



NINDY DESIGN STUDIO PRIVACY POLICY

Effective Date: May 25th, 2018

Welcome to Nindy Design Studio's Privacy Policy!

Nindy Design Studio truly respects your privacy, and we are fully committed to protect your personal information and use it properly.

This policy is meant to help you understand what information we collect, why we collect it, and how you can update, manage, export, and delete your information, and the rights and choices available to our visitors and users regarding such information.

We strongly urge you read this policy and make sure you fully understand and agree with it, before you access or use any of our services. If you do not read, fully understand and agree to this Privacy Policy, you must immediately leave this website, application or service, and avoid or discontinue all use of any of our services.

Capitalized terms which are not defined herein shall have the meaning ascribed to them in our Terms of Use.

I. Your Consent (Please read carefully!)

This Nindy Design Studio Privacy Policy ("Privacy Policy") describes how we (Nindy Design Studio Co., together with our suppliers companies Wix.com Ltd.– "we" or "us") may collect and use information pertaining to each of our unregistered visitors and registered users (each, a "Visitor" or "User" (respectively), or "you"), in connection with their access to and use of Nindy Design Studio's website (including www.nindydesignstudio.com and any of its subdomains, the "Website"), web applications ("Gallery, Photo, e-commerce, Blog, Format Apps and other Wix Apps"), mobile applications ("Mobile Apps"), and related services (collectively, the "Services").

This Privacy Policy constitutes a binding and enforceable legal contract between Nindy Design Studio and you - so please read it carefully.

You may visit and/or use the Services only if you fully agree to this Privacy Policy - and by accessing and/or using any of the Services, you signify and affirm your informed consent to this Privacy Policy, including to the collection and processing of your Personal Information as defined and explained below.

Please note: you are not obligated by law to provide us with any information. You hereby acknowledge, warrant and agree that any information you do provide us is provided of your own free will and consent, for the purposes and uses described herein.

2. What information Nindy Design Studio Collects.

2.1. Visitor and User Information

Un-identified and non-identifiable information pertaining to a Visitor or un-identified User, which may be made available to us, or collected automatically via his/her use of the Services ("Non-personal Information"). Such Non-personal Information does not enable us to identify the Visitor



or User from whom it was collected. The Non-personal Information collected by us mainly consists of technical and aggregated usage information, such as Visitors' and Users' browsing and 'click-stream' activity on the Services, session heatmaps and scrolls, non-identifying information regarding the Visitor's or User's device, operating system, internet browser, screen resolution, language and keyboard settings, internet service provider, referring/exit pages, date/time stamps, etc. Individually identifiable information, namely information that identifies an individual or may with reasonable efforts cause the identification of an individual, or may be of private or sensitive nature ("Personal Information"). The Personal Information collected by us mainly consists of contact details (e.g., e-mail address or phone number), billing details (name, physical billing address, payment method and transaction details), details regarding a browsing or usage session (IP address, Geo-location and/or device unique identifier), and any other Personal Information provided to us by Visitors and/or Users through their access to and/or use of the Services. For the avoidance of doubt, any Non-personal Information that is connected or linked to Personal Information (for example, in order to improve the Services we offer) is deemed and treated by us as Personal Information, as long as such connection or linkage exists.

The information we collect from third party analytic apps includes unique identifiers, browser type and settings, device type and settings, operating system, mobile network information including carrier name and phone number, and application version number. We also collect information about the interaction of your apps, browsers, and devices with our services, including IP address, crash reports, system activity, and the date, time, and referrer URL of your request.

2.2. Users of Users Information

We may also collect similar information pertaining to visitors and users of our User's Websites or Services ("Users-of-Users"), solely for and on our Users' behalf (as further described in Section 6 below).

3. How Do We Collect Such Information?

There are two main methods we use:

We collect information through your use of the Services. In other words, when you are visiting or using our Services, including when you browse the Website, register a User Account, and upload information and content, and/or download and use any Custom Apps and/or Mobile Apps, we are aware of it any may gather, collect and record such uses, sessions and related information, either independently or with the help of third-party services as detailed in Section 7 below, including through the use of "cookies" and other tracking technologies, as further detailed in Section 8 below.

We collect information which you provide us voluntarily. For example, we collect the Personal Information you provide us when you register to our Services; when you place purchases and/or register domain names; when you submit or upload such Personal Information as you use any of our Services; and/or when you contact us directly. We also collect the content you create or receive from others when using our services. This includes things like email you write and receive,



photos and videos you save, docs and spreadsheets you create, and comments you make on blogs, Instagram or custom gallery.

4. Why Do We Collect Such Information?

We collect such Non-personal and Personal Information for the following purposes:

- To provide and operate the Services;
- To further develop, customize and improve our Services, based on Visitors' and Users' common or personal preferences, experiences and difficulties;
- To provide our Users with ongoing customer assistance and technical support;
- To be able to contact our Visitors and Users with general or personalized service-related notices and promotional messages (as further detailed in Section 10 below);
- To facilitate, sponsor and offer certain contests, events and promotions, determine participants' eligibility, monitor performance, contact winners and grant prizes and benefits;
- To create aggregated statistical data and other aggregated and/or inferred Non-personal Information, which we or our business partners may use to provide and improve our respective services;
- To enhance our data security and fraud prevention capabilities;
- To comply with any applicable laws and regulations.

5. Where Do We Store Your Information?

Website Visitors', Website Users' and Users-of-Users' Personal Information may be maintained, processed and stored by our supplier company Wix.com Ltd. and its authorized affiliates and service providers in the United States of America, in Europe (including in Lithuania, Germany and the Ukraine), in Israel, and in other jurisdictions as necessary for the proper delivery of our Services and/or as may be required by law.

Wix affiliates and service providers that store or process your Personal Information on Wix's behalf are each committed to keep it protected and secured, in accordance with industry standards and regardless of any lesser legal requirements which may apply in their jurisdiction.

5.1.

EU-U.S. Privacy Shield & Swiss-U.S. Privacy Shield Disclosure: Wix.com participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework. Wix.com is committed to subjecting all personal data received from European Union (EU) member countries and Switzerland, respectively, in reliance on the Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Framework, visit the U.S. Department of Commerce's Privacy Shield List.

[<https://www.privacyshield.gov>]



Wix.com is responsible for the processing of personal data it receives, under the Privacy Shield Framework, and subsequently transfers to a third party acting as an agent on its behalf. Wix.com complies with the Privacy Shield Principles for all onward transfers of personal data from the EU, including the onward transfer liability provisions.

With respect to personal data received or transferred pursuant to the Privacy Shield Framework, Wix.com is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission (FTC). In certain situations, Wix.com may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Upon request Wix will provide you with information about whether we hold any of your personal information. You may access, correct, or request deletion of your personal information by contacting us. We will respond to your request within a reasonable timeframe.

5.2.

Data Localization Obligations: If you reside in a jurisdiction that imposes “data localization” or “data residency” obligations (i.e., requiring that Personal Information of its residents be kept within the territorial boundaries of such jurisdiction), and we become aware of that, we may maintain your Personal Information within such territorial boundaries, if we are legally obligated to do so. For example, if we learn that you reside in the Russian Federation, we may be required to maintain your Personal Information there, whether independently or with a local data storage and processing provider.

You acknowledge and agree that while doing so, we may continue to collect, store and use your Personal Information elsewhere, including in the United States of America as explained above.

6. Users-of-Users’ Information

Nindy Design Studio may collect, store and process certain Non-personal and Personal Information of Users-of-Users (“Users-of-Users Information”), solely on our Users’ behalf and at their direction. For example, each of our Users is able to import their e-mail contacts from third party services like Gmail, or otherwise collect and manage contacts via their User Website. Such contacts are then stored with Wix, on the User’s behalf.

For such purposes, Wix serves and shall be considered as a “Data Processor” and not as the “Controller” (as both such capitalized terms are defined in the European Data Protection Directive) of such Users-of-Users Information. The Users controlling and operating such User Websites shall be considered as the “Controllers” of such Users-of-Users Information, and are responsible for complying with all laws and regulations that may apply to the collection and control of such Users-of-Users Information, including all privacy and data protection laws of all relevant jurisdictions.



We are responsible for the security, integrity and authorized usage of our Users-of-Users' Personal Information, and for obtaining any consents and permissions required for the collection and usage of such information.

7. Sharing Personal Information with Third Parties

Nindy Design Studio may share your Personal Information with third parties (or otherwise allow them access to it) only in the following manners and instances:

7.1. Third Party Services:

Nindy Design Studio has partnered with a number of selected service providers, whose services and solutions complement, facilitate and enhance our own. These include hosting and server co-location services, communications and content delivery networks (CDNs), data and cyber security services, billing and payment processing services, domain name registrars, fraud detection and prevention services, web analytics, e-mail distribution and monitoring services, session recording and remote access services, performance measurement data optimization and marketing services, content providers, and our legal and financial advisors (collectively, "Third Party Service(s)"). Such Third Party Services may receive or otherwise have access to our Visitors' and Users' Personal Information and/or Users-of-Users' Personal Information, in its entirety or in part – depending on each of their particular roles and purposes in facilitating and enhancing our Services and business, and may only use it for such purposes.

Nindy Design Studio is accountable for personal data that it receives under the Wix's Privacy Shield and subsequently transfers to a third party as described in the Privacy Shield Principles. In particular, Wix remains responsible and liable under the Privacy Shield Principles if third-party agents that it engages to process the personal data on its behalf do so in a manner inconsistent with the Principles, unless Wix proves that it is not responsible for the event giving rise to the damage.

7.2. Law Enforcement, Legal Requests and Duties:

Nindy Design Studio may disclose or otherwise allow others access to your Personal Information pursuant to a legal request, such as a subpoena, legal proceedings, search warrant or court order, or in compliance with applicable laws, if we have a good faith belief that the law requires us to do so, with or without notice to you.

7.3. Protecting Rights and Safety:

Nindy Design Studio may share your Personal Information with others if we believe in good faith that this will help protect the rights, property or personal safety of Nindy Design Studio, any of our Users, any Users-of-Users, or any member of the general public, with or without notice to you.



7.4. Social Media Features and Framed Pages:

Our Services include certain Social Media features and widgets, such as the “Facebook Connect” features, “Facebook Like” button, the “Share this” button or other interactive mini-programs (“Social Media Features”). These Social Media Features may collect information such as your IP address or which page you are visiting on our Website, and may set a cookie to enable them to function properly. Social Media Features are either hosted by a third party or hosted directly on our Services. Your interactions with these third parties are governed by their policies and not ours.

In addition, our Services may enable you to share your Personal Information with third parties directly, such as via page framing techniques to serve content to or from Third Party Services or other parties, while preserving the look and feel of our Website and Services (“Frames”). Please be aware that if you choose to interact or share any Personal Information via such Frames, you are in fact providing it to these third parties and not to us, and such interactions and sharing too are governed by such third parties’ policies and not ours.

7.5. Nindy Design Studio and WixHive API:

By installing certain Wix Apps and/or Third Party Apps, you also allow their respective provider to share and/or access certain Non-personal and Personal Information regarding you and/or your Users-of-Users, via the “WixHive” API. Such information includes, among others, contact details, messages, business applications and certain activities on the Services and/or User Website, which are stored and thereafter accessible via your User Account.

In order to further protect your and your Users-of-Users’ privacy, we contractually prohibit all Third Party Developers from combining Personal Information collected across different User Websites and Services, and from sharing Users-of-Users’ Personal Information other than with other Apps installed on the same User Website or Services, for the purposes of such specific User Website or Services. Nindy Design Studio however may still access and use information collected and stored via the WixHive API across different User Websites and Apps, as necessary for providing and improving its Services.

8. Use of Cookies and Other Tracking Technologies

Nindy Design Studio, together with its supplier company, marketing, analytics and technology partners, uses certain monitoring and tracking technologies (such as cookies, beacons, pixels, tags and scripts). These technologies are used in order to maintain, provide and improve our Services on an ongoing basis, and in order to provide our Visitors, our Users and their Users-of-Users with a better experience. For example, thanks to these technologies, we are able to maintain and keep track of our Visitor’s and Users’ preferences and authenticated sessions, to better secure our Services, to identify technical issues, user trends and effectiveness of campaigns, and to monitor and improve the overall performance of our Services.



Please note that Third Party Services placing cookies or utilizing other tracking technologies through our Services may have their own policies regarding how they collect and store information. Such practices are not covered by our Privacy Policy and we do not have any control over them.

Cookies: In order for some of these technologies to work properly, a small data file (“cookie”) must be downloaded and stored on your device. By default, we use several persistent cookies for purposes of session and user authentication, security, keeping the User’s preferences (e.g., regarding default language and settings), connection stability (e.g., for uploading media, using e-Commerce features, etc.), monitoring performance of our services and marketing campaigns, and generally providing and improving our Services.

If you want to delete or block any cookies, please refer to the help and support area on your internet browser for instructions on how to locate the file or directory that stores cookies. Information on deleting or controlling cookies is also available at www.aboutcookie.org. Please note that deleting our cookies or disabling future cookies or tracking technologies may prevent you from accessing certain areas or features of our Services, or may otherwise adversely affect your user experience.

Clear Gifs: We and certain Third Party Services may employ a software technology called clear gifs (a.k.a. Web Beacons/Web Bugs), which enables them and us to improve our Services by measuring their effectiveness and performance. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies, however unlike cookies these are not stored on your device, but are instead embedded within our Services.

Flash and HTML5: We and certain Third Party Services may also employ certain tracking technologies known as “Flash cookies” and “HTML5”, mainly for advertising purposes. Various browsers may offer their own management tools for removing or blocking such technologies. Additional information about managing Flash cookies is available [here](#).

Behavioral Targeting/Re-Targeting: Certain Third Party Services and ad networks may display advertising on our Website, on Wix Apps and on Wix mobile apps. Such parties may use certain tracking technologies to collect certain information about your activities on the Services and different third party Services to provide you with targeted advertising based on your interests and preferences.

User Data Supplementation: We may receive information about you from other sources, including publicly available databases or third parties from whom we have purchased data, and combine this data with information we already have about you. This helps us to update, expand and analyze our records, identify new customers, and provide products and services that may be of interest to you. If you provide us personal information about others, or if others give us your information, we will only use that information for the specific reason for which it was provided to us.



“Do Not Track” Signals: Please note that we do not change our practices in response to a “Do Not Track” signal in the HTTP header from a browser or mobile application.

9. Communications from Nindy Design Studio

9.1. Promotional Messages:

By subscribing to any Services (including to any of our newsletters, blogs, social media accounts or public events) and providing Nindy Design Studio with your e-mail address or any other contact information (such as your phone number), you expressly agree to receive promotional content, messages or calls from Nindy Design Studio or our partners through such means.

Accordingly, Nindy Design Studio and its partners shall be entitled to call you or send you promotional content or messages by e-mail, SMS, direct text messages, marketing calls and similar forms of communication. If you wish not to receive such promotional messages or calls, you may notify Nindy Design Studio at any time or follow the “unsubscribe” or STOP instructions contained in the promotional communications you receive.

9.2. Service and Billing Messages:

Nindy Design Studio may also contact you with important information regarding our Services, or your use thereof. For example, we may send you a notice (through any of the means available to us) if a certain Service is temporarily suspended for maintenance; send you reminders or warnings regarding upcoming or late payments for your current or upcoming subscriptions; forward abuse complaints regarding your User Website; or notify you of material changes in our Services. You will not be able to opt-out of receiving such Service and Billing Messages.

10. Accessing Your Personal Information

If you wish to access and/or request us to make corrections to the Personal Information that you have stored with us (either yours or your Users-of-Users’), or wish to request a list of what Personal Information (if any) pertaining to you we disclosed to third parties for direct marketing purposes, feel free to send us an e-mail to info@nindydesignstudio.com and we will respond within a reasonable timeframe and in accordance with any applicable law.

11. Data Retention

We may retain your Personal Information (as well as your Users-of-Users Information) for as long as your Website is active or as otherwise needed to provide you with our Services.

We may continue to retain such Personal Information even after you deactivate your Website and/or cease to use any particular Services, as reasonably necessary to comply with our legal obligations, to resolve disputes regarding our Users or their Users-of-Users, prevent fraud and abuse, enforce our agreements and/or protect our legitimate interests.



12. Security

Nindy Design Studio and its supplier have implemented security measures designed to protect the Personal Information you share with us, including physical, electronic and procedural measures. Among other things, we offer HTTPS secure access to most areas on our Services; the transmission of sensitive payment information (such as a credit card number) through our designated purchase forms is protected by an industry standard SSL/TLS encrypted connection; and we regularly maintain a PCI DSS (Payment Card Industry Data Security Standards) certification. We also regularly monitor our systems for possible vulnerabilities and attacks, and regularly seek new ways and Third Party Services for further enhancing the security of our Services and protection of our Visitors' and Users' privacy.

However – regardless of the measures and efforts taken by Nindy Design Studio and Wix, we cannot and do not guarantee the absolute protection and security of your Personal Information, your Users-of-Users' Information or any other User Content you upload, publish or otherwise share with us or anyone else.

If you have any questions regarding the security of our Services, you are more than welcome to contact us at info@nindydesignstudio.com.

13. Public Forums and User Content

Our Services offer publicly accessible blogs and communities. Be aware that any information you provide in any such areas may be read, collected, and used by others who access them. To request removal of your Personal Information from our blogs, communities or forums, feel free to contact us at: info@nindydesignstudio.com. In some cases, we may not be able to remove your Personal Information from such areas.

In any event, we recommend that you do not post any information (or use any posting means to post information) you would not want to be made public on these areas.

We cannot control the actions of other Users or members of the public who may access your User Content, and are not responsible for the circumvention of any privacy settings or security measures you or we may have placed on your Website. You understand and acknowledge that, even after its removal by you or us, copies of User Content may remain viewable in cached and archived pages or if any third parties (including any of your Users-of-Users) have copied or stored such User Content. Again, we recommend that you do not upload or post any information you would not want to be publicly available.

14. Terms of Use, Updates and Interpretation

Your use of any of our Services, and any disputes arising from it, is subject to this Privacy Policy as well as our Terms of Use and all of its general provisions including disclaimer of warranty, limitation of liability and indemnity.

This Privacy Policy, its interpretation, and any claims and disputes related hereto, shall be governed by, construed under and enforced in all respects solely and exclusively in accordance with the internal substantive laws of the United States of America, without respect to its conflict



of laws principles. Any and all such claims and disputes shall be brought in, and you hereby consent to them being decided exclusively by, a court of competent jurisdiction.

We may update this Privacy Policy to reflect changes to our information collection, usage and storage practices. If we make any changes that we deem as “material” (in our sole good faith discretion), we will notify you prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

15. Contacting Us

If you have any questions about this Privacy Policy, please contact us at info@nindydesignstudio.com

You may also contact us by mail at: 951 Old County Road Suite 162, Belmont, CA 94002.