

Privacy Policy

Viral Solutions LLC (trading as VIAL), a company incorporated in South Carolina, US (registration number 126594371) whose registered office is at "4669 Farm Lake Drive", Myrtle Beach, South Carolina 29579. ("VIAL", "we", "our", and "us").

This Privacy Policy applies to your use of the Vial mobile application (the "Vial Walking App") which hosts the Vial Marketplace ("Marketplace") and uses the Vial reward point ("Vial(s)"), any website operated by Vial (including <http://Vial.al>) (the "Vial Website(s)") and the services we provide that are accessible via any of them (the "Services"). This Privacy Policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be stored, and processed by us.

MINIMUM AGE REQUIREMENT

Please note that you must be aged 13 years or older to use the Services. Please do not use the Services or provide us with any personal information if you are under 13 years of age.

INFORMATION WE MAY COLLECT FROM YOU

From time to time, we may collect or ask you to provide personal information including (without limitation) the following: your name, mobile phone number, email address, password, identification credentials, your contacts, biographical details, photographs and/or payment information.

We also automatically collect, store and use information about your use of the Services, and about your computer, tablet, mobile or other device through which you access the Services. This includes the following information:

- Technical Data: including the Internet protocol (IP) address, browser type, internet service provider, device identifiers, your login information, time zone setting, browser plug-in types and versions, preferred language, activities, operating system and platform, and geographical location; and
- Usage Data: including the full Uniform Resource Locators (URL), clickstream to, through and from the Vial Websites, pages you viewed and searched for, page response times, length of visits to certain pages, referral source/exit pages, page interaction information (such as scrolling, clicks and mouse-overs), date and time pages are accessed, website navigation and search terms used, and whether you have opened our marketing newsletters.

We may also automatically record the purchases you have made through the Vial App or Vial Websites using Vial ("Transaction Data") to obtain an understanding of your preferences so that we can provide you with more tailored marketing where appropriate.

As part of the Services, we may provide functionality allowing you to search for friends by using your Facebook credentials and, when you elect to do this, you will be asked to allow the Vial App to

access certain information associated with your Facebook account such as your name, profile picture, gender and list of friends. Provided you consent to this, such information will be processed by us in order to identify your Facebook friends who are users of Vial App and to allow you to invite those Facebook friends to install the Vial App.

Please note that, with your consent, we will collect information about your location and physical movements in order for the Vial App to function properly and monitor and verify forms of eligible movement. You may turn location monitoring on and off from time to time using the settings of your operating system of your mobile device but, if you disable this functionality, we will not be able to collect information relating to your step-count and GPS/Cell-ID location which will prevent tracking and/or conversion of your movement into Vial coins.

We work with third parties from time to time (including, for example, business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers and search information providers who may provide to us information about you. This may include your purchase history from business partners who supply you with rewards made available via the Vial Walking App.

USES MADE OF YOUR PERSONAL DATA

As a data controller, we will only use your personal data if we have a legal basis for doing so. The table at Annex 1 sets out the purposes for which we use your personal data as well as the relevant legal bases on which we do so.

WHO WE SHARE YOUR PERSONAL DATA WITH

We may share your personal data with the following recipients as necessary to achieve the purposes set out in Annex 1 or as otherwise described below:

- Other users. Certain information of your personal data may be shared with other users of the Vial App as part of the normal operation of the Services (for example your uploaded profile picture and biographical information will be accessible to all users, and we may publish your total verified steps, or other movement, during a particular period to other users from time to time).
- Service providers. We may share your personal data with third party service providers that perform services for us or on our behalf, which may include providing data hosting, customer relationship management, payment processing and analytics services.
- Business partners. We may share your personal data with our trusted business partners in order that they can contact you from time to time with offers that may interest you and/or inform you of other products or services, provided you have given your consent for us to do so.
- Law enforcement, regulators, governmental authorities and other parties for legal reasons. We may share your personal data with third parties if we are legally required to do so, or if we believe, in good faith, that such disclosure is necessary to comply with a legal obligation or request, to enforce our terms and conditions, to prevent or resolve security or technical issues, or to protect the rights, property or our safety, or the safety of our users, a third party, or the public.
- Purchasers and third parties in connection with a business transaction. If we are involved in a merger, acquisition, bankruptcy, reorganization, partnership, asset sale or other transaction, we may disclose your personal data as part of that transaction.

- Other members of the Vial group.

In addition, we may share your personal data with other third parties if you have provided your consent for us to do so.

DATA RETENTION

Your personal data will be kept only for as long as is necessary to fulfill the purposes set out in this policy, for as long as we are required to do so by law or any regulatory obligation.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

DATA SECURITY

We take reasonable industry-standard care in keeping all our data secure and in preventing any unauthorized access or unlawful use of it.

COOKIES

We use cookies and similar technologies on the Vial App and Vial Websites for various purposes, including analytics and advertising. For more information regarding our use of cookies, please refer to Annex 2.

YOUR RIGHTS

Depending upon where you are located, you may have the following rights in respect of your personal data under applicable data protection law:

1. To ask us not to process your personal information for marketing purposes. You can exercise your right to prevent such processing (i.e. "opt out") by clicking 'unsubscribe' at the bottom of our marketing emails or by emailing info@Vial.al, with the subject 'unsubscribe'.
2. To change your personal information we hold about you. You can exercise your right by accessing your Account information in our app.
3. To ask us about the personal information we hold about you and to request a copy of your personal information. You can exercise your right to access this information by emailing info@Vial.al, with the subject 'data access request'.
4. To delete your account and any personal information we hold on you. You can exercise your right to delete your Vial account and the personal information attached to it yourself, by triggering an account deletion via the Help section.
5. To object to any use of your personal data that we carry out on the basis of our legitimate interests (as set out in Annex 1), subject to certain conditions.
6. To receive a copy of the personal data you have provided to us in a structured, commonly used, machine-readable format that supports re-use, or to request the transfer of your personal data to another person, in each case subject to certain conditions.

7. To withdraw consent to our processing of your personal data if this is based on your consent (as set out in Annex 1).
8. To require us to limit the purposes for which we process your personal data if the continued processing of the personal data in this way is not justified, such as where the accuracy of the data is contested by you.

Please note that the above rights are not absolute and we may be entitled to refuse requests, wholly or partly, where exceptions under applicable law apply.

If you wish to exercise one of these rights, please follow the steps set out above or contact us using the details set out below.

COMPLAINTS

If you wish to lodge a complaint about how we process your personal data, please contact us using the details set out below. We will endeavor to respond to your complaint as soon as possible.

LINKS

The Services may contain features or links to websites and services provided by third parties. Any information you provide on third-party websites or services is provided directly to the operators of such websites or services and is subject to those operators' policies governing privacy and security, even if accessed via the Vial App or Vial Websites. We are not responsible for the content or privacy and security practices and policies of third-parties to which links or access are provided through the Vial App or Vial Websites. We encourage you to learn about third parties' privacy and security policies before providing them with your personal data.

CHANGES TO THIS PRIVACY POLICY

We reserve the right to change this Privacy Policy at any time. Any such changes we may make to this Privacy Policy will be posted on the Vial App and Vial Website(s), and may be emailed to you. Please check the Privacy Policy available on the Vial App and Vial Website(s) from time to time.

CONTACT

Questions, comments and requests regarding this Privacy Policy are welcomed and should be addressed to info@Vial.al.

ANNEX 1 – PURPOSES OF COLLECTING PERSONAL INFORMATION

We use the following categories of personal data in the manner specified below, and rely on the following legal basis for processing:

Contact Details (phone number): We use this data to verify your identity as part of our account set up procedure. Our legal basis for processing this data is because it is in our and your legitimate interests to ensure that you have used the correct phone number when signing up for the Services.

Contact Details (email address, phone number etc.), profile information (username, profile photo, bio etc.), movement data (motion data, HealthKit data): We use this data to provide the Services, including operating the Vial Marketplace (using our own systems and those of appropriate third party service providers). Our legal basis for processing this data is based on performance of a contract (our terms and conditions).

Location Data (location data, movement data : We use this data to verify your physical movement and location and issue Vial coins on the basis of this verified data. Our legal basis for processing this data is based on consent (where we are processing location data) and performance of a contract.

Contact Details (email address, phone number etc.), payment details (card number, CVC etc.), profile information (username): We use this data to process your transactions with us. Our legal basis for processing this data is based on performance of a contract.

Profile Information (username, profile photo etc.), movement data (motion data, HealthKit data): We use this data to create daily leader boards of users, comprising all users or users meeting particular criteria as ranked by the number of steps completed or using other criteria. Our legal basis for processing this data is because it is in our legitimate interests to make our services social and competitive and allow you to see how you rank against other users and encourage you to walk more.

Contact Details (phone number): We use this data to connect you with other users and allow you to invite contacts to use the Services. Our legal basis for processing this data is because it is in our legitimate interests to make our services social and allow you to interact with friends when using the Services.

Contact Details (phone number, email address etc.), communications data (personal data comprised in your requests, survey responses, complaints etc.): We use this data to respond to queries and complaints and provide you with information and materials that you request from us. We also use this data to communicate with you, including to inform you of updates to the Vial App, Vial Website(s), our Terms of Use and/or this Privacy Policy. We also use this data to perform market and customer research. Our legal basis for processing this data is because it is in our legitimate interests to respond to your queries and provide any information and materials requested in order to maintain good customer relations; it is in our legitimate interests to ensure that any changes to our policies, terms and other such technical updates are communicated to you; and because it is in our legitimate interests to carry out market and customer research so that we can improve our Services.

Transaction Data and Order History: We use this data to obtain an understanding of your preferences and to maintain accounts and records. Our legal basis for processing this data is because it is in our legitimate interests to understand our users' preferences so we can improve the Services and the offers we display on the Vial App; and because it is in compliance with a legal obligation.

Contact Details (phone number, email address, social media accounts), marketing preferences (records of consents): We use this data for Marketing and advertising (including sending you

marketing emails, carrying out online behavioral advertising and measuring the effectiveness of our marketing). We also use this data to share your contact details with trusted business partners for marketing purposes. Our legal basis for processing this data is consent (if required under applicable law). Where consent is not required under applicable law, such processing is necessary in our legitimate interests, namely to develop and grow our business.

Profile Information (username, profile photo, bio etc.), usage data, transaction Data, movement data (motion data, HealthKit data): We use this data to investigate and/or prevent suspected fraud or other criminal activities, to investigate disputes between users, and for Statistical analysis to help us manage our business, e.g. in relation to our financial performance, customer base, product range or other efficiency measures. Our legal basis for processing this data is because it is in our legitimate interests to resolve and protect ourself and users of the Services, the Vial App and the Vial Websites against harmful activities; it is in our legitimate interests to ensure that disputes between users are resolved and appropriate action is taken against users breaching the rules; and because it is in our legitimate interests to be as efficient as we can so we can deliver the best services to you.

Profile Information (username, profile photo, bio etc.), usage data, technical data): We use this data to correct errors and problems with the Services, and to protect the security of systems and data. Our legal basis for processing this data is because it is in our legitimate interests to monitor the Services to ensure that it functions properly and is secure; to comply with our legal and regulatory obligations; and because it is also in our legitimate interests to protect systems and data and to prevent and detect criminal activity that could be damaging for you and/or us.

Technical Data and Usage Data: We use this data to analyze the usage of the Services, including for the purposes of improving the Services and to ensure that content is presented in the most effective manner for you. Our legal basis for processing this data is based on consent.

Contact Details (email address, phone number etc.), profile information (username, profile photo, bio etc.): We use this data to enforce legal rights or defend or undertake legal proceedings. Our legal basis for processing this data is because it is in our legitimate interests or those of a third party, i.e. to protect our business, interests and rights or those of others.

ANNEX 2 – COOKIES

What are cookies

We use cookies to distinguish you from other users of the Vial App and Vial Website(s) and obtain certain information about your usage and behavior. A cookie is a small file of letters and numbers that we put on your computer when you use the Vial App or Vial Website(s). This helps us to provide you with a better experience when you use the Vial App or browse the Vial Website(s) and also allows us to improve the Services. We will use both persistent cookies, which could remain on your device until their expiration (which, in some cases, is up to 10 years), and session cookies, which are temporary files removed from your device once your browser is closed.

Cookies we use

The types of cookies we may use include:

- Strictly Necessary Cookies, which are required for the operation of the Vial App and Vial Websites. They include, for example, cookies that enable you to log into secure areas of our websites;
- Analytical/Tracking Cookies, which allow us to recognise and count the number of visitors and analyze use of the Services, as well as to verify transactions; and
- Advertising and Retargeting Cookies, which allow us to generate appropriate advertising directed to you on the Vial Website(s) as well as on the Vial App and other third party websites.

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies. You may block cookies by activating the appropriate setting on your browser but, if you do so, you may not be able to use all functionalities of the Services.

We use a number of industry-standard data analytics tools, such as Google Analytics and Facebook Analytics. These collect certain information about you, such as your device's IP address and browsing and usage behavior, and are used to allow us to track and monitor the traffic visiting the Vial App and Vial Website(s).

Consent to use cookies

We will ask for your permission (consent) to place cookies on your device when using the Vial Websites, except where these are essential for us to provide you with a service that you have requested.

There is a notice on our home page which describes how we use cookies and requests your consent before we place any non-essential cookies on your device.

How to turn off cookies

If you do not want to accept cookies, you can change your browser settings so that cookies are not accepted. If you do this, please be aware that you may lose some of the functionality of our websites.

To find out more about cookies, including how to see which cookies have been set and how to manage and delete them, you can visit the third party website: www.allaboutcookies.org