

Privacy Policy for Dakim BrainFitness™ Active - iPad

Last Updated: 2020-10-21

1. Introduction

- 1.1. This Application is owned and operated by Dakim, Inc. (“Dakim”). By accessing or using this Application you agree to this Privacy Policy.
- 1.2. This Privacy Policy is incorporated into, and is part of, the End-User License Agreement for Dakim BrainFitness™ Active - iPad, which also governs your use of the Application. Capitalized terms not defined in this Privacy Policy have the definitions provided in that End-User License Agreement.
- 1.3. Please review this Privacy Policy carefully, as it forms a contract between you and Dakim.
- 1.4. From time to time, Dakim may decide to modify, add, or delete portions of this Privacy Policy; if it does so, your continued use of the Application after any such changes have been made means you agree to such changes.

2. Your Information

- 2.1. Personal Information: Dakim collects and stores information that you enter in connection with access to and use of the Application. This includes limited personal information that can identify you or that can be used with other sources of information to identify you (“Personal Information”).
- 2.2. Anonymous Information: In connection with your access to and use of the Application and when you use the Application, Dakim also collects certain information that does not identify you individually (“Anonymous Information”).

3. Use of Your Information

- 3.1. Personal Information: Dakim may use your Personal Information to contact you about changes in the Application and to contact you about new offers of Dakim programs. Personal Information that indicates your age is used for the personalization provided by the Application and without its use certain aspects of the Application will not function.
- 3.2. Anonymous Information: Dakim may use Anonymous Information to help it determine how to modify or improve the Application. Dakim may also use or share with others Anonymous Information in any other manner that Dakim deems appropriate or necessary.

4. Sharing of Personal Information with Third Parties

Dakim will not share your Personal Information with third parties, except as follows: We may disclose Personal Information to government authorities, and to other third parties when compelled to do so under law (or under a reasonable interpretation of the law), including, without limitation, in response to court orders and subpoenas.

5. Scope of this Privacy Policy

This Privacy Policy applies only to the information Dakim collects or stores in connection with your access to the Application and while you are using the Application.

6. Transfer in the Event of Reorganization

In the event that Dakim, any affiliate of Dakim, or substantially all of its assets, are acquired by one or more third parties as a result of an acquisition, merger, sale, reorganization, consolidation or liquidation, Personal Information may be one of the transferred assets. For purposes of this policy, an “affiliate” of Dakim is an entity that is under the control of, or under common control with, Dakim.

7. Security

- 7.1 Dakim implements and maintains reasonable security procedures and practices appropriate to the nature of the information, to protect the Personal Information from unauthorized access, destruction, use, modification, or disclosure.

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- 7.2 You understand and agree, however, that no transmission of data over the internet is guaranteed to be completely secure. It may be possible for third parties not under the control of Dakim to intercept or access transmissions or private communications unlawfully, including in the case of your contacting Dakim by email or a “contact us” or similar feature on this Application. Accordingly, though Dakim may take reasonable steps to protect the security and integrity of all Personal Information you provide in connection with your access to and use of the Application, due to the nature of the internet, Dakim cannot guarantee that information, during transmission through the internet or while stored on its system or otherwise in its care, will be absolutely safe from intrusion by others, such as hackers. Any such transmission is done at your own risk.
- 7.3 If you receive an email or other correspondence apparently from us (Dakim) requesting that you provide any sensitive information that seems suspicious to you, please do not provide such information, and report such request to us at feedback@Dakim.com.

8. Users

This Application is not intended for use by persons under the age of 18. If you are under the age of 18, you must immediately discontinue use of this Application. Dakim does not knowingly collect Personal Information from persons under the age of 18.

9. Jurisdiction.

This Privacy Policy will be interpreted under the laws of the United States of America. To the extent you are accessing this Application from outside of the United States of America, you do so at your own risk. If you are located outside the United States of America, you should be aware that your Personal Information will be transferred to the United States of America, the laws of which may be deemed by other countries to have inadequate data protection. If you are located in a country outside the United States of America and voluntarily submit Personal Information to Dakim, you consent to the general use of such information as provided in this Privacy Policy and to the transfer of that information to, and/or storage of that information in, the United States of America.

10. Your California Privacy Rights.

As of January 1, 2005, California Civil Code Section 1798.83 permits users who are California residents to request certain information regarding disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an email to legal@Dakim.com and include the phrase “1798.83 privacy request” in the email subject line.

11. Residents of EEA.

If you reside in the European Economic Area (“EEA”), the following provisions apply to you. Any request pursuant to one or more of these provisions should be made by sending an email to legal@Dakim.com and including the phrase “EEA privacy request” in the email subject line.

- 11.1. Access. You may request access to your Personal Information and the following information regarding our use of it: (i) purpose of the use, (ii) categories of Personal Information used, and (iii) to whom we have disclosed your Personal Information.
- 11.2. Correction. You may request that Dakim correct any inaccurate Personal Information we have.
- 11.3. Right to Be Forgotten. You may request that Dakim erase your Personal Information when Dakim no longer needs such data.
- 11.4. Withdraw Consent. If Dakim’s ability to use your Personal Information depends on consent you have given, you may withdraw such consent.
- 11.5. Restriction. You may request that Dakim restrict (or suspend) use of your Personal Information.

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- 11.6. Object. You may object to Dakim's use of your Personal Information to perform services you have not requested.
- 11.7. Copies and Portability. You may request copies of your Personal Information that Dakim possesses in a structured, commonly used, and machine readable format and you may request that this be transmitted to another controller.
- 11.8. Complaint. You may lodge a complaint with the supervising authority of your country.

12. Contact Us

If you have any questions or comments regarding Dakim's privacy practices, you may contact us at feedback@Dakim.com.