

Privacy Policy

This is the privacy policy (“**Privacy Policy**”) that governs how we, Vayyar Imaging Ltd. (“**Vayyar**”, “**we**”, “**our**” or “**us**”), use Personal Information (defined below) that we collect, receive and store about individuals in connection with the use of the Walabot mobile application(s) (the “**App**”).

We do not ourselves host any of the App’s online services – all hosting is done by third party service providers that we engage. This means that data you provide us or that we collect from you (including any Personal Information, as defined below) – as further described in this Privacy Policy – is hosted with such third party service providers on servers that they own or control. Regardless of where such third party service providers are located (and some are located in the US), their servers may be located anywhere in the world (including the US). Your data may even be replicated across multiple servers located in multiple countries. So please be aware that you are consenting to your data being transferred to various third party service providers around the world (including the US).

1. **Introduction.** We have implemented this Privacy Policy because your privacy, and the privacy of other users, is important to us. This Privacy Policy explains our online information practices and the choices you can make about the way your Personal Information is collected and used in connection with the App. “**Personal Information**” means any information that may be used, either alone or in combination with other information, to personally identify an individual, including, but not limited to, a first and last name, a personal profile, an email address, a home or other physical address, or other contact information.
2. **Terms of Use and EULA.** This Privacy Policy forms part of our Terms of Use which is available at <http://www.walabot.com/legal/android/walabot-eula-android-may2016.pdf> (“**Terms**”) and the App’s End User License Agreement which can be viewed from within the App and which you accepted prior to installing and/or using the App for the first time (“**EULA**”). Any capitalized but undefined term in this Privacy Policy shall have the meaning given to it in the Terms.
3. **Consent and Modification.** You are not legally obligated to provide us Personal Information, and you hereby confirm that providing us Personal Information is of your own free will. By using the App, you consent to the terms of this Privacy Policy and to our collection, processing and sharing of Personal Information for the purposes set forth herein. If you do not agree to this Privacy Policy, please do not use the App. We reserve the right, at our discretion, to change this Privacy Policy at any time. Such change will be effective ten (10) days following posting of the revised Privacy Policy on the App, and your continued use of the App thereafter means that you accept those changes.
4. **What Information We Collect and How We Collect It, including Personal Information.** We collect information from you in the following ways:
 - 4.1. Account You may decide to create an account (“**Account**”). We offer different options to create an Account, including:
 - (a) Online Registration Form: You may choose to complete and submit an online registration form. You will be asked to provide us with certain mandatory information such as your name, email address and the place you purchased our 3D imaging sensor board known as Walabot (the “**Hardware**”), and also a password that you will use for your Account (the “**Mandatory Account Information**”). You may choose to provide optional information such as your age and gender and physical address.
 - (b) Third Party Accounts: You may choose to create an Account by clicking on a ‘connect’ or ‘sign-in’ button that we may display on the App for a designated third party website or service (each a “**Third Party Account**”), such as Facebook, Twitter or Google+. Doing so will enable you to link your Service Account and your Third Party Account. If you choose this option, then you will be required to approve the connection as well as the type of information (which includes your email address (the “**Third Party Account Information**”) that we will obtain from your Third Party Account and the types of activities that we may perform in connection with your Third Party Account. Please note that in order to use this option, you will need to have, and may need to be signed-in to, an existing Third Party Account.
 - 4.2. Authentication Information. To authenticate your use of the App, we use certain service providers to authenticate your identity and use against fraud and abuse. In doing so, your mobile phone number, email address, user agent and IP address will be collected.
 - 4.3. ‘Contact Us’ Information. If you send us a “Contact Us” request, whether by submitting an online form that we make available on the App, or by sending an email to an email address that we display, you are required to provide

us with certain information such as your name and email address including any information as free text that you choose to include about your reasons for contacting us. We do ask that you do not include any Personal Information in this free text field.

- 4.4. Share with Friends Service. The App may enable you to invite your friends to use the App or the product by sending them an invitation email or message. You may do so by: (i) using the App to send or post an invitation message via your Third Party Account; and/or (ii) using the App to send an invitation email to your friend's external email address (for example, a Gmail address). If you send or post an invitation message we may collect Personal Information about the recipient such as their email address or their third party account user name and ID (collectively, the "**Friends Data**"). See below the Section "Share with Friends Service Usage" to see more information about how we use process your Friends Data.
- 4.5. Location Data. We may provide certain location-based services which enables us to analyze and measure statistics regarding surfaces and walls in general locations on which the Hardware and the App is used ("**Location Services**") and which are dependent on data related to the geographic location of your mobile device on which the App is installed ("**Location Data**"). If you choose to participate in these Location Services, you agree that we may collect or obtain your Location Data. You should be able to use the settings on your mobile device to turn off location-sharing features. See below the Section "Your Use of the Location Services" to see more information about how we use process your Location Data. In using the Location Services, you may also choose to send us images captured by the Hardware of wall surfaces, details of their interior composition and images of objects and space on the other side.
- 4.6. Log Files and App ID. We make use of log files. The information inside the log files includes Internet Service Provider (ISP), internet protocol (IP) addresses, user agent, Google Firebase Instance ID, your product serial number, date/time stamp, a unique App ID associated to you (the "**App ID**"), and the way that the App is used. We may use such information to analyze the ways that the App is used and gather demographic information.
- 4.7. Mobile Device Data. The App collect limited information from your mobile device. Such information includes your mobile device model and type, operating system version, mobile device ID (including your Android device ID, Advertising ID, (IP) addresses, user agent, Google Firebase Instance ID and date and time stamps of App use. In addition, we may deploy tracking technologies within the App to help us gather aggregate statistics, but we will not use Personal Information for such purposes.
5. **The Way We Use Personal Information.** If you submit or we collect Personal Information through the App, then we may use such Personal Information in the following ways, via any applicable communication channel, including e-mail, SMS, etc.:
 - 5.1. Opening an Account and Using the App and the Hardware.
 - We use the Mandatory Account Information and Third Party Account Information to open your account and enable your use the App in connection with the Hardware. The App is required to use all features and functionalities of the Hardware.
 - We process the Mandatory Account Information on the basis of performance of the contract with you for the use of the App and the Hardware. We process the other Personal Information that you provide to us on Account opening on the App on the basis of your consent.
 - Where we have collected and use your Personal Information on the basis of your consent, you have the right to withdraw your consent at any time. Please note that your withdrawal of consent shall not affect the lawfulness of processing based on consent before your withdrawal. You can withdraw your consent by sending an email to support@walabot.com with your request to withdraw consent including the Personal Information affected.
 - If you do not provide us with the Mandatory Account Information or Third Party Account Information, we cannot perform our contract with you.
 - We will retain your Mandatory Account Information and Third Party Account Information for the amount of time that you have an open account on the App, and for the statutory period to protect our rights against future claims.
 - For this purpose, we use a number of service providers to assist us in providing the App which have access to this information. Such service providers include hosting, authentication, cloud function and messaging, analytics, crash reporting, performance monitoring, database, backup and remote configuration services with instances located in the United States.
 - 5.2. Provide, Improve, and Develop the App and the Hardware.
 - We use the Personal Information from your Account Information, Authentication Information, Log Files and App ID, and Mobile Device Data, to (i) operate and update the App and the Hardware, (ii) provide you with

existing and new functionality and features of the App and the Hardware, (iii) improve, fix, monitor, analyze and optimize App and the Hardware.

- We process your Personal Information for this purpose on the basis of our legitimate interest to improve the App and the Hardware your experience with it, and where it is necessary for the performance of the contract with you.
- If you do not provide us with this Personal Information, we cannot adequately operate or provide the App or the Hardware.
- We will retain such information for the amount of time that you have an open account on the App and for 12 months thereafter, and for the statutory period to protect our rights against future claims.
- For this purpose, we use a number of service providers to assist us in providing the App which have access to this information. Such service providers include hosting, authentication, cloud function and messaging, analytics, crash reporting, performance monitoring, database, backup and remote configuration services with instances located in the United States.

5.3. Customer Support.

- We use your name and email address, and other information that you voluntarily provide us, to provide you with support and handle your complaints and feedback, including your administrative request (for example, to change your password). We do ask that you do not provide us with Personal Information (other than your name and address) for such purposes. If you have an Account with us, we will combine this information with other information we have about you, including any purchase or shipment information related to your purchase of the Hardware.
- We process this data on the basis of a legitimate interest and performance of a contract with you.
- If you do not provide us with this information, we cannot adequately provide you with the support and feedback you require.
- We will retain this information for the amount of period that you have an open account with us to see your history of support requests and issues, and for the statutory period to protect our rights against future claims.
- For this purpose, we use third party service provider who will have access to your Personal Information to store and provide the communication infrastructure and interface for this purpose. We also use third party customer support providers who assist in providing customer support.

5.4. Your Use of the Share with Friends Service.

- We use the Friends Data to enable you to invite your friends to use the App or the product by sending them an invitation email or message. As stated above, you can do this by using the App to send or post an invitation message via your Third Party Account or through an email to your friend's external email address.
- We process this data on the basis of your consent that you provide when you actively use the Share with Friends Service.
- Where we have collected and use your Personal Information on the basis of your consent, you have the right to withdraw your consent at any time. Please note that your withdrawal of consent shall not affect the lawfulness of processing based on consent before your withdrawal. You can withdraw your consent by sending an email to support@walabot.com with your request to withdraw consent including the Personal Information affected.
- If you do not provide us with this information, we cannot provide you with the Share with Friends Service.
- We will retain this information for one month in order to verify emails that were sent as well as keeping a record of those emails in case they wish to purchase the Hardware so we can offer them deals and special discounts.
- For this purpose, we use Google Firebase Invite who will have access to your Personal Information for this purpose.

5.5. Your Use of the Location Services.

- We use the Location Data to enable you to use the Location Services.
- We process this data on the basis of your consent that you provide when you grant us with permissions to access such information on your Android device. We cannot access the Location Data otherwise.
- Where we have collected and use your Personal Information on the basis of your consent, you have the right to withdraw your consent at any time. Please note that your withdrawal of consent shall not affect the lawfulness of processing based on consent before your withdrawal. You can withdraw your consent by sending an email to support@walabot.com with your request to withdraw consent including the Personal Information affected. In addition, please ensure to change the settings on the App and your device to ensure that no more Location Data is sent to us from your device.
- If you do not provide us with this information, we cannot provide you with the Location Data.

- We will retain this information for twelve (12) months.
- For this purpose, we use Google location services who will have access to your Personal Information for this purpose.

5.6. Feedback Requests and Future Product Updates.

- If you agree to receive feedback requests and future product updates, we will use your name and email address to send you marketing and commercial messages for requests for feedback, reviews and ratings (including surveys) and other messages relating to future product updates. If you ask a question to our help desk, we will not use the Personal Information you provide for direct marketing.
- We process this data on the basis of your consent when you actively check the checkbox to receive such communications in the App.
- Please note that you have the right to object at any time to processing of your Personal Information for such purposes at any time and to withdraw your consent for such processing. You can ask us to stop sending email marketing, by following the 'unsubscribe' link you will find on all email marketing messages we send you. Alternatively, you can contact us at support@walabot.com. Please note that even if you opt out of receiving the foregoing emails, we may still send you a response to any “Contact Us” request as well as administrative emails (for example, in connection with a password reset request) that are necessary to facilitate your use of the App.
- We will retain this information for twelve months.
- For direct marketing purposes, we use third party email marketing, survey and e-commerce platforms who will have access to your name and address to assist us in providing direct marketing to you.

5.7. Disputes and Enforcement; Applicable law, regulations or Enforceable Governmental Request.

We use your Personal Information to take action in case of a dispute involving you in connection with the App or the Hardware and to enforce the terms and conditions applicable to Hardware and the App. We also use your Personal Information to comply with legal and regulatory requirements (e.g., the disclosure of information to law enforcement or tax authorities), to protect against harm to the rights, property or safety of Vayyar, our users, yourself or the public, and to protect against detect, prevent, or otherwise address fraud or security issues.

For this purpose, we may share your information with law enforcement or other competent authorities and any third party, as may be required (e.g to respond to claims or satisfy any legal process, subpoena, or governmental request; or to protect the rights, property, or personal safety of Vayyar users, its partners, or the general public). We will also share this information with our professional advisors in the scope of this purpose.

We will retain this Personal Information for the amount of time as required by law to fulfill the above purposes. This may include ensuring that we have an accurate record of your dealings in the event of any complaints or challenges, or if we reasonably believe there is a prospect of litigation relating to your Personal Information or dealings.

6. The Way Share your Personal Information.

- 6.1. We may transfer your Personal Information to our local or foreign subsidiaries or affiliated companies for the purpose of storing or processing such information on our behalf pursuant to the legitimate interest of providing the App and the Hardware to you. Such information may be transferred to other countries. We require that these parties agree to process such information in compliance with our Privacy Policy.
- 6.2. We may share your Personal Information with our third party service providers and partners, but only to assist us with our business operations and to provide our App and Hardware to you and other users. Such information may be transferred to other countries. We use commercially reasonable efforts to only engage or interact with third party service providers and partners that post a privacy policy governing their processing of Personal Information.

7. **Transferring Personal Information From and Outside of the European Union.** We will take appropriate steps to ensure that transfers of your Personal Information are in accordance with applicable laws and carefully managed to protect your privacy rights and interests. To this end, if we as the data controller share your information with our corporate affiliates or third party service providers outside the EEA, we have - prior to sharing your information with such corporate affiliate or third party service provider – established the necessary means to ensure an adequate level of data protection. This may be an adequacy decision of the European Commission confirming an adequate level of data protection in the respective non-EEA country or an agreement on the basis of the EU Model Clauses (a set of clauses issued by the European Commission) or EU - US Privacy Shield certification. We will provide further information on the means to ensure an adequate level of data protection on request.

8. Use of Anonymous Information. We may use Anonymous Information (as defined below) or disclose it to third party service providers in order to improve our App and/or our products and enhance your experience with the App. We may also disclose Anonymous Information (with or without compensation) to third parties, including advertisers and partners. “**Anonymous Information**” means information which does not enable identification of an individual user, such as aggregated information about the use of our App.

9. Your Rights. The following rights (which may be subject to certain exemptions or derogations), shall apply to EU users of the App:

- You have a right to access Personal Information held about you. Your right of access can normally be exercised free of charge, however we reserve the right to charge an appropriate administrative fee where permitted by applicable law.
- You have the right to ask us to correct inaccurate or incomplete personal information concerning you.
- If you no longer want us to use your Personal Information, you can request that we erase your Personal Information. Please note that if you request the erasure of your Personal Information, we will not be able to provide you with the App which may impede your ability to use the Hardware. We may retain some of your Personal Information as necessary for our legitimate business interests, such as fraud detection and prevention and enhancing safety. For example, if we suspend use by a user to comply with our legal obligations, including for tax, legal reporting and auditing obligations. Also, for fraud or safety reasons, we may retain certain information about that user from processing another transaction through our website or future use of the App. We may also retain and use your Personal Information to the extent necessary because we maintain the Site to protect from accidental or malicious loss and destruction, residual copies of your Personal Information may not be removed from our backup systems for a limited period of time.
- You have a right to restrict the processing of your Personal Information, for example in case when we no longer need your Personal Information for the initial purposes for which they were collected, but they may be required for the establishment, exercise or defense of legal claims.
- Where you have provided your consent to the processing of your Personal Information by Vayyar you may withdraw your consent at any time by sending a communication to us specifying which consent you are withdrawing. Please note that the withdrawal of your consent does not affect the lawfulness of any processing activities based on such consent before its withdrawal.
- You have a right to object to our use of your Personal Information for marketing purposes (as described under the “[Feedback Requests and Future Product Updates](#)” section above. To object our use of your Personal Information for the purpose, please see the “[Direct Marketing](#)” Section above.
- You have a right to obtain a portable copy of Personal Information which is processed on the basis of your consent, or which is necessary for the performance of a contract between us. You have a right to have such portable copy of Personal Information transferred to another data controller in a structured, commonly used and machine-readable format.
- You also have a right to request details of the basis on which your Personal Information is transferred outside the European Economic Area, but you acknowledge that data transfer agreements may need to be partially redacted for reasons of commercial confidentiality.
- You have a right to lodge a complaint with your local supervisory authority if you have concerns about how we are processing your Personal Information. We ask that you please attempt to resolve any issues with us first, although you have a right to contact your supervisory authority at any time.

We may ask you for additional information to confirm your identity and for security purposes, before disclosing the Personal Information requested to you. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive.

Subject to legal and other permissible considerations, we will make every reasonable effort to honor your request promptly or inform you if we require further information in order to fulfil your request. In the event that your request, for example, would impact the duty of confidentiality we owe to others, or if we are legally entitled to deal with your request in a different way than initially requested, we will address your request to the maximum extent possible, all in accordance with applicable law.

To exercise your rights, please send an email to support@walabot.com. Your email should include adequate details of your request.

10. Opting Out. You may choose not to receive future promotional, advertising, or other related emails from us by selecting an unsubscribe link at the bottom of each email that we send. Please note that even if you opt out of receiving the foregoing emails, we may still send you a response to any “Contact Us” request as well as administrative emails (for example, in connection with a password reset request) that are necessary to facilitate your use of the App, as described under the Section “[The Way We Use Personal Information](#)”.

11. **Choice.** At all times, you may choose whether or not to provide or disclose Personal Information. If you choose not to provide mandatory Personal Information (as mentioned above), you will not be able to use the App nor fully operate the Hardware as the App is required to use and view the results of your use of the Hardware. .
12. **Access/Accuracy.** To the extent that you do provide us with Personal Information, we wish to maintain accurate Personal Information. If you would like to delete or correct any of your other Personal Information that we may be storing, you may use the tools that we make available on the App or you may submit an access request by sending an email to support@walabot.com. Your email should include adequate details of your request.
13. **Links to and Interaction with Third Party Products.** The App may enable you to interact with or contain links to your Third Party Account and other third party websites, mobile software applications and services that are not owned or controlled by us (each a “**Third Party Service**”). We are not responsible for the privacy practices or the content of such Third Party Services. Please be aware that Third Party Services may collect Personal Information from you. Accordingly, we encourage you to read the terms and conditions and privacy policy of each Third Party Service that you choose to use or interact with.
14. **Children’s Privacy.** The App is not structured to attract children under the age of 13 years. Accordingly, we do not intend to collect Personal Information from anyone we know to be under 13 years. If we learn that we have collected Personal Information from a child under 13 years, we will delete that information as quickly as possible. If you believe that we might have any such information, please contact us at support@walabot.com.
15. **Security.** The security of Personal Information is important to us. We have implemented and will maintain appropriate technical and organizational security measures, policies and procedures, including generally accepted industry standards, designed to reduce the risk of accidental destruction or loss, or the unauthorized disclosure or access to such Personal Information appropriate to the nature of the information concerned. This includes the use of appropriate administrative, physical and technical safeguards, to protect the Personal Information submitted to us. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use reasonable acceptable means consistent with this Privacy Policy and all applicable laws and regulations to protect your Personal Information, we cannot guarantee its absolute security or confidentiality. The security of your Personal Information also depends in part on the security of the device you use to communicate with us and the security you use to protect your user IDs and passwords, so please make sure to take appropriate measures to protect this information. If you have any questions about security on the App, you can contact us at support@walabot.com.
16. **Merger, Sale or Bankruptcy.** In the event that we are acquired by or merged with a third party entity, or in the event of bankruptcy or a comparable event, we reserve the right to transfer or assign Personal Information in connection with the foregoing events.
17. **California Privacy Rights.** California Civil Code Section 1798.83 permits our customers who are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an email to support@walabot.com. Please note that we are only required to respond to one request per customer each year.
18. **Our California Do Not Track Notice.** We do not currently respond or take any action with respect to mechanisms that provide consumers the ability to exercise choice regarding the collection of personally identifiable information about an individual consumer’s online activities over time and across third-party web sites or online services. We may allow third parties, such as companies that provide us with analytics tools, to collect personally identifiable information about an individual consumer’s online activities over time and across different web sites when a consumer uses the App.
19. **Deletion of Content from California Residents.** If you are a California resident under the age of 18 and a registered user, California Business and Professions Code Section 22581 permits you to remove content or Personal Information you have publicly posted. If you wish to remove such content or Personal Information and you specify which content or Personal Information you wish to be removed, we will do so in accordance with applicable law. Please be aware that after removal you will not be able to restore removed content. In addition, such removal does not ensure complete or comprehensive removal of the content or Personal Information you have posted and that there may be circumstances in which the law does not require us to enable removal of content.
20. **Commitment.** We are committed to protecting your privacy. Protecting your privacy online is an evolving area, and we are constantly evolving our Service to meet these demands. If you have any comments or questions regarding our Privacy Policy, or your Personal Information that we may be storing and using, please contact us at support@walabot.com.