**Fifthpint, LLC
Privacy Policy**

*Last Revised on November 19, 2019*

1. **Our Commitment to Online Privacy**

At Fifthpint, LLC (“Fifthpint”), we care about your online privacy. That’s why we have used privacy by design principles to create our online services. We believe all consumers should know what personal information is being collected about them and be aware of the rights they have when it comes to controlling what is shared online.

We know these privacy policies are about as exciting as watching paint dry. However, by continuing to use our online services, you agree to let us use your information in the ways set out in this privacy policy (the “Policy”), which is why you really should stick it out and read the whole thing. You should also head over and read our [Terms of Use Agreement](https://www.fifthpint.com/tos) as there are important parts of that agreement that operate in conjunction with this agreement. We believe our privacy practices are top-notch! But, if you disagree, we will be sad to see you leave.

1. **Services this Policy Covers**

This Policy covers the online services owned or controlled by Fifthpint, LLC, including our website, our social media accounts, and our app called Graflr (the “Services”). This Policy does not cover the practices of companies that are not owned by Fifthpint. Sometimes, we may display a link to another company’s website or online services. When you click on one of these links, you are leaving Fifthpint, and this Policy no longer applies. We recommend adding the other company’s privacy policy to your bedtime reading list to ensure that you understand how they are using your information.

1. **What Is Personal Information?**

Personal Information is any information that may allow for an individual to be personally identified. For example, your name, email address, social security number, phone number, residential address, and credit card details are all considered personal information. Other information, such as your interests, economic status, customer number, IP address, geolocation, education, and job title, may also be considered personal information if that information, when combined with other information, is used to reveal your identity.

1. **Personal Information Fifthpint Collects**

We only collect personal information from you when you say that it is perfectly fine for us to use it. Depending on whether you are using our Services as a “Fan” (taking photos to be autographed or merely browsing our Services) or a “VIP User” (using our Services to electronically autograph photos for Fans), we may collect different information from you.

You voluntarily consent for us to collect, use, and store your personal information by:

* **Registering as a VIP User:** To electronically autograph photos for Fans on our app, you must sign up as a VIP User. You do this by logging into our Services using a compatible third-party social media platform such as Twitter, Facebook or Instagram. We will receive personal information that you have allowed the third-party platform to share with us, as well as any publicly available personal information including, but not limited to, your username, amount of followers, the specific social media account you have used to register, verified account status, profile photo, and bio. This information that we receive is used to authenticate that you are a verified VIP User. We do not have control over how the third-party social media platform collects your information, and you may change what information the social media platform shares with us by accessing the profile settings on that specific platform. Don’t worry we will NEVER automatically post anything via your social media account. Fans are not required to set up an account to access our Services.
* **Directly providing the information to us:** Sometimes, we may ask for personal information from you so that we can effectively give you information about our business or help you with a particular inquiry. When you give us your information on your own accord in this manner, you are consenting for us to collect, use, and store the personal information you provide. Specifically, you consent for us to use the information you provide to us when you reach out to us by email or our social media accounts, use the “contact us” form on our website, create an account, interact with our support or customer service teams, or commenting on our social media accounts. If you are posting on our social media platforms, you should always be aware that these platforms are accessible to the public.
* **Interacting with our Services:** When you use our Services, you consent for us to collect certain information about how you are using our Service. We collect:
	+ Usage Information: This information tells us about the types of activities that you are engaging in while using our Services, such as the amount of time you have spent using our Services, access times, the number of photos you have taken, the number of photos you have had signed, as well as your visibility settings and your signing settings (if you are a VIP User).
	+ Device Information: This information tells us about the type of device you use to access our Services and includes information about your hardware, software, browser type, language, time zone, IP address, device type, and mobile network connection. We generally use third-party services such as [Google Analytics](https://analytics.google.com/analytics/web/) to help us collect this information and this information is collected in pseudonymized and aggregate form.
	+ Camera and Microphone Information: Our app requires you to permit us to access your camera and microphone so that you can take photos through the app and have them successfully autographed by a VIP User.
	+ Bluetooth and Wifi Information: We need access to this information in order for our app to successfully connect with VIP Users and to allow you to pass in-app notes around.
	+ Location Information:To let a Fan know when there is a VIP User the vicinity who is available to autograph a photo, we need to be able to collect the Fan and VIP User’s location information. We leverage Google’s nearby messaging library to identity VIP Users and their availability; you can learn more about this service here: <https://developers.google.com/nearby/connections/overview>. Providing your location information is optional.
1. **Did Someone Say Cookies!?**

It’s time for us to talk to you about the cookies, and we don’t mean the chocolate chip kind! These cookies are small filesthat we transfer to your device’s filesystem through your browser.

* Types of cookies we use: We use both session cookies, that are erased once you exit your browser, and persistent cookies, that stay on your device for a set period of time or until you manually delete them.
* Why we use cookies: We mainly use cookies to ensure our Services run smoothly. We also are a little nosey and use them to give us insight into things like the number of visitors to our Services, type of devices being used to access our Services, and details about how you have used our Services. As you have probably heard, cookies may also be used to display advertisements that are relevant to your interests. While we don’t host targeted advertising via our Services, we may use targeted advertising through other platforms such as [Facebook](https://www.facebook.com), [Instagram](https://www.instagram.com), [Twitter Ads](https://business.twitter.com/), and [Google Ads](https://ads.google.com/home/). Targeted advertising works by cookies collecting information about your interests and online habits. We use targeted advertising in an effort to market to audiences that we hope may be interested in our Services. That is why you may see some ‘paid’ or ‘sponsored’ advertisements from Fifthpint while using third-party platforms.
* Not cool with the cookies? Most browsers have an option to stop your device from accepting cookies or to stop certain types of cookies from being activated. If you do decide to block cookies, our website may not operate properly, and you may not be able to access some of our features. If it is the targeted advertising that you are mainly concerned about, you can choose to specifically opt-out of targeted advertising by going to the following links:

Facebook - <https://www.facebook.com/settings/?tab=ads>
Google - <https://adssettings.google.com>
Twitter - <https://help.twitter.com/en/safety-and-security/privacy-controls-for-tailored-ads>
Digital Advertising Alliance - <http://optout.aboutads.info/>

You can check out [www.allaboutcookies.org](http://www.allaboutcookies.org) to learn more about the cookies!

1. **What About My Credit Card Information?**

If you like our product, you may want to donate to support our Services or may choose to use some of the paid features on our app. All payments made for paid features are processed through your native app store, and if we do for some reason need to process your credit card outside of your native app store we only use PCI compliant third parties. Either way, we never personally see or store your credit card information.

1. **What does Fifthpint Store on my Device?**

Any photo that you take on your device is stored directly on your device’s filesystem unless you explicitly decide to share the photo with another app. If you are a VIP User, we also store a PGP key created on your behalf on your device to enable you to sign photos. We may leverage additional sensitive device protection technologies such as IOS Keychain or Android Keystore to store PGP keys.

1. **Reasons Fifthpint Collects Personal Information**

In these George Orwellian times, we think it is important to point out to you that we are no Big Brother company. We never collect your information for the purpose of selling, renting, trading, mining, or otherwise abusing it. We only use your information for the following reasons:

* To personalize our online features and content;
* To fulfill or enforce a contract that you have entered into with us;
* To help you efficiently access your information;
* To improve, monitor and test our Services and new products or features;
* To prevent, investigate and address any misuse of our Services;
* To learn about the types of people that are using our Services and how we can better market to those people;
* To allow you to contact us;
* To allow you to pay for our paid features or donate to our service;
* To allow you to participate in social sharing;
* To respond to your inquiries and fulfill your requests;
* To comply with law enforcement and other regulatory authorities; and
* To communicate with you about our Services and projects.
1. **Sharing Your Information with Other Humans**

Although we try to limit who we share your information with, there are situations where sharing is necessary. We share your information with third parties in the following ways:

* Agents: We are a small shop, and sometimes we need back up and use other trusted companies and individuals to help us out. Whenever a company or individual is working for us, they are acting as our agent. Sometimes our agents may need to access your personal information for a particular task, but they do not have the right to use your personal information beyond what is necessary and must comply with our privacy practices.
* Third-Party Software and Apps: We use a number of third-party software and apps to verify a VIP User’s identity and to also to make our jobs a little easier. Some personal information may be stored, processed, or shared with these apps.
* New Owners**:** If Fifthpint is involved in a bankruptcy, merger, acquisition, reorganization, or sale of major assets, your information may be sold or transferred as part of that transaction. We will give you notice before there is a substantial change in our ownership and before any transfer of your personal information occurs, but we do not guarantee that any new owner will adhere to the same privacy practices we do.
* Other Companies Owned by Fifthpint, LLC: Fifthpint may share information with other companies that are wholly or partially owned by Fifthpint, LLC, or the majority members of Fifthpint, LLC.
* Law Enforcement:We may sometimes be required to share your personal information with law enforcement. We will only share your information when we believe, in good faith, that sharing your information is necessary to protect our business or our clients. Examples include, where a legal warrant or subpoena has been issued to us, where we must report information due to a belief that fraud or misuse of our Services has occurred, or where our property or safety, or a client’s property or safety, is at risk. In cases of fraud, we may also be required to share your information with investigatory authorities and banks.
1. **Email and Notification Policy**
* Emails and notifications you can opt-out of: At Fifthpint, we love to keep you updated on the exciting features we are working on and what is happening around our office. If you are receiving marketing emails or notifications in our app, it means that you consented to receive these emails and notifications either by clicking an opt-in box or by otherwise letting us know that it was all good for us to send this information to you. Of course, you are always free to opt-out of these emails and notifications. You can opt-out by clicking ‘unsubscribe’ at the bottom of the email you receive and you can turn off notifications from the settings section of the app.
* Emails and notifications you will not be able to opt-out of: Sometimes, you won’t have the option to opt-out of emails or notifications that we send you. This will only happen if the email or notification contains an important message that needs to be delivered to you.For example, we may send emails to update you on changes to this Policy or our Services, or to confirm that a purchase or donation has been made.
1. **Personal Information Retention and Storage**

At Fifthpint, we really don’t want to be storing any of your personal information because if we store it, we have to protect it, and that’s just more work for us! On our hard drives, we only store a VIP User’s username, the name of the social media third-service provider that the creator used to log into the app, and the PGP keys associated with a digital autograph. Fifthpint is a business that is formed and operated in the United States. As such, the data we do collect is stored and processed in the United States. However, in addition to storing information directly onto our hard drives, we also use some third-party cloud storage systems, apps and a blockchain ledger system to ensure that your information isn’t lost, to ensure all autographs are authenticated, and to allow for us to view information that may better our Services. It is important to note that these third parties may store and transfer your information outside of the United States, and therefore your information may be subject to international privacy and data storage laws. We also only keep your personal information for as long as necessary to provide our Services. Once you delete your account, which you can easily do in the app’s settings, all information associated with that account should be automatically deleted from our storage systems.

1. **Your Rights**

We also respect your right to request at any time for us to:

* Give you access to any personal information that we have processed;
* Correct any personal information that may have been incorrectly processed;
* Deleteyour personal information from our storage systems;
* Transferyour personal information to another service, when technically feasible; and
* Stopusing your personal information in specific ways, by withdrawing the consent you have given us.

We will always do our best to comply with your requests. However, sometimes, there may be legal or contractual duties that stop us from being able to fulfill your wishes. For example, we may need to retain certain information to comply with our tax reporting obligations, or if the information is part of an active investigation, we may not be able to remove it from our systems straight away. Regardless, we will always respond to your requests and let you know the situation.

1. **Liability for Third-Party Software & Apps**

We always use our best efforts to pick and use reputable third-party software and apps. We make sure to check out the third party’s privacy and security standards before storing, sharing, and processing your personal information with them. However, we are not liable for any breach of privacy or data security that occurs due to the fault of these third parties.

1. **Keeping Your Information Safe**

We have physical, electronic, and managerial systems and procedures in place to help keep your information under lock and key. Unfortunately, no online system can guarantee the complete security of your personal information. Issues such as pesky viruses or system failures may result in your personal information being compromised. You can help prevent unauthorized access to your information by using antivirus software, limiting access to your personal device, and changing your passwords from “123abc” to something a little less obvious. In the unlikely event that your personal information is compromised due to a security breach on our end, we will be sure to notify you as soon as reasonably possible in accordance with United States breach of data regulations and laws.

1. **Protection of Children**

Our Services are not directed or intended for children under the age of 16 years. We do not knowingly collect personal information from anyone under this age limit and delete this information as soon as we become aware of it. If you are between the age of 16 and 18, you must have your parent or guardian’s permission to access our Services. Please also note that if you live outside of the United States, your country may apply stricter age limits. In some cases, even if you are older than 16, you may not be legally allowed to access or use our Services. Additionally, to purchase any of our paid features or make a donation to our business you must be over the age of 18.

1. **Changes Made to This Policy**

Times change, and we change with them. We may modify this Policy as our privacy practices and the laws surrounding privacy develop. The date at the top of this Policy lets you know when this Policy was last revised. If we believe that a change we are making will materially affect the way we use your information, we will send you an email or in-app notification to notify you of such a change. All other minor changes made to our privacy practices will be reflected in an updated policy, and it is on you to check back here occasionally to make sure you have read our latest policy. By continuing to access or use our Services after we revise our Policy, you allow us to use your information in the ways described in the updated policy.

1. **Dispute Resolution**

If you have a concern about our privacy practices, please let us know. We are always open to hearing about how we can improve our privacy practices and we would like to hope that we could work out any complaints that you may have. However, if we are unable to settle the matter, then by using our Services, you agree to the binding arbitration provisions outlined in our [Terms of Use Agreement](https://www.fifthpint.com/tos).

1. **Contact Fifthpint**

If you ever have any questions about how we use your personal information or about our Services in general, feel free to reach out to us.

Fifthpint, LLC
Attn: Privacy Officer
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Austin, TX 78729

legal@fifthpint.com