Introduction

Proof of Peach LLC ("Company" or "We") respects your privacy and is committed to protecting it through our compliance with this policy.

This policy describes the types of information we might collect from you or that you might provide when you visit the website ProofofPeach.com (our “Website”) and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect:

- On this Website.
- In email, text, and other electronic messages between you and this Website.

It does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by Company or any nonparty; or
- Any nonparty, including through any application or content (including advertising) that might link to or be accessible from or through the Website.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you consent to the practices described in this policy. We may change this policy from time to time (see Changes to Our Privacy Policy). We consider your continued use of this Website after we make changes to be acceptance of those changes, so please check this policy periodically for updates.

1. **Children Under the Age of 18**

   Our Website is not intended for children under 18-years old. No one under 18-years old may provide any information to or on the Website. We do not knowingly collect personal information from children under 18-years old. If you are under 18, do not use or provide any information on this Website or through any of its features, register on the Website, make any purchases through the Website, use any interactive or public comment features of this Website, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you might use. If we learn we have collected or received personal information from a child under 18, we will delete that information. If you believe we might have any information from or about a child under 18, please contact us at privacy@proofofpeach.com.

2. **Information We Collect About You**

   Personal information, or personal data, means any information about an individual from which that
A person can be identified. It does not include information where the identity has been removed (anonymous data).

Depending on whether you are a creator or a fan, we collect and use different types of information from and about you that we have grouped together as follows:

- **Identity Data** includes first name, last name, stage name, username or similar identifier, social media identifiers, social security number, government-issued photo identification, citizenship status, date of birth, gender, signed written consents, selfie photo, and voice and image (in any content that you upload or transmit).

- **Contact Data** includes postal address, email address, and telephone numbers.

- **Financial Data** includes electronic wallet address. We store only limited, if any, Financial Data.

- **Transaction Data** includes details about payments to and from you and other details of products and services (including content) you have purchased or sold through our Website or tips that you have paid through our Website.

- **Technical Data** includes internet protocol (IP) address, ISP name, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our Website.

- **Device Data** includes the type of mobile device (“Device”) you use, a unique device identifier (for example, your Device’s IMEI number, the MAC address of the Device’s wireless network interface, or the mobile phone number used by the Device), mobile network information, your mobile operating system, the type of mobile browser you use, time zone setting, and IP address.

- **Content Data** includes photos, videos, audio (for example, music and other sounds), livestream material, data, text (including comments and hashtags), metadata, images, interactive features, emojis, GIFs, memes, and any other material you broadcast or upload on or through our Website and information about the content you broadcast or upload. Please remember that Content Data that you broadcast or upload might reveal personal information about yourself, including identifying information about yourself depicted in any Content Data.

- **Profile Data** includes your username and password, including password hints and other information for authentication and account access, purchases made by you, your interests, preferences, feedback, and survey responses. Some information you choose to give us may be considered “special” or “sensitive” in certain jurisdictions, for example, your sex life and sexual orientation. By choosing to submit special or sensitive information, you hereby consent to our processing of that information.

- **Usage Data** includes information about how you use our Website, products, and services.

- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We also collect, use, and share **Aggregated Data** including statistical or demographic data for any purpose. Aggregated Data could be derived from your personal information but is not considered
personal information in law as this information will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information that will be used under this privacy policy.

We do not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data) unless you voluntarily provide it. Nor do we collect any information about criminal convictions and offenses.

Where we need to collect personal information by law, or under the terms of a contract we have with you and you do not provide that information when requested, we might not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

3. How We Collect Information About You

We use different methods to collect information from and about you including through:

- **Direct interactions.** You may give us information about you by filling in forms or by corresponding with us by email. This includes information you provide when you sign up; purchase content or other services; create a profile; interact with creators or fans through our interactive services; request marketing to be sent to you; enter a competition, promotion, or survey; or give us feedback or contact us. We may also ask you for information when you report a problem with our Website.

- **Automated technologies or interactions.** As you interact with our Website, we may automatically collect Technical and Device Data about your equipment, browsing actions, and patterns as specified above. We collect this information by using cookies, server logs, log files, pixel tags, and other similar technologies (see Cookies and Automatic Data Collection Technologies). We may also use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking). Please note that we do not recognize or respond to any do not track signals (DNT). For more information about DNT, visit www.allaboutdnt.com.

- **Nonparties or publicly available sources.** We will receive personal information about you if you visit other websites employing our cookies or from nonparties including, for example, business partners (including affiliates in any affiliate marketing program); nonparty electronic wallet extensions; subcontractors in technical, payment, delivery, content moderation, and identity and age verification services; advertising networks; analytics providers; and search information providers.

- **User contributions.** You also may provide Content Data for us to publish or display (“post”) on public Website areas or transmit to other website users or nonparties. You submit Content Data for posting and transmission to others at your own risk. Although you may set certain privacy settings for Content Data by logging into your account profile, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of any
Website users with whom you choose to share your Content Data. Therefore, we cannot and do not guarantee that unauthorized persons will not view your Content Data.

**Cookies and Automatic Data Collection Technologies**

Our Website uses cookies (small files placed on your device) or other automatic data collection technologies to distinguish you from other Website users. This helps us deliver a better and more personalized service when you browse our Website. It also allows us to improve our Website by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our Website according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our Website.

You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting, certain parts of our Website might become inaccessible and certain features might not work correctly. Unless you adjust your browser settings to refuse cookies, our system will issue them.

Our Website pages and emails might contain web beacons (small transparent embedded images or objects, also known as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count website page visitors or email readers, or to compile other similar statistics including recording Website content popularity or verifying system and server integrity.

**Nonparty Use of Cookies and Other Tracking Technologies**

Some content or applications, including advertisements, on the Website are served by nonparties, including advertisers, ad networks and servers, content providers, and application providers. These nonparties might use cookies alone or with web beacons or other tracking technologies to collect information about you when you use our Website. They might associate the information collected with your personal information or they might collect information, including personal information, about your online activities over time and across different websites and other online services. They might use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control how these nonparty tracking technologies operate or how they might use the collected information. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

4. **How We Use Your Information**

We use your information to provide you with products, offer you services, communicate with you, deliver marketing, or to conduct other business operations, including using information to improve and personalize your experiences. Examples of how we may use the information we collect (including any personal information) include to:
• Identify you as a visitor, fan, or creator on our Website.
• Present our Website and its contents to you.
• Fulfill any other purpose for which you provide it.
• Provide you with the information, products, services, and support that you request from us.
• Provide you with notices about your account or subscription, including expiration and renewal notices.
• Carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
• Notify you about changes to our Website or any products or services we offer or provide through it.
• Facilitating your cryptocurrency transactions through electronic wallets.
• Allow you to participate in interactive features on our Website.
• Verify your identity and age if you post content on or through our Website.
• Pay money owed to you if you are a creator.
• Review content before publication to ensure that it is not illegal.
• Engage in real-time monitoring and removal of content if content is being live streamed.
• Comply with law.
• Respond to your inquiries related to support or other requests.
• Deliver targeted advertising, newsletters, and other information.
• Promote your content or account, including on other websites.
• Promote our Website.
• Use data analytics to improve our Website, product, services, marketing, customer relationships, and experiences.
• Ensure that we present our Website content in the most effective manner for you and for your computer or device.
• Administer our Website and conduct internal operations, including for troubleshooting, data analysis, testing, research, statistical, and survey purposes.
• Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and prosecute those responsible for that activity.
● Improve our Website, products or services, marketing, or customer relationships and experiences.

● Protect our Website, employees, or operations.

● Assist law enforcement and respond to subpoenas.

● Make suggestions and recommendations to you and other users of our Website about goods or services that may interest you or them.

● In any other way we may describe when you provide the information.

● For any other purpose with your consent.

We may also use your information to contact you about our own and nonparties’ goods and services that might be of interest to you. If you do not want us to use your information in this way, please adjust your user preferences in your account profile or email us at privacy@proofofpeach.com. For more information, see Choices About How We Use and Disclose Your Information.

We may use the information we have collected from you to enable us to display advertisements to our advertisers’ target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

We may use nonpersonal information for any business purpose.

5. Disclosure of Your Information

We may disclose Aggregated Data about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy with:

● Any member of our corporate group, which means our subsidiaries, our ultimate holding company and its subsidiaries, and our affiliates.

● Business partners, suppliers, service providers, sub-contractors, and other third parties we use to support our business. Examples include analytics and search engine providers that assist us with Website improvement and optimization, payment processing providers that assist us in processing payments from you if you are a fan and payments to you if you are a creator, vendors that specialize in the validation of government identification to verify your identity and age, content moderation service providers, email delivery providers, hosting service providers, customer service providers, and marketing efforts. We may allow selected nonparties to use tracking technology on our Website, which will enable them to collect information about how you interact with our Website over time. This information may be used to, among other things, analyze and track data, determine the popularity of certain content and better understand online activity. For example, we use Google Analytics to help us understand how our customers use our Website (you can read more about how Google uses your personal information here: [Google Privacy Policy](https://policies.google.com/technologypolicy)).
https://policies.google.com/privacy). You can also opt-out of Google Analytics here: https://tools.google.com/dlpage/gaoptout. We contractually require these nonparties to keep that personal information confidential and use it only for the contracted purposes.

- To fulfill the purpose for which you provide it. For example, if you give us an email address to use the “email a friend” feature of our Website, we will transmit the contents of that email and your email address to the recipients.

- For any other purposes that we disclose when you provide the information.

- With your consent.

We may also disclose your personal information to nonparties:

- If we sell or purchase any business or assets, we may disclose your personal information to the prospective creator or fan of that business or assets.

- To a fan or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Proof of Peach LLC’s assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, where one of the transferred assets is the personal information held by Proof of Peach LLC about our Website users.

- To comply with any court order, law, or legal process, including responding to any government or regulatory request.

- To enforce or apply our Terms of Service, Creator Agreement, and other agreements, including for billing and collection purposes.

- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Proof of Peach LLC, our customers, or others. This includes exchanging information with other companies and organizations for cybersecurity, fraud protection, and credit risk reduction.

The categories of personal information we may disclose include:

- Identity Data;
- Contact Data;
- Financial Data;
- Transactional Data;
- Technical Data;
- Device Data;
- Content Data; and
- Profile Data.
6. Consent to Personal Information Transfer

We are based in the United States of America. We may process, store, and transfer the personal information we collect, in and to a country outside your own, with different privacy laws that might or might not be as comprehensive as your own. If you are located outside the United States, your personal information might at times be accessible by persons who are located worldwide including in countries that the European Commission or other geopolitical regions have not determined to provide the same adequate level of data protection in your country, province, territory, or geopolitical region.

By submitting your personal information or engaging with our Website, you hereby consent to this transfer, storing, or processing, including the transfer of your information across international boundaries to jurisdictions anywhere in the world as permitted by law.

If you are a Canadian resident or otherwise located in Canada, please note that personal information transfers outside of Canada might result in your information becoming accessible to foreign jurisdiction’s law enforcement or other authorities.

If you are located in the European Economic Area (EEA), Switzerland, or the United Kingdom (UK), please note that your information will be transferred outside of those areas, including to the United States. Nevertheless, whenever we transfer your personal information out of the EEA, Switzerland, or UK, we will use reasonable efforts to ensure a similar degree of protection is afforded to it by ensuring that the recipient third party agrees to contractual clauses or other appropriate safeguards.

7. Your Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our Website might become inaccessible or not function properly. For more information about the cookies we use, please see [Cookies and Automatic Data Collection Technologies](#).

- **Promotional Offers from the Company.** If you do not wish to have your Contact Data used by the Company to promote our own or nonparties’ products or services, you can opt-out by checking the relevant box located on the form on which we collect your data (e.g., the registration form) or by sending us an email stating your request to privacy@proofofpeach.com. If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions. This opt-out does not apply to information provided to the Company as a result of a purchase, service experience, or other transactions.

We do not control nonparties’ collection or use of your information to serve interest-based advertising. But these nonparties may provide you with ways to choose not to have your information collected or used in this way.

Residents of certain jurisdictions, including California, Nevada, Colorado, Connecticut, Virginia, Utah, European Economic Area, and United Kingdom might have additional personal information rights and choices. Please see [Your State Privacy Rights](#) and [Your EEA/UK Privacy Rights](#) for more information.
8. Accessing and Correcting Your Information

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes. You have the right to request access to and to correct the personal information that we hold about you.

You can access, review, and change your personal information by logging into the Website and visiting your account profile page.

If you want to review, verify, correct, or withdraw consent to the use of (if allowed by the law of your jurisdiction) your personal information, you may also send us an email at privacy@proofofpeach.com to request access to, correct, or delete any personal information that you have provided to us. In some circumstances, we cannot delete your personal information except by also deleting your user account. We will not accommodate a request to change or delete information if we believe the change or deletion would violate any law or legal requirement or cause the information to be incorrect. We may charge you a fee to access your personal information, however, we will notify you of any fee in advance.

We may request specific information from you to help us confirm your identity and your right to access and to provide you with the personal information that we hold about you or make your requested changes. Applicable law might allow or require us to refuse to provide you with access to some or all the personal information that we hold about you, or we might have destroyed, erased, or made your personal information anonymous under our record retention obligations and practices. If we cannot provide you with access to your personal information, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

If you delete your Content Data from the Website, copies of your Content Data might remain viewable in cached and archived pages or because other Website users might have copied or stored them. Our Terms-of-Service Agreement governs proper access and use of information provided on our Website, including Content Data.

Residents of certain jurisdictions, including California, Nevada, Colorado, Connecticut, Virginia, Utah, European Economic Area, and United Kingdom might have additional personal information rights and choices. Please see Your State Privacy Rights and Your EEA/UK Privacy Rights for more information.

9. Your State Privacy Rights

State consumer privacy laws might provide their residents with additional rights regarding our use of their personal information. To learn more about California residents' privacy rights, visit CCPA PRIVACY POLICY FOR CALIFORNIA RESIDENT. California’s “Shine the Light” law (Civil Code § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to nonparties for their direct marketing purposes. To make that request, please send an email to privacy@proofofpeach.com.

Colorado, Connecticut, Virginia, and Utah each provide their state residents with rights to:

- Confirm whether we process their personal information.
- Access and delete certain personal information.
● Data portability.

● Opt-out of personal data processing for targeted advertising and sales.

Colorado, Connecticut, and Virginia also provide their state residents with rights to:

● Correct inaccuracies in their personal information, taking into account the information’s nature and processing purpose.

● Opt-out of profiling in furtherance of decisions that produce legal or similarly significant effects.

To exercise any of these rights, please send an email to privacy@proofofpeach.com. To appeal a decision regarding a consumer rights request, please contact us at privacy@proofofpeach.com.

Nevada provides its residents with a limited right to opt-out of certain personal information sales. Residents who wish to exercise this sale opt-out rights may submit a request to this designated address: privacy@proofofpeach.com. However, please know we do not currently sell data triggering that statute’s opt-out requirements.

10. Your EEA/UK Privacy Rights

If you live in the EEA or the UK, the following terms apply to you.

Legal Basis for Processing

We may process your personal data because you have given us permission to do so (e.g., by sending data through our Website’s contact or signup forms), because the processing is in our legitimate interests and it is not overridden by your rights, or because we need to process your personal data to perform a contract with you or comply with the law.

Your Legal Rights

Under certain circumstances, you have rights under data protection laws concerning your personal data. Your rights may include the following:

● Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

● Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

● Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us to continue to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully, or where we are required to erase your personal data to comply with local law. Note, however, that we might not always be able to comply with your request of erasure for specific legal reasons.
that will be notified to you, if applicable, at the time of your request.

- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation that makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information that override your rights and freedoms.

- **Request restriction of processing** your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful, but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise, or defend legal claims; or (d) you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

- **Request the transfer** of your personal data to you or a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information that you initially provided consent for us to use or where we used the information to perform a contract with you.

- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we might not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at privacy@proofofpeach.com.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we may refuse to honor your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made several requests. In this case, we will let you know and keep you updated.

11. **Data Retention**

Except as otherwise permitted or required by law or regulation, we will only retain your personal information for as long as necessary to fulfill the purposes we collected it for, including to satisfy any legal, accounting, or reporting requirements. Under some circumstances, we may anonymize your personal information so that it can no longer be associated with you. We reserve the right to use that anonymous and de-identified information for any legitimate business purpose without further notice to
you or your consent.

12. Withdrawing Your Consent

Where you have given your consent to the collection, use, and transfer of your personal information, you might have the legal right to withdraw your consent under certain circumstances. To withdraw your consent, if applicable, you may contact us at privacy@proofofbeach.com. Please note that if you withdraw your consent, we might not be able to provide you with a particular product or service. We will explain the impact to you at the time to help you with your decision.

13. Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls. Any payment transactions will be encrypted using SSL technology.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Website. The information you share in public areas may be viewed by any user of the Website.

Unfortunately, the transmission of information through the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

14. Changes to Our Privacy Policy

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users’ personal information, we will notify you by email to the email address specified in your account or through a notice on the Website home page. The date the privacy policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this privacy policy to check for any changes.

15. Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at privacy@proofofbeach.com.