

PRIVACY NOTICE FOR DATA SUBJECTS
Users of this application

according to article 13 of the Regulation (EU) 2016/679 ("GDPR") General Data Protection Regulation

Using this app, your personal data ("Data") will be processed by Us, Visionborne Inc. ("We", "Visionborne", or "the Controller"), as Data Controller. We will process the Data under the principles of protection of personal data established by EU Regulation 2016/679 ("GDPR").

You can contact Visionborne Inc. for any question regarding this Privacy Notice at the postal address: Giulio Lingua, Via Belvedere, 11, 6952 Canobbio (CH), or at the e-mail address: info@bluecandy.app.

1. Purpose and lawful basis of the processing

What Data do we process, and for what purpose?

We process the following Data: photographs provided by you using the app, app usage data, your country (based on your position).

Your Data will be processed for the following purposes:

- a. to allow you to use the app features ("Services");
- b. to generate aggregate statistical data. In this specific case, your Data will be anonymized, and they cannot be traced back to you.

In order to use the Services, you may upload your photographs through the App's dedicated interface. The App will consequently transfer the photos to our servers. We use third-party cloud providers Amazon Web Services ("AWS") and Google Cloud Platform to edit videos. Only the images that you select are uploaded on AWS or Google Cloud Platform. The selected photographs are temporarily cached on the cloud servers during the editing process.

After the processed clips are sent back to you, the photos will be automatically erased from the our servers. We will store and process personal data for the time necessary to fulfill the purposes specified in this privacy notice.

2. Lawful basis of the processing

The lawful basis of the processing for the purposes a) is the fulfillment of contractual obligations. We do not use the photographs you provide for any reason other than to provide you with the morphing feature included in the App.

The lawful basis of the processing for the purpose b) is the legitimate interest of the Data Controller. The statistical data generated will be used to operate and improve the App.

In order to use the our app, you shall accept the "User's Terms and Conditions".

3. Authorizations

To allow you to use this app, we request the following authorizations:

Authorization	Purpose
Camera	to allow you to take a selfie and use the images to create clips.
Storage	to allow you to save the clips generated on the smartphone;
Gallery	to allow you to select images from your gallery to create clips.

4. Data recipients

Your data will be transferred by Visionborne to countries outside the European Union (EU). Your Data will be transferred exclusively to countries considered “adequate” - and therefore “safe” - by the European Commission or to companies that have adhered to specific international standards (e.g., Standard Contractual Clauses).

We use third-party cloud providers, Amazon Web Services (“AWS”) and Google Cloud Platform to edit videos. Only the images that you select are uploaded on AWS or Google Cloud Platform. The selected photographs are temporarily cached on the cloud servers during the editing process.

We may collect the facial feature data separately from your photos only to provide you with the face-swapping functionality of this app. Please note, we collect the facial feature data that is not biometric data. Your facial feature data is stored on our server for a limited period of 30 calendar days after your last use of this application; anonymous, aggregated or de-identified data will be stored as long as necessary to fulfill the purposes this app has set out in this Privacy Policy.

We process your data using computers and/or other IT enabled tools. We take technical and organizational measures to ensure the information is processed in a manner that ensures appropriate security of information, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage. We also guide and train our personnel to process your data securely according to our internal data protection policies.

We also use Google Firebase and Adjust Services to monitor the app usage data. The Data processing is carried out only on anonymized Data that can not be tracked back to the User.

We use OneSignal and Firebase to send you push notifications and in-app notifications related to the use of the App.

For further information about the processing of your Data through third parties, please see the following privacy policies:

Google Firebase and Google Analytics Privacy Policy: <https://firebase.google.com/support/privacy>

Google Cloud Platform Privacy Notice: <https://cloud.google.com/terms/cloud-privacy-notice>

Adjust Privacy Policy: <https://www.adjust.com/terms/privacy-policy/>

Amazon Web Services Privacy Policy: <https://aws.amazon.com/privacy/>

One Signal Privacy Policy: https://onesignal.com/privacy_policy

The Data Controller is part of a joint controllership agreement (art. 26 GDPR). The essence of the arrangement is available to the data subjects and can be requested writing an email to: dpo@ulixe.com.

5. Data retention

As mentioned above, We will store and process personal data for the time necessary to fulfill the purposes specified in this privacy notice. We will not retain your Data for a longer period of time unless the current law requires a more extended retention period.

After the processed clips are sent back to you, the photos will be automatically erased from the our servers.

6. Data Subject Rights

You may exercise the rights granted by the GDPR (articles 15-22), including:

- a. The right to receive confirmation as to whether the Data Controller is processing the Data Subject's personal data (access rights);
- b. The right to update, modify and / or correct personal data (right of rectification);
- c. The right to request the erasure of data or the restriction of the processing. This right can be granted if the process is unlawful or the controller no longer needs the personal data for the purposes of the processing (right to be forgotten and right to restriction of processing);
- d. The right to oppose to the processing (right of opposition);
- e. The right to propose a complaint to the Supervisory Authority in case of violation of the regulations regarding the protection of personal data;
- f. The right to receive an electronic copy of the Data Subject's personal data (in a structured, commonly used and machine-readable format) and right to transmit those Data to another controller without hindrance from the controller to which the personal Data have been provided (right to Data portability).

You can contact Us to exercise the rights granted by the GDPR providing the following information: name, surname. Moreover, in order to process the request, we need a copy of your identity document.

7. Children's Privacy

You must be at least 13 years old to use the Services. In some jurisdictions, this age limit may be higher. If you are not of the age required in your country to accept the Privacy Policy, your parent or guardian must accept them on your behalf. We may request reasonable proof of such authorization. In this case, you must provide the authorization no later than 5 business days following such request. Shall we not receive any answer or proof, we reserve the right to delete your account and all the data collected.

In addition to having the minimum age required to use our Services under applicable data protection laws, if you are not of the age required in your country to accept the Terms, your parent or guardian must accept them on your behalf.

We do not intentionally collect information about children under the age of 13 (in some jurisdictions, this age limit may be higher). If we discover that a child under age 13 has provided us with personal information, we will delete the information collected. If you are aware of anyone using the app, who is under the minimum age required to use this app, please contact us at info@bluecandy.app.

8. Data Protection Officer

Our company has appointed a Data Protection Officer (DPO).

The DPO can be contacted by sending an e-mail to the following address: info@bluecandy.app.

Privacy Notice updated on: **02/02/2022**