** Information provided needed for compliance purposes as required for our services.
- 3.4. Information about your visits to and use of our Website, including the referral source, date of visit, length of visit, page views, and website navigation paths.
- 3.5. **Location Information** - These are information about your location provided by the electronic device you are using to interact with our Website, or associated with your IP address, where we are permitted by law to process this information.
- 3.6. Information, such as your name and email address, that you enter in order to set up subscriptions to our emails and marketing communications.
- 3.7. Usage, viewing, technical, and device data when you visit our sites, use our applications on third-party websites or platforms, or open emails we send, including your browser or device type, unique device identifier, and IP address.

- 3.8. Information contained in any communications that you send to us by email or through our Website, including its communication content and metadata.
- 3.9. Activity information about your use, and how often you use our Website, and your preferences.
- 3.10. We categorise the information collected from you as follows: (a) identifiers (name, email address, IP address, location information); (b) Internet and device information (browsing history; IP address, cookies, device details, browser information) (c) usage Information (such as information about how you use our Website (s), products, and services); (d) marketing and communications information (This is tied to your preferences in receiving marketing from third parties and us and your communication preferences); and (e) other information that identifies or can be reasonably linked to you.
- 3.11. We do not intentionally collect sensitive personal information, (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences. If you provide those information to us, we will protect it to the best of our ability but will not be liable for any breach arising from those. However, please know that we will in no circumstance ask for special category personal data information.
- 3.12. You are not mandated to provide personal data to us. You can decline any request to provide information to us. However, your failure to do so may affect our ability to provide the services you request. It might also limit the use of our Website and Services to its full potential. If you have provided us with information, you may also review, change or remove certain types of your information provided to us by contacting us at legal@whichpik.com.

4. THE WAYS THROUGH WHICH WE COLLECT INFORMATION FROM YOU

The ways in which we collect the information stated in 3 are as follows:

- 4.1. When you provide them to us either by access, use, or registration on Our Website for our Services, requesting certain information from us or interacting with us either online or offline in any manner whatsoever.
- 4.2. We also passively collect information when you use our service. This collection of information can be from information in your browser or device.
- 4.3. As you interact with our Website, we may automatically collect technical information about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive technical information about you if you visit other websites or when you visit our sites or use our services on third-party websites or platforms using one or more devices that employ our cookies whether or not you have registered for our services or not. To disable cookies, please refer to our cookies policy.
- 4.4. In line with this Policy, We may use cookies to track user traffic patterns in order to create user's personalised/targeted services, offers, promotions, adverts, products, and capture trends, in accordance with our services.
- 4.5. For safety and security purposes, service improvement, and data collection, we may use technological tools that receive and record the Internet Protocol (IP) addresses of the computer's users used to interact/contact our Website. We do not attempt to link these addresses with the identity of Visitors visiting and using our Website.
- 4.6. We also collect information through analytics tools, including but not limited to Google Analytics etc. This collection happens when you visit our Websites.
- 4.7. We also use social media tools or third-party applications to collect information, especially when you join our Website or use our services through these third party or social media platforms. To prevent us from sharing your information with these third party platforms, please do not access our services through them. It is also advisable that you read the privacy policy of these third-party platforms to understand how your privacy is ensured by them.

5. HOW WE USE THE INFORMATION COLLECTED FROM YOU

In line with regulatory provisions, applicable laws, your preferences as set on our Website or third party platforms, we use information collected in the following manner or any other manner as stated on the relevant pages of our Website:

- 5.1. Administering, improving or promoting our services and ensuring that we maximise the potentials of our Website for your use.
- 5.2. Personalising the use of our Website as selected and used by you.
- 5.3. We will make available the pictures provided uploaded on our Website by you for comparison to other users so as to increase the amount of human input into the pictures.
- 5.4. Internal use by our employees and contractors to ensure the maximisation of your use of our Website.
- 5.5. Analysing data usage trends and preferences in order to improve the accuracy, effectiveness, security, usability or popularity of our Services.
- 5.6. Communicating with you regarding a) marketing communications relating to our business or the businesses of carefully selected third parties which we think may be of interest to you (you can inform us at any time if you no longer require marketing communications either by clicking unsubscribe at the bottom of the email or contacting us in other ways provided); b) your transactions on our Website; (c) notify you of changes to our policies; and (d) sending you non-marketing commercial communications such as dealing with inquiries and made by or about you relating to our Website or any other communication to us from you. Please note that clicking the unsubscribe button does not stop us from sending you non-marketing emails and other emails related to the use of Our Website and the change in our policies.
- 5.7. Technical activities, such as bug detection and error reporting, etc.
- 5.8. providing third parties with statistical information about our users (but those third parties will not be able to identify any individual user from that information);

- 5.9. verifying compliance with the Terms of Use governing the use of our Website; and
- 5.10. Security and Legal Compliance, including to detect, investigate and prevent activities that may violate our policies or be illegal.
- 5.11. Building a business case for funding and acquisition from a third party
- 5.12. If you are located in the EEA, we process information as listed in this Policy as necessary (i) to fulfil our obligations under our contract with you or in order to take steps at your request prior to entering into a contract, or (ii) for our legitimate interest, such as to maintain our relationship with you or to protect you when you use our Website.
- 5.13. For users in the EEA region, every image uploaded to our Website is public. No matter what your privacy settings are, every image can always be accessed and viewed by anyone who types in that exact URL. No image uploaded to Whichpik is ever completely hidden from other users. This is mainly to ensure the performance of our services which is the obtaining of human input into picture comparison and to ensure pictures uploaded on our Website are not in violation of our Terms of Use, applicable law or used for illegal purposes.
- 5.14. Your information for the purposes for which it was collected, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to obtain an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us here. We will notify you if we need to use your information for unrelated purposes and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6. DISCLOSURE OF INFORMATION COLLECTED FROM YOU

Except as provided in this Policy, we will not provide your personal information to third parties. The way in which we may disclose information collected from you are:

- 6.1. For legal purposes, which includes but are not limited to; complying with the requirements of the law such as subpoenas, search warrants, court orders, and other legal processes; responding to enquiries or requests from government, regulatory, law enforcement, public authorities, or content protection organisations; defending the legal rights, privacy, safety or property of Whichpik, its subsidiaries, employees, agents, contractors or users; permitting Whichpik to pursue available remedies, commence, participate in or defend litigation, or limit the damages we may sustain; and to enforce this Policy or any applicable Terms of Use are complied with.
- 6.2. To maximise our service to you, we might disclose to our partners and service providers which includes but are not limited to communication providers, analytics tools, IT, information security and cloud services providers.
- 6.3. We may share your information with your consent, such as when you share your profile activities with third-party platforms or websites.
- 6.4. Please note that once we share your personal information with a third party, the information received by the other company is controlled by that company and becomes subject to the other company's privacy practices.

7. SECURITY OF YOUR PERSONAL INFORMATION

- 7.1. We will take reasonable technical and organisational precautions to prevent the loss, misuse, or alteration of your personal information.
- 7.2. We will store all the personal information you provide on our secure (password protected) servers.
- 7.3. You acknowledge that the transmission of information over the internet is inherently insecure, and we cannot guarantee the security of data sent over the internet. However, we undertake to take all reasonable steps to ensure the safety of your data.

8. YOUR RIGHTS AND CONTROLS ON YOUR INFORMATION

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are:

- 8.1. **The right to request access to your personal data (commonly known as a “data subject access request”)**: this enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- 8.2. **The right to request correction of such personal data that we hold about you**: this enables you to have any incomplete or inaccurate data we hold about you corrected. However, we may need to verify the accuracy of the new information you provide to us.
- 8.3. **Request erasure of your personal data**: this enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons, which will be notified to you, if applicable, at the time of your request.
- 8.4. **The right to object to processing of your personal data**, where we are relying on a legitimate interest (or those of a third party), and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms: You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- 8.5. **The right to request restriction of processing of your personal data**: this enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful, but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it

to establish, exercise or defend legal claims; or (d) you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

8.6. **The right to request the transfer of your personal data to you or to a third party:** we will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

8.7. The right to withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

9. **AMENDMENT TO THIS PRIVACY POLICY**

We may update this Policy from time to time by publishing a new version on Our Website. You should check this page occasionally to ensure you understand any changes to this Policy. We may notify you of changes to this Policy by email or through email or any other choice of communications as set by you.

10. **CHILD PRIVACY**

Our Services are not designed for use by individuals under the age of 18. Please do not use the Services and/or submit any information through the Services. If you have reason to believe that a child under the age of 18 has provided personal information to Us through our Website, please contact us at legal@whichpik.com and we will delete that information from our databases to the extent required by law.

11. HOW LONG DO WE KEEP YOUR INFORMATION?

We keep your personal data in an identifiable form for as long as we have a legitimate reason to use the data and as required by law.

12. GENERAL DATA PROTECTION REGULATION (“GDPR”) AND DATA PROTECTION ACT (DPA) PROVISIONS

In addition to the clauses contained in this Policy, if you are a user in Europe, as directed by the GDPR, the following provisions apply to you. However, if you have doubts on whether the provisions in this (12) apply to you, please contact a legal practitioner for advice.

- 12.1. Whichpik is a data controller under the provisions of the GDPR, and we are responsible for how your information is collected, used and disclosed. Please note that - the information collected by us is controlled by the terms of this Policy.
- 12.2. Also be informed that if you provide information to us through any third-party Website, that third party Website may also collect your information separately. The information collected by any third parties is subject to the third-party’s privacy policy. Please note that the Privacy choices you have made on the third party’s Website will not apply to our use of the information we have collected directly through our Websites.
- 12.3. Also, be informed that our Website may contain links to third party websites. We are not responsible for the privacy practices of those sites. It is our advice to you that you please pay attention to the privacy policy of these third-party Websites.
- 12.4. we will only use your personal data if we have a proper reason, such as where you have given consent when it is needed to comply with our legal and regulatory obligations; when it is needed to performance of a contract with you, or to take steps at your request before entering into a contract, or for our legitimate interests or those of a third party

- 12.5. For the purpose of 12.4 above, a legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests. We will carry out an assessment when relying on legitimate interests to balance our interests against your own. You can obtain details of this assessment by contacting us at legal@whichpik.com.
- 12.6. For the purpose of 12.4, “performance of contract” means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- 12.7. For the purpose of 12.4, comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.
- 12.8. Users in Europe or the United Kingdom have the right to opt-out of all of our processing of their data for direct marketing purposes, to do this you click “unsubscribe” at the bottom of a marketing email.
- 12.9. Users in the United Kingdom or EEA also have the rights contained in 8 (a-g). In addition, they may also object to our uses or disclosures of personal data, to request a restriction on its processing, or withdraw any consent, though such actions typically will not have a retroactive effect. They also will not affect our ability to continue processing data in lawful ways (for example, if you opt-out of the use of your email address for direct marketing, we might still decide to contact you by phone regarding potential fraud).
- 12.10. Users in Europe or the United Kingdom also have the right to lodge a complaint with the local data protection authority if you believe that we have not complied with applicable data protection laws. You also have the right to lodge a complaint with the supervisory authority of your residence, place of work or where the incident took place. However, we endeavour you to please contact us first here.
- 12.11. We will only keep and retain the collected information as needed and pertinent for the collected data and as permitted by law. As soon as we no longer need to keep the data, we will remove it

from our Website and system and take needed steps to anonymise it and make it undetectable to you.

- 12.12. When we no longer need to use your information, we will remove it from our systems and records and/or take steps to anonymise it and take other steps to protect them. We regularly review our security procedures to consider appropriate protection methods. However, please be aware that despite our best efforts, no security measures are perfect or impenetrable.
- 12.13. When determining the retention period, we take into account various criteria, such as the type of products and services requested by you or that you are provided with by us, the nature and length of our relationship with you, possible re-enrolment with our services, the impact on our Website if we delete the information about you, mandatory retention periods provided by law and the statute of limitations.
- 12.14. For any transfer, wherever your personal data is transferred, stored or processed by us, we will take steps to safeguard the privacy of your personal information, where the recipient provides appropriate safeguards, such as model contract clauses, binding corporate rules, or regulatory mechanisms like the EU-U.S. Privacy Shield framework. For any information on your privacy, any question and these regulations, you can reach us at legal@whichpik.com.

13. DATA PROTECTION OFFICER

As required under the GDPR and the DPA 2018, we have a data protection officer (DPO) to monitor compliance. You can contact our data protection officer at legal@whichpik.com.

14. CONTACTING US

You can reach us by sending an email to legal@whichpik.com. You can also contact us through our registered address, Kemp House, 152-160 City Road, London EC1V 2NX. Please address your correspondence to Whichpik Limited.

15. HOW TO COMPLAIN

Please contact us if you have any queries or concerns about our use of your information (see section 14). We hope we will be able to resolve any issues you may have.

You also have the right to lodge a complaint with:

- the Information Commissioner, in the UK, and
- a relevant data protection supervisory authority in the state of your habitual residence, place of work.

The UK's Information Commissioner may be contacted at <https://ico.org.uk/make-a-complaint> or by telephone: 0303 123 1113.