

PhotoMania - Privacy Policy

Last Revised: November 5, 2012

Trionity Web Services Ltd. and its affiliates (“**Company**” or “**we**”) respect the privacy of its users (“**User**” or “**you**”) and are committed to protect the User's information. We believe that you have a right to know our practices regarding the information we may collect and use when you use our full featured photo editing, viewing and cataloging service (the “**Service**”). The Service enables you to create amazing effects in your personal photos; you may add to your photos sketches, paintings, vintage effects and more. We offer our Service online either on the Facebook App center, on various Smartphone devices (e.g. iPhone, Android based devices, HTC, etc.) (*this part of the Service is currently not available and will be available in the future*), or on our site at: www.photomaniafx.com and www.photomania.net (the “**Site**”) (together shall be referred as the “**Socially based Service**”). We also offer our service as a standalone desktop application for purchase (the “**Standalone Service**”).

1. Your consent (important, please read carefully!)

By accessing and/or using the Site or the Service, you agree to the terms and conditions set forth in this Privacy Policy, including to the collection and processing of your Personal Information (as defined below). You will also be asked to accept the terms of the policy while registering to the service by checking the "I allow" box. Please note: if you disagree to any term provided herein, you may not access or use the Service.

2. How do we collect information about you?

We only collect information about you through our Service, as follows:

- (a) When you use our Socially based Service for the first time, you are requested to allow the Service to collect certain Personal Information from your Facebook account, as described below.
- (b) When you upload, edit and/or save your photos on the Socially based Service.
- (c) When you download and install the Standalone application on your computer.

3. Which information we may collect?

We collect two types of data and information:

3.1 Non-personal Information. The first type is non-identifiable and anonymous information. To put it simply, we have no idea what is the identity of the User from which we have collected the Non-personal Information. Non-personal Information which is being gathered consists of technical information and behavioral information, as detailed below:

Technical information:

- Type of operation system (e.g. *Windows, Linux, etc.*)
- Android or iOs Operating System Vendor (e.g. *Galaxy, HTC, iPhone, etc.*)
- Type of Browser (e.g. *Explorer, Firefox, Chrome, Safari, etc.*)
- Screen resolution (e.g. *800x600, 1024x768, etc.*)
- Flash Version.
- Java Support
- Screen Colors
- Service Provider
- Host Name

- Mobile Device and Mobile Carrier
- IP address
- Language (e.g. English)

Behavioral information:

- User's interaction with the Service such as:
- Applying effects
- Viewing and Choosing photos
- Switching between categories
- Users' saving and sharing photos
- Any Similar behavioral information.

3.2 Personal Information. The other type of information we may collect is individually identifiable information. To put it simply, this information may identify an individual and/or is of a private and/or sensitive nature such as your name, email address, birth date, photos etc.

3.2.1 Personal Information gathered through the Socially based Service includes your basic info on your Facebook account (such as name, gender, age, etc.), email address, your photos and your friends' photos shared with you on Facebook, as well as any type of Personal Information you made public on Facebook. Additional Personal Information we collect may include photos which you uploaded manually to the Service and/or photos that you have edited through the Service.

3.2.2 We do not collect any Personal Information through our Standalone Service. We only collect some Non-Personal Information when you install the application on your computer, such as IP address and the location of your desktop computer.

4. What are the purposes of the collection of information?

- (a) Non-personal Information is collected in order to:
- Enhance the User's experience on the Service.
 - Learn about the preferences of Users and general trends on the Service.
 - Improve the Service, its design and layout per Users' behavior.
 - For statistic purposes.
- (b) Personal Information is collected in order to:
- Enable the overall operation of the Service.
 - Personalize your experience on the Service according to your preferences.
 - Search for your friends photos on the Service.
 - Allow us to contact you with proposals and tailored information regarding events, offers, contests, services, etc.

5. Sharing Personal Information with Third Parties

We share Personal Information only in the following cases:

- (a) to satisfy any applicable law, regulation, legal process, subpoena or governmental request; (b) to enforce this [Privacy Policy](#) or the [Terms of Use](#), including investigation of potential violations thereof; (c) to detect, prevent, or otherwise address fraud, security or technical issues; (d) to respond to claims that any content published on the Service violates any right of a third-party; (e) to

respond to claims that unauthorized information (e.g. personal photos with content that may violate the Terms of Use) of a third-party has been posted on the Service; (f) to protect the rights, property, or personal safety of the Company, the Users or the general public; (g) when Company is undergoing any change in control, including by means of merger, acquisition or purchase of all or substantially all of the assets of Company; (h) pursuant to your approval, in order to supply certain services you have requested from Company; (i) to let our partners and affiliates serve you with commercials; or (j) to collect, hold and manage your Personal Information through a third party's cloud based services, as reasonable for Company's business purposes, which may be located in countries outside of your jurisdiction, including but not limited to the United States of America.

6. Sharing Personal Photos using the Socially based Service

Users of the Socially based Service who edited their personal photos through the Service may share them with their Facebook friends and other users (according to the privacy settings of such User's Facebook account) by clicking on the "save & share" button on the Service. By using this feature, such edited personal photos will also be stored and available for other Users of the Socially based Service who are currently online on the PhotoMania Site and Service.

7. Direct Marketing & Advertising

7.1 Direct Marketing: You hereby consent that we shall use your contact details for the purpose of informing you regarding products and services (offered by the Company and/or by third parties) which may interest you and to send to you advertisements and other marketing material, transmitted to the e-mail address you have provided. You may withdraw your consent to receive such marketing materials by sending us an email to support@photomania.net, with request to be removed from our mailing list.

It is clarified that we are not responsible for the content of said advertisements and the products delivered or services rendered thereby by third parties and you irrevocably and unconditionally agree that we shall not be held responsible or liable in connection thereof.

7.2 Advertisements: We accept advertisements from third party advertisers. These advertisers are carefully selected to provide information about products and services that we think may be of interest to our Users. Note that if you click on any of these advertisements, these advertisers may use cookies and other web-tracking technologies to collect non-personal and/or personal information about you. We recommend that you review the terms of use and privacy policy of any advertiser with which you are interacting before doing so. Their privacy policy, not ours, will apply to any of those interactions.

8. Modifications to or Deletion of Personal Information

At any time, you may remove the Service from your Facebook account or your mobile device. When you do so, you will not be able to enjoy the editing features on the Service any longer, and the Service will not have further access to your Personal Information through your Facebook account. Photos you have saved and shared manually on the Service, will not be deleted automatically within the removal of the Service from your Facebook account or mobile device. To remove such photos from the Service, please contact us at: support@photomania.net and we will take care of your request.

9. Cookies & Local Storage

When you access or use the Socially based Service, the Company may use industry-wide technologies such as "cookies" and Flash (or similar technologies), which stores certain information on your computer ("Local Storage") and which will allow us to enable automatic activation of certain features, and make your Service experience much more convenient and effortless. The cookies used by the Service are created per session, does not include any information about you, other than your session key and are removed as your session ends. It is easy to prohibit the Local Storage. Most browsers will allow you to erase cookies from your computer's hard drive, block acceptance of cookies, or receive a warning before a cookie is stored. In order to erase or disable the Local Storage option in Flash you should use the settings option of Flash according to the specific instructions provided by the technology provider. However, if you block or erase cookies, or change the settings of Flash, your online experience may be limited.

We may also use certain third-party cookies (e.g. Google Authentication). These are a different kind of cookies, stored on your computer by third parties, rather than by the Company. This kind of cookie is only read (and not altered by the Service) each time you visit the Service, and also when you visit certain websites or applications that uses similar cookies. Third-party cookies usually store only a Non-personal Information, such as the web pages you have visited, the duration of your browsing, etc.

10. Security

We take a great care in maintaining the security of the Service and your information and in preventing unauthorized access to it through industry standard technologies and internal procedures, including through the use of encryption mechanisms and firewalls. However, we do not guarantee that unauthorized access will never occur.

11. Third Party Software/Service

While using the Service we may be using third party software and/or service, in order to collect and/or process the information detailed herein. Such software includes without limitation, Google Analytics, which privacy policy is available at <http://www.google.com/intl/en/analytics/privacyoverview.html> and Amazon S3, which Privacy Policy is available at <http://aws.amazon.com/privacy.html>.

12. Changes to the Privacy Policy

The terms of this Privacy Policy will govern the use of the Service and any information collected therein. Company reserves the right to change this policy at any time, so please re-visit this page frequently. In case of any material change, we will make reasonable efforts to post a clear notice on the Service.

Changes to this Privacy Policy are effective as of the stated "Last Revised" and your continued use of the Service on or the Last Revised date will constitute acceptance of, and agreement to be bound by, those changes.

13. Got any Questions?

If you have any questions (or comments) concerning this Privacy Policy, you are most welcomed to send us an email to the following address: support@photomania.net and we will make an effort to reply within a reasonable timeframe.