

ZUMA APP PRIVACY POLICY

Version 1.0 – May 2021

Zuma Array Limited (registered number 11631668) (“**us**”, “**our**”, “**we**”, “**Zuma**”) is the controller of your personal data collected through the Application. Zuma is committed to protecting and respecting your privacy.

This privacy policy (the “**Privacy Policy**”) sets out the types of personal data we collect and use when you use the Zuma App (the “**App**”) or a Zuma hardware product (a “**Zuma Unit**”) and how we may use that data.

1. Introduction

This Privacy Policy explains who we are, why and how we process personal data collected through your use of the App and Zuma Units and, if you are the subject of any of the personal data concerned, what rights you have and how to get in touch with us if you need to.

When you supply any personal data to us, we have legal obligations towards you in the way we use that data. For ease of reading, we have divided this Privacy Policy into several sections:

1. Introduction
2. What information can we collect?
3. How is your personal information collected?
4. How and why do we use and share your personal information?
5. For how long do we keep your personal information?
6. Security
7. International Data Transfers
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It is important that you read this Privacy Policy together with any other privacy notice or fair processing notices that we may provide, both on the App or in relation to specific Zuma Units, at or around the time that we collect or process personal data about you (for example, fair processing notices that we may display to you at the time that you sign up to receive e-mail updates from us) so that you are fully aware of how and why we are using that data.

This Privacy Policy supplements other notices on our App (such as individual statements relating to specific product features and individual consents) and is not intended to override or replace them.

We reserve the right to revise or amend this Privacy Policy at any time to reflect changes to our business or changes in the law. Where these changes are significant, we will endeavour

to let users of the App know. For ease of reference the top of this Privacy Policy indicates the date on which it was last updated.

Please note that we do not supply products to children and our products more generally, are not directed at children under the age of 13 (each a "**Child**" or collectively "**Children**") and we do not knowingly collect personal data about Children. To the extent that a user wishes to use a Zuma Unit in a household which contains one or more Children then that individual is solely responsible for ensuring that the parents of those Children have consented to any use of our App or any Zuma Units which those Children may make. If you believe we have collected personal data about your Child, you may contact us and request that we cease processing data about your Child.

2. What information can we collect?

What is personal data?

Where this Privacy Policy refers to 'personal data' it is referring to data about you from which you could be identified – such as your name, your date of birth, your contact details and even your IP address.

By law all organisations who process your personal data in Europe are obliged to process your personal data in certain ways and to ensure that you are given an appropriate amount of information about how they use it. You also have various rights to seek information from those organisations about how they are using your data, and to prevent them from processing it unlawfully. For more information about these rights, please see the 'Your Rights' section of this Privacy Policy.

What types of data we collect from you when you use the App?

The data that we collect from you may (some of it personal data) includes:

- **Identity Data** which may include your name and address.
- **Contact Data** which may include your e-mail address, billing address and delivery
- **Profile Data** which, if you use the App to create an individual user account, will include your username and any password that you may set for it (if you do set up an individual user account, it will be associated with your given e-mail address).
- **Device Data** which may include data about the mobile device(s) on which you use the App and/or connect to Zuma Units, such as your mobile operating system, any unique ID assigned to that Device, and technical information about the type of device you are using.
- **Financial Data** which, if you set up any kind of subscription for services from us or if you purchase Zuma Units directly from us, may include your bank account and/or payment card details, to the extent that they are required to enable the relevant transaction.

- **Transaction Data** i.e. details about payments that you have made to us and details about the products or services that those transactions related to.
- **Technical Communications Data** i.e. data that enables us to provide electronic services to you across the internet and/or WiFi networks, which may include your IP address, and browser type and version (which we will only process to the extent it is required to enable us to send and receive data between us).
- **Usage Data** which includes information about how you use the App and Zuma Units, such as which third party services you link them to and how you use the App to interface with Zuma Units.
- **Marketing and Communications Data** which includes your preferences in receiving marketing from us (i.e. whether you have subscribed to receive any marketing communications from us and any relevant third parties).

3. How is your personal information collected?

Information you give to us

When you use the App to register an account, or when you use the App to send communications to us (such as if you use it to submit any kind of query or error report) we will collect, store and use the personal data that you disclose to us as part of that process. Principally, this will involve collecting your e-mail address when you create an individual user account this will involve us recording your e-mail address.

Automated technologies or interactions

Each time you use the App or a Zuma Unit we will automatically collect personal data including Device Data and Usage Data.

We use this data for several different reasons. Firstly, we use it to ensure that the App works properly and that you are able to receive the full benefit of it. Second, we use the data to monitor the way that Zuma Units are used, which helps us to improve their functionality, optimise the ways that they operate, and to focus our time and creativity on the features which users prefer.

Audio Data

Where you add and/or activate a microphone to a Zuma Unit then that Zuma Unit will passively collect audio data from the world around it. Some of those recordings may be transferred from the Zuma Unit to our servers for processing. Those recordings may contain personal information, especially if you speak to other people near to the Zuma Unit.

We minimise the amount of data transferred from Zuma Units by only initiating a transfer of data from a Zuma Unit to our servers where the Zuma Unit hears a passphrase that indicates that a user may be attempting to give a voice command to that Zuma Unit. Where a Zuma

Unit is activated in this way it will send an audio recording of the sounds captured immediately before, during and after the passphrase is detected.

Those recordings are used by us to deliver voice activated services to you (such as those in which you request that Zuma Units play or do particular things) and to enable you to give voice activated commands to third party services that you have specifically chosen to integrate your Zuma Unit with.

Where you use the App to integrate Zuma Units with third party services (such as Amazon's Alexa service) then audio recordings will be forwarded to those third parties by your Zuma Unit if (a) you use a passphrase provided by that service's operator, or (b) if you use the Zuma passphrase and request a service from that third party provider. Those third parties will use that data as described in their own Privacy Documentation, which you should read and consider before integrating your Zuma Unit with their services.

Other Sensor Data

Where you add and/or activate other sensors on a Zuma Unit then those sensors will transmit data that they collect to us to enable us to deliver associated services to you. If, for example, you use the App to configure your Zuma Unit to play or deliver particular content when it recognises that a user is nearby.

Improvements to Zuma Units

Where data is transmitted from a Zuma Unit to our servers we will use it to improve the quality of our services. So, for example, we may use audio recordings or other sensor data to review the accuracy and/or speed of a Zuma Unit's response to a particular request. We do that to ensure that our services are of a high quality, and in order to ensure that we are not collecting excessive or unnecessary data from you (so, for example, we may use recordings to ensure that Zuma Units are not behaving in a way that is oversensitive and regularly transmitting recordings which do not contain the passphrase).

4. How and why do we use/share your personal data?

Lawful basis for processing your information

We will only use your personal data when the law allows us to. Most commonly we will use your personal data in the following circumstances:

- Where you have asked us to do so, or consented to us doing so (such as where you ask us to send you updates and e-mails);

- Where we need to do so in order to perform a contract, we have entered into with you (such as where you accept the EULA to use the App and give us data that is necessary to create your individual account);
- Where you voluntarily provide us with personal data that helps us to provide a better service to you (such as where you provide us with personal data that is not strictly necessary to create your individual account, but which tells us more about who you are for the sake of letting us personalise your service);
- Where it is necessary for our legitimate interests and your fundamental rights do not override those interests (such as where we use your data to improve the services); and
- Where we need to comply with a legal or regulatory obligation (if, for example, we were ever obliged to disclose data to comply with a court order or regulatory investigation).

Marketing

You may receive marketing communications from us if :

- You provide your details to us at the same time that you purchase goods or services from us and do not opt out of receiving marketing communications at that time;
- You opt-in to our marketing communications via the App, on our website, or at an event such as a trade show.

We will always obtain your express opt-in consent before we share your personal data with any third party for their marketing purposes.

Opting Out of Marketing

You can unsubscribe from marketing emails at any time.

To unsubscribe from marketing emails, please click on the unsubscribe link that will feature at the bottom of any marketing email which you receive from us. Or email us directly at help@zuma.ai

Sharing your personal data

Depending on how and why you provide us with your personal data we may share it in the following ways:

With Third Parties relevant to your individual use of the App and Zuma Units:

Where you use the App to link a Zuma Unit with another online service – such as a music streaming service, a voice command service, or another smart-home device app – we may send the provider of that service information that enables them to deliver that service to you, and/or data that enables them to understand how you use Zuma Units to link with their service.

To help you to understand the kind of data in question, this may include data which enables you to log in to those services, or that gives them information about the functions you are requesting from their apps and products (for example, if you use a provider of voice command services, we may send them information which includes the voice commands that you are attempting to give them).

In particular, we will transfer personal data to those service providers where that transfer is necessary to enable that service provider to deliver their service to you via a Zuma Unit. This will vary depending on the service in question, but you can expect that data to include details about your identity necessary for that service provider to recognise you as an existing customer, as well as details of where in the world your Zuma Unit is located in order to enable that provider to deliver an appropriately localised version of their service to you.

Where a third party service provider offers voice command functionality, audio recordings may be transferred to them as described above.

With Third Parties who we rely on to operate our business:

Zuma is part of a wider company group and also subcontracts some technical aspects of our business system (such as hosting data, or providing cloud-computing capacity) to third party providers. As such:

- we may share your personal data with any member of our company group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006; or
- with selected third parties who we sub-contract to provide various services that enable the App's functionality, such as where third-party's host data for us in data-centres.

Exceptional Events:

We may also disclose your personal data to third parties in the following exceptional events:

- if we were to sell or buy any business or assets, in which case we might disclose your personal data to the prospective seller or buyer of such business or assets as part of that sale;
- if Zuma or substantially all of its assets are acquired by a third party, in which case personal data held by us about our customers will be one of the transferred assets;
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or if we are asked to provide your details to a lawful authority in order to aid in the investigation of crime or disorder; and/or
- in order to enforce or apply our App's terms of use or terms and conditions; or to protect the rights, property, or safety of our company, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

Links to third-party sites

If and when we provide links to third party web sites, plug-ins and applications that are not affiliated with App such sites are out of our control and are not covered by this Privacy Policy. If you access third-party sites using the links provided (such as by navigating to a third party's website – such as the provider of a linkable music service – by clicking a link on our website), the operators of these sites may collect personal data from you that could be used by them, in accordance with their own privacy policies. Please check these policies before you submit any personal data to those third-party sites.

5. For how long do we keep your personal data?

We will hold your personal information on our systems only for as long as required to provide you with the services you have requested, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements.

In practice that means that we will keep your data for so long as you have a valid user account and/or for so long as you remain a subscriber to our newsletter (or other similar mailings). You can delete your account at any time, or unsubscribe from our mailing list at your option.

We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

In some circumstances you can ask us to delete your data: see 'Your Rights' below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

6. Security

Zuma takes the protection of your information very seriously. We have put in place appropriate security measure to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed, including use of secure servers and passwords. Where we have given you a password or login code that enables you to access certain parts of our App, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know it. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

7. International Data Transfers

Please note that some of our service providers may be based outside of the European Economic Area (the “**EEA**”). These service providers may work for us or for one of our suppliers and may be engaged in, among other things, the fulfilment of your request for information and the provision of services or support services.

Where we transfer your data to a service provider that is outside of the EEA, we seek to ensure that appropriate safeguards are in place to make sure that your personal data is held securely and that your rights as a data subject are upheld. Transfers of personal data are made:

- to a country recognised by the European Commission as providing an adequate level of protection; or
- to a country which does not offer adequate protection but whose transfer has been governed by the standard contractual clauses of the European Commission or by implementing other appropriate cross-border transfer solutions to provide adequate protection.

By submitting your personal information, you agree to this transfer, storing or processing. If you would like more information about how the mechanism via which your personal data is transferred, please contact us. Our usual practice is to use the European Union’s ‘Standard Contractual Clauses’ to enable these transfers.

8. Your Rights

As a data subject you have a number of rights in relation to your personal data. Below, we have described the various rights that you have, as well as how you can exercise them.

Right of Access

You may, at any time, request access to the personal data that we hold which relates to you (you may have heard of this right being described as a "**subject access request**").

Please note that this right entitles you to receive a copy of the personal data that we hold about you in order to enable you to check that it is correct and to ensure that we are processing that personal data lawfully. It is not a right that allows you to request personal data about other people, or a right to request specific documents from us that do not relate to your personal data.

You can exercise this right at any time by writing to us by contacting us and telling us that you are making a subject access request. You do not have to fill in a specific form to make this kind of request.

Your Right to Rectification and Erasure

You may, at any time, request that we correct personal data that we hold about you which you believe is incorrect or inaccurate. You may also ask us to erase personal data if you do not believe that we need to continue retaining it (you may have heard of this right described as the “**right to be forgotten**”).

Please note that we may ask you to verify any new data that you provide to us and may take our own steps to check that the new data you have supplied us with is right. Further, we are not always obliged to erase personal data when asked to do so; if for any reason we believe that we have a good legal reason to continue processing personal data that you ask us to erase we will tell you what that reason is at the time we respond to your request.

You can exercise this right at any time by contacting us and telling us that you are making a request to have your personal data rectified or erased and on what basis you are making that request. If you want us to replace inaccurate data with new data, you should tell us what that new data is. You do not have to fill in a specific form to make this kind of request.

Your Right to Restrict Processing

Where we process your personal data on the basis of a legitimate interest (see the sections of this Privacy Policy which explains how and why we use your information) you are entitled to ask us to stop processing it in that way if you feel that our continuing to do so impacts on your fundamental rights and freedoms or if you feel that those legitimate interests are not valid.

You may also ask us to stop processing your personal data (a) if you dispute the accuracy of that personal data and want us verify that data's accuracy; (b) where it has been established that our use of the data is unlawful but you do not want us to erase it; (c) where we no longer need to process your personal data (and would otherwise dispose of it) but you wish for us to continue storing it in order to enable you to establish, exercise or defend legal claims.

Please note that if for any reason we believe that we have a good legal reason to continue processing personal data that you ask us to stop processing, we will tell you what that reason is, either at the time we first respond to your request or after we have had the opportunity to consider and investigate it.

You can exercise this right at any time by writing to us using the contact details set out here and telling us that you are making a request to have us stop processing the relevant aspect of your personal data and describing which of the above conditions you believe is relevant to that request. You do not have to fill in a specific form to make this kind of request.

Your Right to Portability

Where you wish to transfer certain personal data that we hold about you, which is processed by automated means, to a third party you may write to us and ask us to provide it to you in a commonly used machine-readable format.

Because of the kind of work that we do and the systems that we use, we do not envisage this right being particularly relevant to the majority of individuals with whom we interact. However, if you wish to transfer your data from us to a third party, we are happy to consider such requests.

Your Right to object to processing

You may object to processing of your personal data where we rely on legitimate interest for processing that personal data. We will comply with your request unless we have a compelling overriding legitimate interest for processing or we need to continue processing your personal data to establish, exercise or defend a legal claim.

Your Right to stop receiving communications

Where we send you e-mail marketing communications (or other regulated electronic messages) you have the right to opt-out at any time. You can do this by using the 'unsubscribe' link that appears in the footer of each communication (or the equivalent mechanism in those communications).

Alternatively, if for any reason you cannot use those links, or if you would prefer to contact us directly – you can unsubscribe by contacting us and telling us which communications you would like us to stop sending you.

Your Right to object to automated decision making and profiling

You have the right to be informed about the existence of any automated decision making and profiling of your personal data, and where appropriate, be provided with meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing that affects you.

Exercising your rights

When you write to us making a request to exercise your rights, we are entitled to ask you to prove that you are who you say you are. We may ask you to provide copies of relevant ID documents to help us to verify your identity.

It will help us to process your request if you clearly state which right you wish to exercise and, where relevant, why it is that you are exercising it. The clearer and more specific you can be, the faster and more efficiently we can deal with your request. If you do not provide us with sufficient information, then we may delay actioning your request until you have provided us with additional information (and where this is the case, we will tell you).

9. Contact Details

If you have any queries regarding this Privacy Policy, if you wish to exercise any of your rights set out above or if you think that the Privacy Policy has not been followed, please contact us by emailing at help@zuma.ai.

You may also lodge a complaint with our lead supervisory authority, the Information Commissioner, or your local supervisory authority about any aspect of our handling or processing of your personal data. We would, however, appreciate the chance to address your concerns before you approach any supervisory authority, so please contact us in the first instance.