

# Image is everything

## PRIVACY NOTICE

Effective March 25, 2019.

Camera Bits, Inc. (“**Camera Bits**”), provides revolutionary technology for photographers to view, organize, manage and export images, faster and more efficiently—and we’ve been doing that since 1996. We know that privacy and protection of your information is important to you, so it’s important to us. We have written this Privacy Notice to help you understand what information we collect, how we use it, secure it and share it because, after all, we recognize that image is everything in the photography business.

This Privacy Notice applies to Camera Bits websites , including [www.camerabits.com](http://www.camerabits.com) (the “**Site**”), and our photography software and products (“**Software**”) that collect personal information and display this policy (collectively “**Services**”). This Privacy Notice does not apply to any Camera Bits website, service or product that does not display or link to this policy or that contains its own privacy policy, notice or statement.

### INTRODUCTION AND OVERVIEW

Camera Bits is committed to protecting your privacy in a variety of ways, including using industry-accepted security measures to protect against loss, misuse and alteration of data contained in our systems. This Privacy Notice is designed to describe not only what we collect, use and share but also how we secure and maintain our Software users’ (“**Users**”) and Site visitors’ personal information when collected in connection with use of our Services. Other than described in this Privacy Notice, your personal information will never be rented, sold or provided to any third-party without your consent.

We strongly encourage you to read this Privacy Notice so you understand our policies and practices regarding collection and use of your information, who we share it with, how we secure it, and any rights you may have associated with your personal information. If you do not agree with our policies and practices, your choice is not to use our Services. By accessing or using our Services, you agree to this Privacy Notice. This Privacy Notice may change from time to time, and your continued use of our Services following any changes or updates is deemed acceptance of those changes, so please be sure to check this Privacy Notice periodically for updates or changes.

Camera Bits is committed to complying with laws to which it is subject, including applicable privacy laws. Our Services are not intended for children under 16 years of age, and we do not knowingly collect personal information from individuals under age 16. If you are under 16, do not provide any information on this Site. If we learn we have collected or received personal information from an individual under age 16, without verification of parental consent, we will delete that information.

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**HOW WE COLLECT YOUR PERSONAL INFORMATION**

We collect your personal information in different ways, based on how you use and interact with our Services. Some of this information is provided directly by you, while other information may be provided indirectly such as through your use of our Site.

**We collect information when you provide it directly. +**

We will collect certain information when you provide it to us directly as detailed

below. Site Software

When you sign up to access or use certain features of our Site, or you fill in forms on our Site, such as the "Contact Us" form or participate in our Forum or Blog, we receive certain information which may include:

- Your name
- Job title
- Email address
- Phone number
- City, State and Country
- Company/Organization/School name •
- Username
- Password

When you purchase, download and use the Software,

Camera Bits receives information provided by you directly (and/or your organization) in order to deliver the Software to you. This information may include:

- Your name
- Department
- Email address
- Mailing and/or billing address
- Phone number
- Company/Organization/School name
- Device Identifier
- Geo-location coordinates associated with images • Credit Card information associated with your purchase

When you access the Site, logs of your activity are generated. These logs help us diagnose problems with our server, administer the Site, and to otherwise provide our Services to you. These logs may automatically collect standard web log entries for each page served, including your IP address, page URL, browser type, and language, access times, referring website addresses, information you search on the Site, date and timestamps associated with Site access and usage, system configuration information, metadata concerning the files that you upload/download, and other interactions with the Site and/or Software. Some of our software products may store data locally on your computer (preferences, connection settings, image metadata). Our Software will send information to our licensing servers as part of the activation and deactivation processes, including information used to identify your computer and your IP address. When a User requests confirmation that their version of Software is current, computer identifying information and the information you entered into the Registration

dialog are also sent to our servers.

### **We collect information from some third-party sources. +**

We may collect information about you from other third party or public sources, such as social networks when you use “Share This” via Facebook, Connect, Twitter, YouTube, Google+, or other social media “like” buttons or plug-ins available on the Site.

### **We indirectly collect information through automated technologies. +**

Our Services and our service providers may collect certain information about the computer or device you are using and Internet connection, including your IP address, operating system and browser type. This automatically collected information is used to provide us with statistical data and helps us improve our Site and deliver a better and more personalized service. Additional information is available in the section on How We Use your Information.

As is true of most websites, the information we and our service providers may collect include, browsing actions and patterns including traffic data, location data, logs, Site resources you access, and search queries you perform. While we do not provide any Personal Information directly to third-party advertising partners, they may combine automatically collected information with personal information they collect directly from you or receive from other sources.

We want to be transparent about the automated technologies we use, and in order to accomplish that, we have made additional resources available to provide more detail around automatic information collection technologies available on our Cookie and Automated Technology Notice.

### **Information you post on the forum or blog. +**

Our Services offer the opportunity for you to join a community forum (“**Forum**”), hosted by a third party provider, Simple Machines, for you to exchange information about your use of our Software with Users. In order to join the Forum, you will be required to register and agree to the terms associated with participation in the Forum, independent from the Terms of Use associated with our Software. We will display personal information on your profile as you direct when creating your Forum profile. Please be sure that you limit any information you do not want others to view or have access to in their use of the Forum. If you elect to post information by using the Forum, any information you provide may be read, collected, and used by others with access. To request removal of your personal information from the community forum, contact us at [privacy@camerabits.com](mailto:privacy@camerabits.com). In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

### **Do Not Track Requests +**

Some browsers offer a “Do Not Track” setting. Generally, when a user turns on the Do Not Track Signal, their browser sends a message to websites requesting that the user not be tracked. Our Site currently does not respond to “Do Not Track” signals. However, you do have other options for opting out of tracking for interest-based advertising purposes as described in this Privacy Policy such as adjusting cookie settings in your browser.

## HOW WE USE YOUR PERSONAL INFORMATION

When you purchase Software on the Site, we may request personal information, such as your name and email address, user name and password, billing address, credit card number, software applications purchased, date of purchase, and information about your computer and software to allow us to facilitate your purchase and/or provide you with relevant support.

The security of personal information you provide, our Site and our Software is critical to our business. We use information, which may include personal information, to monitor and analyze use of the Site and the Software, to reduce fraud, guard against software piracy, protect our Users and customers, authenticate Users and administer your use of the Services.

If you are a User or elect to create an account on our Site, we may use the information we directly collect, such as your device identifier, where you have specifically requested that we verify the Software version you are using is current. In addition, depending upon the capabilities associated with the software product you are using and where you have embedded geolocation coordinates in your images, we may also collect that geolocation information in order for us to return location data to your version of the Software; the data is only passed through our systems and not stored long-term. If you do not want to share geolocation information with us, please ensure that you do not upload these files or turn off that feature on your camera or device. Geolocation information will be used by us only where you have specifically requested geolocation look-up; this information is otherwise not used by us.

We may share anonymized or de-identified and aggregated information with third parties. When you use the Services, we use personal information we collect in the following ways:

- Authenticating your access and sign-on •
- Developing/improving the services •
- Emailing Users with marketing offers where permitted
- Predictive analytics and data mining •
- Interest-Based Advertising • Responding to support requests

We also use service providers to help us accomplish these types of services. In some cases, we may share anonymized or de-identified and aggregated information with third parties to help us understand our Users in order for us to provide more relevant content on our Site or features in our Software. For more information about our service providers and how they support us in delivering the Services, please see Third Party Providers.

You might see an advertisement from us on your social media page. We work with third party advertising companies and ad networks which use automatic data collection technologies to collect similar information about you for purposes of providing you with interest-based ads. Interest-based ads are helpful because they are more likely to be tailored to your particular interests. They are also more likely to help you discover new services that are actually relevant to you and your interests. Also, if interest-based tracking is enabled, you likely will not see the same ads over and over because the number of times you see a particular interest-based ad is usually limited. Please note that by opting-out of interest-based ads, you lose all of these benefits.

## WHY AND WITH WHOM WE SHARE YOUR PERSONAL INFORMATION

### Third Party Providers+

We know you cannot do it alone and neither can we. We work with trusted third parties in order to effectively operate our business and deliver the Services to you. This may require that we provide those third parties with access to your personal information or that those third parties may collect your information directly when using our Services and we want you to know who they are. Camera Bits works with the following Third Parties:

#### Third Party Purpose

Automattic, Inc.

Our Site is built on and operates on the WordPress platform, a property of Automattic Inc. (<https://automattic.com/privacy>)

Paypal Holdings, Inc.

Purchases for Software are performed through PayPal.com, a property of PayPal Holdings, Inc.

Stripe, Inc.

(<https://www.paypal.com/us/webapps/mpp/ua/privacy-full>)

Purchases of Software can also be performed through Stripe.com, a property of Stripe, Inc.

Freshworks, Inc.

(<https://stripe.com/privacy>)

We use FreshDesk and Freshcaller, a property of Freshworks, Inc. to receive, respond to, and track customer support inquiries. (<https://www.freshworks.com/privacy/>)

Simple Machines

We use Simple Machines to administer our products Forum. Users are required to register and authenticate their identity in order to participate in the Forum.

TeamViewer GMBH

(<https://www.simplemachines.org/about/privacy.php>)

With your permission and involvement, we use TeamViewer, a property of TeamViewer GMBH to support us with real time screen sharing access in connection with customer service and support. (<https://www.teamviewer.us/privacy-policy>)

Slack Technologies, Inc.

We use Slack, a property of Slack Technologies, Inc. for internal business purposes such as communicating between company departments and project collaboration.

Customer.io.

(<https://slack.com/privacy-policy>)

We use customer.io, a property of Peaberry Software, Inc. for email marketing of the Services such as our newsletters and for RSVPs to certain online marketing events.

SurveyMonkey, Inc.

(<https://customer.io/legal/privacy-policy/>)

We use SurveyMonkey, a property of SurveyMonkey, Inc. to provide surveys to our Users for marketing, development, and other similar purposes.

(<https://www.surveymonkey.com/mp/legal/privacy-policy/>)

## ACCESS TO YOUR PERSONAL INFORMATION AND YOUR CHOICES

Camera Bits understands and recognizes that it is important for you to have a choice about how your information is used. Accordingly, we have created mechanisms to give you greater control over your information as follows:

### Visitors to Our Website. +

If you do not wish to receive promotional emails from us, including our e-newsletters, you may either opt-out or follow the unsubscribe process at the bottom of the promotional email or email us at [privacy@camerabits.com](mailto:privacy@camerabits.com). Note that even if you opt-out, you may still receive transactional and service-related emails from us that may be necessary for us to continue to provide you with Services or respond to your enquiries. Examples of these communications include: emails related to the completion of your purchase, responses to support requests, password reset requests and any other similar communications essential to your use of Software.

You can set your browser to refuse some browser cookies, or to alert you when cookies are being set. Some cookies are required to use the Site and the Software. To learn how you can manage your Flash cookie settings, visit our Cookie Notice. If you disable or refuse cookies, please note that some parts of the Site or Software then be inaccessible or not function properly.

We do not control third parties' collection or use of your information to serve interest-based ads. However, you can opt-out of receiving interest-based ads from third party advertisers and ad networks who are members of the NAI or who follow the DAA's Self-Regulatory Principles for Online Behavioral Advertising by visiting the opt-out pages of the **NAI** and **DAA** websites. Even if you opt-out, you may still see ads provided by us or others on other third-party websites; these ads will just not be based on your particular interests. You should also know that your opt-out will be managed through the use of cookies, so if you delete these cookies or use a different browser or computer, you will have to make the same election again.

## **ADDITIONAL TERMS FOR OUR USERS IN THE EUROPEAN ECONOMIC AREA For users and visitors from the European Economic Area and the United Kingdom. +**

The European Union's General Data Protection Regulation (GDPR) requires that we provide additional information and certain disclosures to Users and Site visitors from the European Economic Area and the United Kingdom as follows:

### **Our Legal Basis for Processing Your Personal Information**

The legal basis we rely on for collecting and using the personal information described in this notice depends upon the relevant personal information and the context in which we collect it.

Generally, we collect personal information from you only where: 1) we have your consent; 2) where we need the personal information to perform a contract with you (for example, when providing our Products/Services), or 3) where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. We may also have a legal obligation to process personal information about you, or may need to process personal information in order to exercise, establish or defend a legal claims.

If we ask you to provide personal information to comply with a legal requirement or where we need to perform a contract with you (such as when you purchase our Software), we will make this clear and indicate whether providing your personal information is required.

### **International data transfers**

The servers that operate our Site and deliver our Software are located in the United States and we use third party

service providers and partners located around the world (as more fully described in this Privacy Notice). This means that when we collect your personal information it may be processed in a country that has different data protection laws than the laws of your country.

We are committed to taking appropriate safeguards to require that the personal information we process will remain protected in accordance with this Privacy Notice when it is transferred internationally, including when processed internationally by third party service providers and partners. The safeguards we have taken may include implementing the European Commission's Standard Contractual Clauses, relying on a third-party service providers EU-U.S. or Swiss-U.S. Privacy Shield certification, Binding Corporate Rules or any legally permitted transfer mechanism which allows us to transfer personal information to any non-European Economic Area third party service provider.

### **Data retention**

Camera Bits will retain the personal information collected from you where we have an ongoing legitimate business need to do so, such as to provide you with the Services requested or to comply with applicable legal, tax or accounting requirements.

We will either delete or anonymize your personal information when we do not have an ongoing legitimate business need to process your personal information. If deleting or anonymizing is not possible, such as where your personal information is stored in backup archives, we will keep your personal information stored securely and isolate it from processing until we are able to delete it.

### **Your data protection rights**

We want you to know that you have the following data protection rights:

- You may request access, correction, deletion or updates to your personal information;
- You may object to our processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information;
- You may opt-out of marketing communications we send you at any time by clicking on the “unsubscribe” or “opt-out” link in the marketing emails you receive. You may also opt-out of other forms of marketing, such as postal marketing or telemarketing;
  - Where we have collected and process your personal information based upon your consent, you can withdraw your consent at any time. Please note however, that withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect the processing of your personal information where we have relied upon an alternate legal basis for the processing; and
- You have the right to submit a complaint to your local data protection authority about our collection and use of your personal information. Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) may be found by going [here](#).

To make a request based upon any of the foregoing rights, please contact us at [privacy@camerabits.com](mailto:privacy@camerabits.com) with “Personal Information Request” in the subject line, and provide us with full details in relation to your request, including your contact information and any other detail you feel is relevant.

We will respond to all requests received from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

We will retain your information for as long as your account is active or as needed to provide services to your organization. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## **LEGAL DISCLOSURES**

Camera Bits may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements, or to comply with a judicial proceeding, court order or legal process served on us. We may also disclose information to law enforcement officers or others, where we believe, in good faith, that the disclosure is reasonably necessary to: enforce our Terms of Use; or protect the rights, property, or personal safety of Camera Bits, its Users or the general public.

## **DATA SECURITY**

Camera Bits knows that the security of your personal information is important. We take reasonable precautions to protect personal information in our possession from loss, misuse and unauthorized access, disclosure, alteration and destruction. We have implemented precautions designed to secure your personal information from accidental loss and from unauthorized access, use, alteration and disclosure. While we take security of your information seriously, the safety and security of your information also depends on you. Where you have created a password for access to certain parts of the Services, you are responsible for keeping this password confidential.

We follow generally-accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

If you have any questions about the security of our Site, you can email us at [privacy@camerabits.com](mailto:privacy@camerabits.com) with "Questions about Site Security" in the subject line.

## **BUSINESS TRANSFER**

If Camera Bits goes through a business transition, such as a merger, acquisition by another company, or sale of all or a portion of its assets, your personal data will likely be among the assets transferred. You will be notified via prominent notice on our Site for 30 days following any such change in ownership or control of your personal information.

## **BREACH OF PRIVACY PROTOCOLS**

If you have received unwanted, unsolicited email sent by Camera Bits or from any Camera Bits system or purporting to be sent by Camera Bits, please forward a copy of that email with your comments to [privacy@camerabits.com](mailto:privacy@camerabits.com) for our review.

If you have questions or complaints regarding our Privacy Notice or practices, please contact us at [privacy@camerabits.com](mailto:privacy@camerabits.com) with "Privacy Enquiry" in the subject line and provide detail on your question or complaint so that we may adequately respond. Questions or comments regarding this Privacy Notice should



be submitted to Camera Bits by mail or email as follows:

Attention: Privacy Manager  
Camera Bits, Inc.  
471 S. 1st Ave.  
Hillsboro, OR 97123  
+1 503 547 2800

**CHANGES**

Any updates or changes to our Privacy Notice will be posted to this Privacy Notice, our home page, or any other places we deem appropriate. We reserve the right to modify this Privacy Notice at any time, so please review it frequently. If we make material changes to this policy, we will notify you here, by email, or by means of a notice on our home page prior to the change becoming effective.

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