

## Privacy Policy

Last Updated: October 15, 2018

1. **Purpose.** This privacy policy (“**Privacy Policy**”) describes the collection, use, and disclosure of personal information by DLive Inc. (“**Company**”, “**we**”, “**us**”, or “**our**”) from users that access or use the websites or blogs provided by us including without limitation <http://dlive.tv> (collectively, (the “**Sites**”), the products or services we may provide or offer, our mobile applications (the “**App**”) through which any products and services are provided, as well as all other related software and applications, and other services provided by us and on which a link to this Privacy Policy is displayed (collectively, our “**Services**”). This Privacy Policy does not apply to any third party websites, services or applications, even if they are accessible through our Services.

By using our Services, you agree to the collection, use, and disclosure of Personal Information (as defined below) in accordance with this Privacy Policy. This Privacy Policy is incorporated by reference into our [Terms of Use](#) (the “**Terms**”) and subject to the provisions of the Terms. All other terms not defined herein will have the meanings set forth in the Terms.

2. **Scope.** This Privacy Policy applies to Personal Information that is Processed (as defined below) by us in the course of our business, including on our Services. To the extent the Services incorporate functionality made available through <https://account.lino.network> or its mobile applications (the “**Lino Point Account**”), its [privacy policy](#) covers the use of such functionality and collection, use and disclosure of personal information by such functionality. You should ensure you have read both sets of terms and privacy policies prior to integrating the Lino Point Account and these Services together.
3. **Transparency/Notice: Types of Personal Information We Collect and How We Use It.** The types of Personal Information we may collect (directly from you or from third party sources) and our privacy practices depend on the nature of the relationship you have with us and the requirements of applicable law. We collect Personal Information regarding its current, prospective, and former clients, customers, users, visitors, and guests (collectively “**Individuals**”).

(a) Types of Personal Information We Collect

(i) Information You Provide Directly to Us. When you use the Services or engage in certain activities, such as registering for an Account with us, posting on our Services, responding to surveys, requesting Services or information, or contacting us directly, we may ask you to provide some or all of the following types of information:

(ii) Account Information. If you create an Account, we may collect certain information that can be used to identify you, such as your email address, username, password, connection status, and phone number which enables you to utilize certain features of the Services such as chat functionality in live chat rooms, to bookmark, subscribe or otherwise follow users or channels, to post pre-recorded video content and to live stream. If you create an Account using your login credentials using a SNS Account, we may be able to access and collect your name, email address and other information (such as unique user ID, tokens, gender and date of birth) that your privacy settings and/or the privacy policy on the applicable SNS Account may permit us to access.

(iii) Account. You may use certain features of the Services even without an Account (such as viewing pre-recorded videos). If you want to use certain features of the Services (such as posting a comment to a video or giving a virtual gift to another user), however, you will need to have an Account. There are three types of Accounts: (i) third party accounts based on users' SNS Account; (ii) accounts based on users' Lino Point Account; and (iii) email Account. Some features of our Services are not available to Accounts based on SNS Accounts or Email Accounts options, and are only available to Accounts created based on Lino Point Accounts.

(iv) Creating an Account. Creating an Account may require you to provide your cell phone number for verification. Some features of our Services are restricted for Accounts based on SNS Accounts or Email Accounts, and are only available to Accounts based on Lino Point Accounts. If you choose the SNS Account option, we will obtain from your existing SNS Account certain information such as your user name, profile photo, and other personal information we may obtain (but to the extent that your SNS Account privacy settings permit us to access such information). If you choose the Lino Point Account option, we will obtain from your existing Lino Point Account certain information such as your username, account balance, transaction history, and other information (but to the extent that your Lino Point Account privacy settings permit us to access such information).

(v) Use of Lino Points. You can use your Lino Points through the Services (such as giving virtual gifts). Lino Points are associated with a Lino Point Account. Please read Lino Point Account's terms of service and privacy policy at <https://account.lino.network>. If you use your Lino Points through the Services, we will record information about each transaction, such as the recipient, amount of Lino Points, and any additional details. Purchasing Lino Points is covered under the Terms of Service on <https://account.lino.network>.

(vi) Communications with Us. We may collect Personal Information from you such as name, phone number, email address, or mailing address when you choose to request information about our Services, request to receive customer or technical support, or otherwise communicate with us.

(vii) Surveys. We may contact you to participate in surveys. If you do decide to participate, you may be asked to provide certain information which may include Personal Information. All information collected from your participation in our surveys is provided by you voluntarily.

(viii) Interactive Features. Our Services contain interactive functionality that allows you to engage with other users on the Services, vote, provide feedback, post comments to our forums, live stream yourself and your surroundings using your device's camera, upload videos, photographs and other content, participate in surveys, and otherwise interact with the Services and with other users. If you use any interactive functionality on our Services that requests or permits you to provide us with Personal Information (including, for example, any Services that allow you to post User Content), we collect the Personal Information that you provide to us in the course of using these interactive features. If you choose to submit content to any public area of the Service, such content will be considered "public" and will not be subject to the privacy protections set forth herein. Please be aware that we have little or no control over how Individuals may use the information you share through our interactive features.

(ix) Chat Functionality. Each Individual with an Account may have access to their own personal chatroom. Other users may freely join your chat room and post messages. Any messages posted in your personal chatroom are visible to anyone who joined the chatroom prior to you posting the message. Your communication in chatrooms is not private and you should assume any communications you make in such chatrooms is made publicly available to any other person. You should exercise caution before engaging in any chatroom communications and before joining any chatrooms and never share any of your information with others via the Services, including any Personal Information and other identifiers. Please be aware that we have little or no control over how Individuals may use the information you share in chatrooms.

(x) Automatic Data Collection. We may collect certain information automatically when you use the Services. This information may include your Internet protocol (IP) address, user settings, IMEI, MAC address, cookie identifiers, mobile carrier, mobile advertising and other unique identifiers, details about your browser, operating system or device, location information, Internet service provider, pages that you visit before, during and after using the Services, information about the links you click, and other information about how you use the Services. Information we collect may be associated with accounts and other devices.

(xi) Information from Other Sources. We may receive information about you from other sources, including through third party services and organizations to supplement information provided by you. This supplemental information allows us to verify information that you have provided to us and to enhance our ability to provide you with information about our business, products, and Services.

(xii) Video Identifiers. The Service's functionality will assign a unique series of numbers and letters preceded by a hashtag, octothorpe or pound sign (i.e. "#") to identify each video available through the Services. The Services may use these video identifiers to track and associate your activities to the videos you watched or donated to. For example, if you give a virtual gift to a video, the gift may be shown publicly and be shown tied to the specific video and the user you gave the gift to.

(b) How We Use Your Information

We Process Personal Information about Individuals for a variety of business purposes, including:

- (i) To Provide Products, Services, or Information Requested including to:
- Generally manage Individual information and accounts;
  - Respond to questions, comments, and other requests;
  - Provide access to certain areas, functionalities, and features of our Services (for instance, depending on your setting, we may send you an email notification if someone who you follow goes live);
  - Integrate the Services with other services, such as the Lino Point Account;
  - Contact you to answer requests for customer support or technical support; and
  - Allow you to register for events.
- (ii) For Administrative Purposes including to:
- Measure interest in our Services;

- Conduct research and development;
- Improve our products and Services;
- Develop new products and services;
- Ensure internal quality control;
- Verify Individual identity;
- Communicate about Individual accounts and activities on our Services and systems, and policy changes;
- Process your financial information and other payment methods for products or Services purchased;
- Process applications and transactions;
- Prevent potentially prohibited or illegal activities; and
- Enforce our Terms.

(iii) To Market our Products and Services. We may use Personal Information to provide you with materials about offers, products, and Services that may be of interest, including new content or services. We may provide you with these materials by email or through the functionality of the Services, as permitted by applicable law. Such uses include:

- To tailor content, advertisements, and offers;
- To notify you about offers, products, and services that may be of interest to you;
- To provide services to you and our sponsors;
- Other purposes you consent to or are disclosed to you when you provide Personal Information.

You may contact us at any time to opt out of the use of your Personal Information for marketing purposes, as further described below.

(iv) De-Identified and Aggregated Information Use. We may use Personal Information and other information about you to create de-identified and aggregated information, such as de-identified demographic information, de-identified location information, information about the computer or device from which you access our Services, or other analyses we create. De-identified or aggregated information is not Personal Information, and we may use such information in a number of ways, including research, internal analysis, analytics, and any other legally permissible purposes. We may share this information within us and with third parties for our or their purposes in an anonymized or aggregated form designed to prevent anyone from identifying them.

(v) Sharing Content with Friends or Colleagues. Our Services may offer various tools and functionalities. For example, we allow you to provide information about your friends through the friend referral features of our Services. Our referral feature may allow you to forward or share certain content with a friend or colleague, such as sending a link inviting your friend to use our Services.

(vi) Other Uses. We may use Personal Information to pursue legitimate interests, such as direct marketing, research (including marketing research), network and information security, and fraud prevention, or any other purpose disclosed to you at the time you provide Personal Information or with your consent.

(c) Cookies, Pixel Tags/Web Beacons, Analytics Information, and Interest-Based Advertising

We, as well as third parties that provide content, advertising, or other functionality on the Services, may use cookies, pixel tags, local storage, and other technologies (“**Technologies**”) to automatically collect information through the Services. Technologies are essentially small data files placed on your computer, tablet, mobile phone, or other devices that allow us to record certain pieces of information whenever you visit or interact with our Services.

(i) Cookies. Cookies are small text files placed in visitors’ devices to store their preferences. Most browsers allow you to block and delete cookies. However, if you do that, some features of the Services may not work properly.

(ii) Pixel Tags/Web Beacons. A pixel tag (also known as a web beacon) is a piece of code embedded on the Site or the App that collects information about users’ engagement on the Site or the App. The use of a pixel allows us to record, for example, that a user has visited a particular web page or clicked on a particular advertisement.

(iii) Social Media Buttons and Widgets. Our Services contain social media integration features such as with Facebook, Twitter, LinkedIn, Reddit, Google Plus, Pinterest and other social media buttons. These features may collect your IP address, which page you are visiting, and may set a cookie to enable the feature to function properly. These social media features are either hosted by a third party or hosted by us. Your interactions with these features are governed by the privacy policy of the company providing it.

(iv) Analytics Service Providers. We may use analytics service providers to collect information regarding visitor behavior and visitor demographics. We use information to help determine how to improve our Services, gauge user experience and response to changes in our Services, to develop content, and for internal research purposes.

Google Analytics. We may use Google Analytics, a service provided by Google, Inc. (“**Google**”), to gather information about how users engage with our Services. For more information about Google Analytics, please visit [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/). You can opt out of Google’s collection and Processing of data generated by your use of the Services by going to <http://tools.google.com/dlpage/gaoptout>.

Google Firebase. We may use Google Firebase analytics, to collect app usage statistics, and to improve our Services. Information collected by Google Firebase can be accessed here: <https://support.google.com/firebase/answer/6318039>. Information related to the security and privacy of Google Firebase is available here: <https://firebase.google.com/support/privacy/>.

Umeng. We may use Umeng analytics tool in order to analyze and improve the Services. For more information about Umeng, please visit <https://www.umeng.com/>.

Our uses of such Technologies fall into the following general categories:

- Operationally Necessary. This includes Technologies that allow you access to our Services, applications, and tools that are required to identify irregular Services behavior, prevent fraudulent activity and improve security or that allow you to make use of our functions such as shopping-carts, saved search, or similar functions;

- Performance Related. We may use Technologies to assess the performance of our Services, including as part of our analytic practices to help us understand how our visitors use the Services;
- Functionality Related. We may use Technologies that allow us to offer you enhanced functionality when accessing or using our Services. This may include identifying you when you sign into our Services or keeping track of your specified preferences, interests, or past items viewed;
- Advertising or Targeting Related. We may use first party or third party Technologies to deliver content, including ads relevant to your interests, on our Services or on third party sites.

#### 4. **Third Party Websites, Social Media Platforms, and Software Development Kits**

Our Service may contain links to other websites and other websites may reference or link to our Services. These other domains and websites are not controlled by us, and we do not endorse or make any representations about third party websites or social media platforms. We encourage our users to read the privacy policies of each and every website and application with which they interact. We do not endorse, screen or approve, and are not responsible for the privacy practices or content of such other websites or applications. Visiting these other websites or applications is at your own risk.

Our Services may include publicly accessible blogs, forums, chat rooms, social media platforms, and private messaging features. Our Services may also contain links and interactive features with various social media platforms. If you already use these platforms, their cookies may be set on your device when using Services. You should be aware that Personal Information which you voluntarily include and transmit online in a publicly accessible blog, forum, chat room, social media platform, private message thread, or otherwise post online may be viewed, used and distributed by others without any restrictions. We are unable to control such uses of your information when you interact with these services, and by using such third party services you assume the risk that the Personal Information provided by you may be viewed and used by third parties for any number of purposes.

We may use third party software development kits ("**SDKs**") or APIs, as part of the functionality of our Services. SDKs may allow third parties, including advertisers, to collect your Personal Information to provide content that is more relevant to you. For more information about our use of SDKs or APIs, please contact us as set forth below.

#### 5. **Onward Transfer - We May Disclose Your Information**

##### (a) Information We Share.

We may share your information as described in this Privacy Policy (e.g., with our third party service providers; to comply with legal obligations; to protect and defend our rights and property) or with your permission.

- (i) We Use Vendors and Service Providers. We may share any information we receive with vendors and service providers. The types of service providers (processors) to whom we entrust Personal Information include service providers for: (i) provision of IT and related services; (ii) provision of information and services you have requested; (iii) payment processing; (iv) customer service activities; and (v) in connection with the provision of the Services.

(ii) Business Partners. We may share Personal Information with our business partners, and affiliates for our and our affiliates' internal business purposes or to provide you with a product or service that you have requested. We may also provide Personal Information to business partners with whom we may jointly offer products or services, or whose products or services we believe may be of interest to you. In such cases, our business partner's name will appear along with ours. We require our affiliates and business partners to agree in writing to maintain the confidentiality of Personal Information they maintain on our behalf and not to use it for any purpose other than the purpose for which we provided them.

(iii) Public Areas and Syndicated Services. Some features on our Services may allow you to upload, post, live stream or otherwise transmit User Content to public areas of the Services (the "**Public User Content**"), such as content that you post in a public profile or live stream on the Services. We may make these Public User Content available for display upon third party properties that are not governed by this Privacy Policy, as well as to services operated by Third Parties that display content from the Services (collectively, "**Syndicated Services**"). Please be aware that any Personal Information that you include within any Public User Content will be made available to other users of the Services, and to users of Syndicated Services, who view it. You include Personal Information in any Public User Content at your sole risk. We may allow you to select privacy options that limit access to some types of Personal Information in your Public User Content, but no security measures are impenetrable or perfect. Additionally, even after information made available through the Services is removed, caching and archiving services may have saved that information, and other users or third parties may have copied or stored the information available through the Services. We cannot warrant or guarantee that any Personal Information that you provide on and in connection with the Services will not be accessed, viewed, used or distributed by other persons.

(iv) Marketing – Interest-Based Advertising and Third Party Marketing. Through our Services, we may allow third party advertising partners to set Technologies and other tracking tools to collect information regarding your activities (e.g., your IP address, page(s) visited, time of day). We may also share such de-identified information as well as selected Personal Information (such as demographic information and past purchase history) we have collected with third party advertising partners. These advertising partners may use this information (and similar information collected from other websites) for purposes of delivering targeted advertisements to you when you visit related websites within their networks. This practice is commonly referred to as "interest-based advertising" or "online behavioral advertising." We may allow access to other data collected by the Services to facilitate transmittal of information that may be useful, relevant, valuable or otherwise of interest to you. If you prefer that we do not share your Personal Information with third party advertising partners, you may opt out of such sharing at no cost by following the instructions below.

(v) Disclosures to Protect Us or Others (e.g., as Required by Law and Similar Disclosures). We may access, preserve, and disclose your Personal Information, other Account information, and content if we believe doing so is required or appropriate to: (i) comply with law enforcement or national security requests and legal process, such as a court order or subpoena; (ii) respond to your requests; (iii) protect your, our or others' rights, property, or safety; (iv) enforce our policies or contracts; (v) collect amounts owed to us; (vi) prevent physical harm or financial loss or in connection with an investigation or prosecution of suspected or actual illegal

activity; or (vii) disclose your Personal Information in good faith where it is otherwise necessary or advisable.

(vi) Merger, Sale, or Other Asset Transfers. If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another provider, then your information may be sold or transferred as part of such a transaction as permitted by law and/or contract.

6. **International Data Transfers**. You agree that all Personal Information collected via or by us may be transferred, Processed, and stored anywhere in the world, including but not limited to the United States, the European Union, Australia, Singapore, in the cloud, on our servers, on the servers of our affiliates or the servers of our service providers in order to provide the Services. Your Personal Information may be accessible to law enforcement or other authorities pursuant to a lawful request. By providing information to us, you explicitly consent to the storage of your Personal Information in these locations.

7. **Opt-Out (Right to Object to Processing)**

(a) General. You have the right to object to and opt out of certain uses and disclosures of your Personal Information. Where you have consented to our Processing of your Personal Information or Sensitive Personal Information (as defined below), you may withdraw that consent at any time and opt out of further Processing by contacting us as described below.

(b) Email and Telephone Communications. If you receive an unwanted email from us, you can use the unsubscribe link found at the bottom of the email to opt out of receiving future emails. We will process your request within a reasonable time after receipt. Note that you will continue to receive transaction-related emails regarding products or services you have requested. We may also send you certain non-promotional communications regarding us and our Services and you will not be able to opt out of those communications (e.g., communications regarding updates to our Terms or this Privacy Policy).

(c) Mobile Devices. We may send you push notifications through our App. You may at any time opt-out from receiving these types of communications by changing the settings on your mobile device. We may also collect location-based information if you use our Services. You may opt-out of this collection by changing the settings on your mobile or other devices.

(d) “Do Not Track”. Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. DNT is a way for users to inform websites and services that they do not want certain information about their webpage visits collected over time and across websites or online services. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers.

(e) Cookies and Interest-Based Advertising. You may stop or restrict the placement of Technologies on your device or remove them by adjusting your preferences as your browser or device permits. The online advertising industry also provides websites from which you may opt out of receiving targeted ads from data partners and other advertising partners that participate in self-regulatory programs. You can access these, and also learn more about targeted advertising and consumer choice and privacy, at [www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp), <http://www.youronlinechoices.eu/>, <https://youradchoices.ca/choices/>, and



[www.aboutads.info/choices/](http://www.aboutads.info/choices/). To separately make choices for mobile apps on a mobile device, you can download DAA's AppChoices application from your device's app store. Alternatively, for some devices you may use your device's platform controls in your settings to exercise choice.

Please note you must separately opt out in each browser and on each device. Advertisements on third party websites that contain the AdChoices link may have been directed to you based on information collected by advertising partners over time and across websites. These advertisements provide a mechanism to opt out of the advertising partners' use of this information for interest-based advertising purposes.

Even if you opt out, we may still collect and use information regarding your activities in connection with your use of the Services (through the Site or App or otherwise) and/or information from the advertisements on third party websites for non-interest based advertising purposes, such as to determine the effectiveness of the advertisements.

8. **Rights of Access, Rectification, Erasure, and Restriction.** In accordance with applicable law, you may have the right to: (i) request confirmation of whether we are processing your Personal Information; (ii) obtain access to or a copy of your Personal Information; (iii) receive an electronic copy of your portable Personal Information, or ask us to send that information to another company (the "right of data portability"); (iv) restrict our uses of your Personal Information; (v) seek correction or amendment of inaccurate, untrue, incomplete, or improperly Processed Personal Information; and (vi) request erasure of Personal Information held about you by us, subject to certain exceptions prescribed by law. If you would like to exercise any of these rights, please contact us as set forth below.

We will process such requests in accordance with applicable laws. Although we make good faith efforts to provide Individuals with access to their Personal Information, there may be circumstances in which we are unable to provide access, including but not limited to: where the information contains legal privilege, would compromise others' privacy or other legitimate rights, where the burden or expense of providing access would be disproportionate to the risks to the Individual's privacy in the case in question or where it is commercially proprietary. If we determine that access should be restricted in any particular instance, we will provide you with an explanation of why that determination has been made and a contact point for any further inquiries. To protect your privacy, we will take commercially reasonable steps to verify your identity before granting access to or making any changes to your Personal Information.

9. **Data Retention.** We retain the Personal Information we receive as described in this Privacy Policy for as long as you use our Services or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws.
10. **Security of Your Information.** We take steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, the Internet cannot be guaranteed to be 100% secure, and we cannot ensure or warrant the security of any information you provide to us. To the fullest extent permitted by applicable law, we do not accept liability for unintentional disclosure.

By using the Services or providing Personal Information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues

relating to your use of the Services. If we learn of a security system's breach, we may attempt to notify you electronically by making a notice available to you through the Services or sending an e-mail to you. You may have a legal right to receive this notice in writing.

11. **Who May Use our Services.** The Services are not available to persons under the age of 13 (16 in some jurisdictions) (a "**Minor**"). If you are between 13 (16 in some jurisdictions) and 18, you must have permission from your legal guardian before you are permitted to use the Services. You may use the Services if you are not a Minor and are not barred from using the Services under applicable law.

We do not knowingly collect Personal Information from Minors. If you learn that your child has provided us with Personal Information without your consent, you may alert us as described below. If we learn that we have collected any Personal Information from Minors, we will promptly take steps to delete such information and terminate the Minor's Account.

12. **California Privacy Rights.** California law permits users who are California residents to request and obtain from us once a year, free of charge, a list of the Third Parties to whom we have disclosed their Personal Information (if any) for their direct marketing purposes in the prior calendar year, as well as the type of Personal Information disclosed to those parties. Except as otherwise provided in this Privacy Policy, we do not share Personal Information with Third Parties for their own marketing purposes.
13. **Supervisory Authority.** If you are located in the European Economic Area, you have the right to lodge a complaint with a supervisory authority if you believe our Processing of your Personal Information violates applicable law.
14. **Changes to our Privacy Policy.** We may revise this Privacy Policy from time to time in our sole discretion. If there are any material changes to this Privacy Policy, we will notify you as required by applicable law. You understand and agree that you will be deemed to have accepted the updated Privacy Policy if you use the Services after we make the updated Privacy Policy available to you. If at any point you do not agree to any portion of the Privacy Policy then in effect, you must immediately stop using the Services.
15. **Contact Us.** If you would like to contact us about our privacy practices, or exercise any of your data subject rights, please send a written request to us at [legal@dlive.tv](mailto:legal@dlive.tv)

#### **Definitions.**

- "**Personal Information**" is any information relating to an identified or identifiable natural person.
- "**Process**" or "**Processing**" means any operation which is performed upon Personal Information, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

- **“Sensitive Data” or “Sensitive Personal Information”** is a subset of Personal Information which, due to its nature, has been classified by law or by policy as deserving additional privacy and security protections. Sensitive Personal Information includes Personal Information regarding EU residents that is classified as a “Special Category of Personal Data” under EU law, which consists of the following data elements: (1) race or ethnic origin; (2) political opinions; (3) religious or philosophical beliefs; (4) trade union membership; (5) genetic data; (6) biometric data where Processed to uniquely identify a person; (6) health information; (7) sexual orientation or information about the Individual’s sex life; or (8) information relating to the commission of a criminal offense.