

## DIFFUSELY WEBSITES PRIVACY POLICY

Last updated: February 5<sup>th</sup>, 2025

Diffusely is a company registered with the Trade and Companies Register of Paris (RCS) under the number 800 523 664, with registered offices at 4 Rue de Ventadour, 75001 - Paris, France (“**Diffusely**” “**Us**,” “**We**,” “**Our**”).

We respect the privacy of Our visitors. This Privacy Policy describes how Diffusely collects, uses, discloses and otherwise processes personally identifying information (“**Personal Data**” or “**Data**”) in connection with the [www.diffuse.ly](http://www.diffuse.ly), [www.propershot.com](http://www.propershot.com), [www.autoretouch.com](http://www.autoretouch.com) and <https://studios.diffuse.ly/> websites that it operates (“**Websites**”).

### About this Privacy Policy

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#### What is the Purpose of this Privacy Policy

The purpose of this Privacy Policy is to provide the Website visitors (“**You**”) with information regarding how Diffusely Processes Personal Data, including:

- what Data We collect;
- what We’re going to do with it;
- what processes We’ll follow;
- and what Your rights are in relation to that Data.

Personal Data will be collected and processed in compliance with the applicable national or state legislation and/or regulation, including but not limited to the European Union Data Protection Regulation 2016/679 (the “**GDPR**”) and the California Consumer Privacy Act of 2018 (“**CCPA**”) and the EU-US Data Privacy Framework of 2023 when applicable.

#### Who and When does this Privacy Policy Apply

This Privacy Policy only applies to the visitors of the Websites when they are using the Websites.

We may collect Your Personal Data from the Websites in a number of ways:

- if You visit Our Websites,
- if You send contact Us through the Websites contact form,
- if You send Us an email,
- if You subscribe to Our newsletter(s), mailing list or other forms of marketing communications,
- if You apply for a job at Diffusely via the Websites,
- if You reply to a survey or give any feedback through Our Websites.

This Privacy Policy does not apply to the use of Diffusely’s products and services, nor does it address our privacy practices relating to Diffusely employees and other personnel or partners.

If You are using, or will use, any Diffusely product or service, We may link and/or combine the information collected from You on Our Websites with information collected from You when You are using a Diffusely product or service and information received from third parties as well as information We collect from tracking technologies as defined in the Websites’ Cookie Policy.

### Interpretation and Definitions

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#### Interpretation

The words of which the initial letter is capitalized have meanings defined under the following conditions. The following definitions shall have the same meaning regardless of whether they appear in singular or in plural.

## Definitions

For the purposes of this Privacy Policy:

**"Affiliate"** means an entity that controls, is controlled by or is under common control with a party, where "control" means ownership of 50% or more of the shares, equity interest or other securities entitled to vote for election of directors or other managing authority.

**"Data" or "Personal Data"** means any information relating to a natural person, including any information deemed personal information under the applicable regulation regarding data protection and/or information through which a person may be identified directly or indirectly (e.g. by reference to a user ID, an identification number, location data, an online username or one or several specific elements related to a person's physical or health status, nationality, cultural or social identity).

**"Data Controller"**, for the purposes of the GDPR (General Data Protection Regulation), refers to Diffusely as the legal person which alone or jointly with others determines the purposes and means of the processing of Personal Data. For the purpose of this Privacy Policy, Diffusely is the Data Controller.

**"Processing" or "Process"** means any operation or set of operations carried out by Us and Our providers for the purpose of operating the Websites, regarding Data, such as collection, registration, organization, retention, adaptation or modification, extraction, consultation, use, disclosure by transmission, distribution or any other form of making available, matching or interconnection as well as archiving and/or deletion.

**"You/Your" "User" "Visitor" or "Data Subject"** means anyone who accesses and uses Our Websites. This includes individuals who browse the Websites, engage with Our content, or interact with Us in any other way.

## Collecting and Using Your Personal Data

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### Types of Data Collected

#### *Personal Data Collected from You*

We may collect the following Personal Data submitted to Us by You:

- **Contact Data:** first and last name, email address, phone number, home address, country and region;
- **Demographic Data:** gender and date of birth;
- **Feedback Data:** feedback, ratings, survey responses submitted through the Websites;
- **Employment Application Data:** contact and demographic data, educational and work history, employment interests, information obtained during interviews and any other information You decide to provide when You apply for a job at Diffusely.

#### *Usage Data*

We may automatically collect some Data from or in connection with Your device when visiting the Websites:

- **Log data.** Like most Websites and services delivered over the Internet, Our servers automatically collect information when You access or use Our Websites, recording this information in log files. This log data may include the Internet Protocol (IP) address, the address of the web page visited before using the Diffusely Suite Services, the pages of Our Websites that You visit, the time spent on those pages, Your browser type and settings, the date and time the Websites was visited, information about browser configuration and plugins, and language preferences.
- **Device data.** Diffusely collects information about Devices accessing the Websites, including the type of device, operating system used, device settings, application IDs, unique device identifiers and crash data.
- **Location Data:** such as general geographic location that We or third-party providers may derive from Your IP address.
- Other diagnostic data.

We and our third-party providers may use (i) cookies or small data files that are stored on an individual's computer and (ii) other, related technologies, such as web beacons, pixels, embedded scripts, location-identifying technologies and logging technologies (collectively, "cookies") to automatically collect this

personal information. We may also use this information to distinguish you from other users of our Services. This helps us monitor and analyze how you use and interact with the Websites. It also helps Us to determine products and services that may be of interest to You and provide You an enhanced and facilitated experience.

For more information about these practices and your choices regarding cookies, please see Our Cookie Policy.

#### *Personal Data Collected from Third-Parties*

We may obtain Personal Data from third-parties which We may link and/or combine with the Personal Data We either collect from You or automatically.

We may receive such Personal Data from the following third-parties:

- **Service Providers:** Our service providers that perform services solely on Our behalf;
- **Social Media Platforms:** when You interact with Us through various social media networks (Instagram, LinkedIn, Twitter, Facebook or other social platforms), We may receive certain Data that You have permitted the social platform to share with third-parties;
- **Other sources:** We may also collect Personal Data from publicly available sources, third-party data providers or through transactions such as mergers and acquisitions.

#### *Use of Your Personal Data*

We may use Personal Data for the following purposes to:

- help Us screen for potential risk and fraud (in particular, your IP address);
- provide, update, operate, maintain and protect Our Websites;
- improve, personalize, and expand Our Websites;
- protect the security of the Websites, Our company, Our clients and You;
- fulfill or meet the reason the Personal Data was provided;
- communicate with You;
- provide targeted marketing and promotional communications on Our website and/or Our Products and on other online platforms, including but not limited to Facebook, LinkedIn or Google Ads, and to create a lookalike audience on the basis of Your profile, subject to, Your consent to receive such marketing communications from Us;
- support and manage Your requests;
- identify and analyze how individuals use Our Websites;
- conduct research and analytics on our (potential) customer and (potential) user base;
- answer to applicable law, legal process or regulation;
- establish, exercise or defend legal claims.
- For other purposes: We may use Your information for other purposes, such as data analysis, determining the effectiveness of Our promotional campaigns, evaluate and improve Our services and products, marketing and Your Visitor experience.

#### *Disclosure of Your Personal Information*

We do not sell or trade Your Personal Data. We may share Your Personal Data in the following situations:

- **With Our Affiliates:** We may share Your information with Our Affiliates, in which case we will require those Affiliates to honor this Privacy Policy.
- **With third-party service providers** that perform business or operational services on Our behalf (for example, Websites hosting, infrastructure provisioning, IT services, administrative services, data analysis, customer service, marketing services etc.), but only to the extent necessary to perform those services.
- **With third-party partners:** We may share certain Data, with professional service providers or marketing and advertising partners like Facebook, LinkedIn or Google Ads to create personalised ads and content. This way we can inform you about Our Services and Products, subject to your consent and choice to opt out.

- Legal obligations and rights: We may disclose Your Personal Data to third-parties such as legal advisors and law enforcement when necessary;
- With Your consent: We may disclose Your personal information for any other purpose provided we obtain Your consent.

#### Legal Basis for Processing Personal Data

We may process Personal Data for the purposes pursuant to the following legal basis:

- Consent: You have given Your consent for processing Personal Data for one or more specific purposes, including for direct marketing/advertising purposes.
- Legal obligations: Processing Personal Data is necessary for compliance with a legal obligation to which Diffusely is subject.
- Our Legitimate interests: Processing Personal Data is necessary for the purposes of the legitimate interests pursued by Diffusely, such as improving the Websites and the Visitor experience,

In any case, Diffusely will gladly help to clarify the specific legal basis that applies to the Processing.

#### Retention of Your Personal Data

Diffusely keeps Your Personal Data only as long as necessary to fulfill the purposes for which it was collected:

- Responding to Your inquiry or providing requested information. We may also retain this information for future communications with You if you have consented to receive marketing communications from Us.
- Complying with Our legal obligations,
- Resolving disputes.

The length of time we keep Data depends on:

- The nature of the Data,
- Why we're processing the data (the purpose),
- Any guidelines or recommendations from the relevant data protection authorities,
- Any relevant legal obligations.

Your Personal Data will be deleted upon Your request or as soon as it is no longer required to achieve the purpose for which the Personal Data has been collected. If legal regulations (e.g., by fiscal, commercial, or contractual law) apply that require longer storage of Your Personal Data, or if We need Your Personal Data to assert legal claims or defend against legal claims, We will store Your Personal Data until the expiration of the corresponding storage period or until the settlement of the claims.

#### Transfer of Your Personal Data

Your information, including Personal Data, is processed at Diffusely operating offices and in any other places where the parties involved in the Processing are located. Data may therefore be transferred or transmitted to, or stored and processed in, countries outside where You live, for the purposes stated in this Privacy Policy.

Specifically, Personal Data of the Data Subjects will be hosted on servers located in the following regions/countries: **European Union, United States.**

These Data transfers are necessary for the operation of the Websites.

Your express consent to this Privacy Policy followed by Your submission of such information represents Your agreement to that transfer.

In the event of a change in the recipient countries, Diffusely shall inform the Client and all its Users and provide them with an updated list of recipient countries.

Diffusely will take all steps reasonably necessary to ensure that Your data is treated securely and in accordance with this Privacy Policy. All transfers of Personal Data made for the purpose of the operation of the Websites and under this Privacy Policy, from the European Union, the European Economic Area (EEA), their Member States and Switzerland to other countries shall only be made in accordance with the Standard Contractual Clauses, EU-US Data Protection Framework, and/or an adequacy decision in order to ensure each Data transfer complies with applicable EU legislation.

#### Disclosure of Your Personal Data

##### *Law enforcement*

Under certain circumstances, Diffusely may be required to disclose Your Personal Data if required to do so by law or in response to valid requests by public authorities (e.g. a court or a government agency).

##### *Other legal requirements*

Diffusely may disclose Your Personal Data in the good faith belief that such action is necessary to:

- Comply with a legal obligation,
- Protect and defend the rights or property of Diffusely,
- Protect the personal safety of Visitors of the Websites or the public,
- Protect against legal liability.

#### Security of Your Personal Data

Diffusely protects Your Personal Data by establishing reasonable technical and organizational measures to ensure the security of the processing of Personal Data and its confidentiality.

In this regard, Diffusely takes every suitable precaution regarding the nature of the data and the risks presented by the processing to preserve the security of the Personal Data and especially to avoid that the Personal Data is distorted, damaged or that non-authorized third parties have access to the Personal Data: physical protection of locations, authentication procedures with personalized and secure access via identifiers and confidential passwords, encryption of certain data, etc.

The security of Your Personal Data is important to Us, but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure. While We strive to use commercially acceptable means to protect Your Personal Data, We cannot guarantee its absolute security.

#### Your Rights and How to Exercise Them

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##### Your Rights under this Privacy Policy

Diffusely undertakes to respect the confidentiality of Your Personal Data and to guarantee You can exercise Your rights.

You have the right under this Privacy Policy, and by law if You are within the EU, to:

- Request access to Your Personal Data,
- Request correction of the Personal Data that We hold about You,
- Object to processing of Your Personal Data. This right exists where We are relying on a legitimate interest as the legal basis for Our processing and there is something about Your particular situation, which makes You want to object to our processing of Your Personal Data on this ground. You also have the right to object where We are processing Your Personal Data for direct marketing/advertising purposes.
- Request erasure of Your Personal Data,
- Request the transfer of Your Personal Data,
- Withdraw Your consent. You have the right to, at any time, withdraw Your consent to the processing of Your Personal Data for any above stated purposes, including direct marketing/

advertising. This right to withdraw Your consent to direct marketing/advertising does not affect Your ability to use Our services. However, if You withdraw Your consent to the use of Your Personal Data for purposes necessary to contract performance, We may not be able to provide you with access to certain specific functionalities of Diffusely websites.

### Exercising of Your Rights under this Privacy Policy

You may exercise Your rights of access, rectification, cancellation and opposition by contacting Us.

You may exercise Your rights, including opt out Your consent to stated above purposes, by sending a request to [privacy@diffuse.ly](mailto:privacy@diffuse.ly). If You make a request, We will try Our best to respond to You as soon as possible.

You have the right to complain to a Data Protection Authority about Our collection and use of Your Personal Data. For more information, if You are in the European Economic Area (EEA), please contact Your local data protection authority in the EEA.

You may file a claim with the CNIL (French Information Commissioner's Office):

- Directly online;
- By letter: 3 Place Fontenoy - TSA 80751 - 75334 Paris Cedex 07.

### Control over Your Data

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You may control Your Data in the following ways:

- Email Communication Preferences: You can stop receiving promotional and marketing communications (this expressly excludes any service/product related communications) from Us by unsubscribing to such communications;
- Exercising Your rights as a Data Subject under the applicable legislation and this Privacy Policy;
- Access to Your Device Information: You may control Our access to Your Data through Your "settings" on Your Device.

### Children's Privacy

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Our Websites does not address anyone under the age of 13. We do not knowingly collect personally identifiable information from anyone under the age of 13. If You are a parent or guardian and You are aware that Your child has provided Us with Personal Data, please contact Us. If We become aware that We have collected Personal Data from anyone under the age of 13 without verification of parental consent, We take steps to remove that information from Our servers.

If We need to rely on consent as a legal basis for processing Your information and Your country requires consent from a parent, We may require Your parent's consent before We collect and use that information.

### Changes to this Privacy Policy

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Diffusely may change this Privacy Policy from time to time. Laws, regulations, and industry standards evolve, which may make those changes necessary. We will post the changes to this page and we encourage you to review our Privacy Policy to stay informed.

Changes to this Privacy Policy are effective when they are posted on this page.

### Information about Diffusely I Contact Us

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Diffusely has appointed a DPO:

- Alexandra Lachowsky
- which You may contact with the following email address: [privacy@diffuse.ly](mailto:privacy@diffuse.ly)

For any additional information on the protection of Your Personal Data, You may contact Us: [privacy@diffuse.ly](mailto:privacy@diffuse.ly) or [legal@diffuse.ly](mailto:legal@diffuse.ly)