

Privacy Policy

Last updated: January 11, 2024

This Privacy Policy describes Our policies and procedures on the collection, use and disclosure of Your information when You use the Service and tells You about Your privacy rights and how the law protects You.

We use Your Personal data to provide and improve the Service. By using the Service, You agree to the collection and use of information in accordance with this Privacy Policy.

Definitions and Interpretation

Definitions

Except as otherwise defined herein, all capitalized words and phrases used herein shall have the meanings given to them under this Section:

“Account” means a unique account created for You to access the Service or parts of the Service.

“Affiliate” means an entity that controls, is controlled by or is under common control with a party, where "control" means ownership of 50% or more of the shares, equity interest or other securities entitled to vote for election of directors or other managing authority.

“Application” means the software application named VODIUM provided by the Company and downloaded by You on any Device

“Company”, “We”, “Us” or “Our” refers to VODIUM, LLC, a Delaware limited liability company.

“Cookies” are small files that are placed on Your computer, mobile device or any other device by a website, containing the details of Your browsing history on that website among its many uses.

“Device” means any device that can access the Service such as a computer, a cellphone or a digital tablet.

“Do Not Track” (DNT) is a concept that has been promoted by US regulatory authorities, in particular the U.S. Federal Trade Commission (FTC), for the Internet industry to develop and implement a mechanism for allowing internet users to control the tracking of their online activities across websites.

“Facebook Fan Page” is a public profile named Vodium specifically created by the Company on the Facebook social network, accessible from <https://facebook.com/vodium.us>

“Personal Data” is any personal information and data that relates to an identified or identifiable individual, such as a name, an identification number, location data, online identifier one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of an individual, or relates to, describes or is capable of being associated with, or could reasonably be linked, directly or indirectly, with such individual.

“Service” refers to the Application or the Website or both.

“Service Provider” means any natural or legal person who processes the data on behalf of the Company. It refers to third-party companies or individuals employed by the Company to facilitate the Service, to provide the Service on behalf of the Company, to perform services related to the Service or to assist the Company in analyzing how the Service is used.

“Third-party Social Media Service” means any third-party website, app, or any social media platform through which a user can access, use or interact with the Service.

“Usage Data” refers to data collected automatically, either generated by the use of the Service or from the Service infrastructure itself (for example, the duration of a page visit).

“Website” refers to VODIUM, accessible from <http://www.vodium.us>

“You” or **“Your”** means the individual accessing or using the Service, or the person, or other legal entity on behalf of which such individual is accessing or using the Service, as applicable.

Interpretation

Unless the context otherwise requires: (i) the words “this Privacy Policy,” “hereof,” “herein,” “hereunder,” and words of similar import refer to this Privacy Policy as a whole and not to any particular provision of this Privacy Policy; (ii) the words “include,” “includes,” and “including” mean “including, without limitation,”; (iii) references to any law refer to that law as amended periodically and include any successor law; and (iv) the masculine, feminine, or neuter gender and the singular or plural number include the others whenever the context so requires.

Collecting and Using Your Personal Data

Types of Data Collected

Personal Data

While using Our Service, We may ask You to provide Us with certain Personal Data that can be used to contact or identify You. Personal Data may include, but is not limited to:

Email address
First name and last name
Usage Data

Usage Data

Usage Data is collected automatically when using the Service.

Usage Data may include information such as Your Device's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of the Service that You visit, the time and date of Your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

When You access the Service by or through a mobile Device, We may collect certain information automatically, including, but not limited to, the type of mobile Device You use, Your mobile Device unique ID, the IP address of Your mobile Device, Your mobile operating system, the type of mobile internet browser You use, unique device identifiers and other diagnostic data.

We may also collect information that Your browser sends whenever You visit our Service or when You access the Service by or through a mobile Device.

Tracking Technologies and Cookies

We use Cookies and similar tracking technologies to collect and track information and to evaluate and improve the Service. Other tracking technologies used include beacons, tags, and scripts.

You may refuse to accept browser Cookies by activating the appropriate setting on Your browser. However, if You do not accept Cookies, You may not be able to use or access some parts of the Service.

The Cookies that We use include session Cookies, which are deleted when You close Your browser, and persistent Cookies, which stay on Your browser or mobile Device until they expire or You delete them.

In general, Cookies can be separated into four categories based on function. We may use all categories of Cookies in providing the Service for the purposes set forth below:

- **Strictly Necessary Cookies.** These Cookies are strictly necessary to provide You with the Service and to enable You to use or access some of its features. These Cookies help to authenticate users and prevent fraudulent use of user accounts.
- **Functionality Cookies.** These Cookies allow Us to remember preferences and choices You make when using the Service, such as login details and language preferences. These Cookies also help to enhance the functionality of the Service and provide you with customized content through the Service.

- **Performance Cookies.** These Cookies collect information and data on how You have used the Service. These Cookies do not contain personal information and are used to improve Your experience using the Service.
- **Targeting/Advertising Cookies.** These Cookies are designed to gather information to deliver advertisements relevant to Your interests. These Cookies may be able to track Your Device's activity on other sites or services and may be shared with other businesses or organizations to deliver advertising and to help measure the effectiveness of an advertising campaign, or other business partners for the purpose of providing aggregate Service usage statistics and aggregate Service testing.

Certain third parties may use automatic information collection technologies to collection information about You or Your Device when using the Service. These third parties may include, but are not limited to, advertisers, ad networks, and ad servers; analytics companies; Your Device manufacturer; Your mobile or internet service provider. These third parties may use tracking technologies to collect information about You when using the Service. We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

Use of Your Personal Data

The Company may use Personal Data for the following purposes:

- **To maintain and protect Our Service:** We may use your Personal Data to maintain and keep the Service safe and securing, including monitoring the usage of the Service.
- **To manage Your Account:** We may use your Personal Data to manage Your Account as a registered user of the Service. The Personal Data You provide can give You access to different functionalities of the Service that are available to You as a registered user.
- **Your Consent:** We may use your Personal Data for one or more specific purposes with your consent.
- **Business Purposes:** We may use your Personal Data for legitimate business interests of the Company.
- **For the performance of a contract:** We may use your Personal Data to enter into or perform any contract with you .
- **To contact You** by email, telephone calls, SMS, or other equivalent forms of electronic communication, such as a mobile application's push notifications regarding updates or informative communications related to the use of the Service, including the security updates, when necessary or reasonable for their implementation.
- **To Comply with legal obligations.** We may use your Personal Data if the Company reasonably believes it is necessary to (i) comply with a legal obligation; (ii) protect and defend the rights or property of the Company; (iii) prevent or investigate possible wrongdoing in connection with use of the Service; (iv) protect the personal safety of users of the Service or the public; or (v) protect against legal liability

- **To provide You** with news, special offers and general information about other goods, services and events which we offer that are similar to those that you have already purchased or enquired about unless You have opted not to receive such information.
- **To manage Your requests:** We may use your Personal Data to attend to and manage Your requests or inquiries regarding Your use of the Service.

Disclosure of Your Personal Data

We may share or disclose your Personal Data in the following situations:

- **With Service Providers:** We may share Your Personal Data with Service Providers to monitor and analyze the use of the Service, for payment processing, or to contact You.
- **For Business transfers:** We may share or transfer Your Personal Data in connection with, or during negotiations of, any merger, sale of Company assets, financing, or other acquisition of all or a portion of the Company or its business.
- **With Affiliates:** We may share Your information with Our affiliates, in which case we will require those Affiliates to honor this Privacy Policy.
- **With Business partners:** We may share Your information with Our business partners to offer You certain products, services or promotions.
- **Law Enforcement:** Under certain circumstances, the Company may be required to disclose Your Personal Data if required to do so by law or in response to valid requests by public authorities (e.g. a court or a government agency).
- **Other Legal Requirements:** The Company may disclose Your Personal Data to third parties as is necessary to: (i) comply with a legal obligation; (ii) protect and defend the rights or property of the Company; (iii) prevent or investigate possible wrongdoing in connection with the Service; (iv) protect the personal safety of users of the Service or the public; (v) protect against legal liability
- **With other users:** when You share Personal Data or otherwise interact in the public areas with other users, such information may be viewed by all users and may be publicly distributed outside. If You interact with other users or register through a Third-Party Social Media Service, Your contacts on the Third-Party Social Media Service may see Your name, profile, pictures and description of Your activity. Similarly, other users will be able to view descriptions of Your activity, communicate with You and view Your profile.

Retention of Your Personal Data

The Company will retain Your Personal Data only for as long as is necessary for the purposes set out in this Privacy Policy. We will retain and use Your Personal Data to the extent necessary to comply with Our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes, and enforce Our legal agreements and policies.

The Company will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period of time, except when this data is used to strengthen

the security or to improve the functionality of Our Service, or We are legally obligated to retain this data for longer time periods.

Transfer of Your Personal Data

Your information, including Personal Data, is processed at the Company's operating offices and in any other places where the parties involved in the processing are located. It means that this information may be transferred to — and maintained on — computers located outside of Your state, province, country or other governmental jurisdiction where the data protection laws may differ than those from Your jurisdiction.

Your consent to this Privacy Policy followed by Your submission of such information represents Your agreement to that transfer.

The Company will take all steps reasonably necessary to ensure that Your data is treated securely and in accordance with this Privacy Policy and no transfer of Your Personal Data will take place to an organization or a country unless there are adequate controls in place including the security of Your Personal Data and other personal information.

Security of Your Personal Data

The security of Your Personal Data is important to Us, but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure. While We strive to use commercially acceptable means to protect Your Personal Data, We cannot guarantee its absolute security.

Detailed Information on the Processing of Your Personal Data

Service Providers have access to Your Personal Data only to perform their tasks on Our behalf and are obligated not to disclose or use it for any other purpose.

Analytics

We may use third-party Service providers to monitor and analyze the use of the Service.

Google Analytics

Google Analytics is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of the Service. This data is shared with other Google services. Google may use the collected data to contextualize and personalize the ads of its own advertising network. You can opt-out of having made your activity on the Service available to Google Analytics by installing the Google Analytics opt-out browser add-on.

You may opt-out of certain Google Analytics features through your Device settings, such as your Device advertising settings or by following the instructions provided by Google in their [Google Privacy Policy](#).

For more information on the privacy practices of Google, please visit [Google Privacy & Terms](#)

Email Marketing

We may use Your Personal Data to contact You with newsletters, marketing or promotional materials and other information that may be of interest to You. You may opt-out of receiving any, or all, of these communications from Us by following the unsubscribe link or instructions provided in any email We send or by contacting Us.

We may use email marketing Service Providers to manage and send emails to You, such as the following:

Hubspot

Hubspot is an email marketing sending service provided by Hubspot, Inc.

For more information on the privacy practices of Hubspot, please visit the [Hubspot Privacy Policy](#)

Payments

We may use third-party Service Providers for payment processing (e.g. payment processors).

We will not store or collect Your payment card details. That information is provided directly to Our third-party payment processors whose use of Your personal information is governed by their privacy policy.

GDPR Privacy

Legal Basis for Processing Personal Data under GDPR

To the extent the Company's processing of your Personal Data is subject to the General Data Protection Regulation ("GDPR"), the Company relies on the legal bases set forth above under the [Use of Personal Data](#) and [Disclosure of Personal Data](#) sections of this Privacy Policy for the purpose of processing your Personal Data.

In any case, the Company will gladly help to clarify the specific legal basis that applies to the processing.

Your Rights under the GDPR

If You are located in the European Economic Area ("EEA"), You have the right under this Privacy Policy to:

- **Request access to Your Personal Data.** The right to access, update or delete the information We have on You. Whenever made possible, you can access, update or request deletion of Your Personal Data directly within Your account settings section. If you are unable to perform these actions yourself, please contact Us to assist You. This also enables You to receive a copy of the Personal Data We hold about You.
- **Request correction of the Personal Data that We hold about You.** You have the right to have any incomplete or inaccurate Personal Data about You corrected.
- **Object to processing of Your Personal Data.** This right exists where We are relying on a legitimate interest as the legal basis for Our processing and there is something about Your particular situation, which makes You want to object to Our processing of Your Personal Data on this ground. You also have the right to object where We are processing Your Personal Data for direct marketing purposes.
- **Request erasure of Your Personal Data.** You have the right to ask Us to delete or remove Personal Data when there is no good reason for Us to continue processing it.
- **Request the transfer of Your Personal Data.** We will provide to You, or to a third-party You have chosen, Your Personal Data in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which You initially provided consent for Us to use or where We used the information to perform a contract with You.
- **Withdraw Your consent.** You have the right to withdraw Your consent on using your Personal Data. If You withdraw Your consent, We may not be able to provide You with access to certain specific functionalities of the Service.

Exercising of Your GDPR Data Protection Rights

You may exercise Your rights of access, rectification, cancellation and opposition by contacting Us. Please note that we may ask You to verify Your identity before responding to such requests. If You make a request, We will try Our best to respond to You as soon as possible.

You have the right to complain to a data protection authority about Our collection and use of Your Personal Data. For more information, please contact Your local data protection authority in the EEA.

Facebook Fan Page

Data Controller for the Facebook Fan Page

As operator of the Facebook Fan Page <https://facebook.com/vodium.us>, the Company and the operator of the social network Facebook are joint data controllers.

The Company has entered into agreements with Facebook that define the terms for use of the Facebook Fan Page, among other things. These terms are mostly based on the [Facebook Terms of Service](#)

Visit the [Facebook Privacy Policy](#) for more information about how Facebook manages Personal Data or contact Facebook online, or by mail: Facebook, Inc. ATTN, Privacy Operations, 1601 Willow Road, Menlo Park, CA 94025, United States.

Facebook Insights

We use the Facebook Insights function in connection with the operation of the Facebook Fan Page and on the basis of the GDPR, in order to obtain anonymized statistical data about Our users.

For this purpose, Facebook places a Cookie on the device of the user visiting Our Facebook Fan Page. Each Cookie contains a unique identifier code and remains active for a period of two years, except when it is deleted before the end of this period.

Facebook receives, records and processes the information stored in the Cookie, especially when the user visits the Facebook services, services that are provided by other members of the Facebook Fan Page and services by other companies that use Facebook services.

For more information on the privacy practices of Facebook, please visit [Facebook Data Policy](#)

CCPA Privacy

Your Rights under the CCPA

If You are a resident of the State of California, You have the following rights under this Privacy Policy, which are afforded to California consumers under the California Consumer Privacy Act (the “CCPA”):

- **The right to notice.** You must be properly notified which categories of Personal Data are being collected and the purposes for which the Personal Data is being used.
- **The right to access / the right to request.** The CCPA permits You to request and obtain from the Company information regarding the disclosure of Your Personal Data that has been collected in the past 12 months by the Company.
- **The right to say no to the sale of Personal Data.** You also have the right to ask the Company not to sell Your Personal Data to third parties. The Company will not sell your Personal Data. However, to the Company determines that it or any Service Provider with which the Company partners is deemed to “sell” Your personal information as defined by the CCPA, the Company will maintain a separate webpage that allows You to opt out of the sale of Your personal information.
- **The right to know about Your Personal Data.** You have the right to request and obtain from the Company information regarding the disclosure of the following:
 - The categories of Personal Data collected
 - The sources from which the Personal Data was collected

- The business or commercial purpose for collecting or selling the Personal Data
- Categories of third parties with whom We share Personal Data
- The specific pieces of Personal Data we collected about You
- **The right to delete Personal Data.** You also have the right to request the deletion of Your Personal Data that have been collected in the past 12 months.
- **The right not to be discriminated against.** You have the right not to be discriminated against for exercising any of Your rights under the CCPA,

Exercising Your CCPA Data Protection Rights

In order to exercise any of Your rights under the CCPA, and if you are a California resident, You can contact Us at the email address set forth below.

The Company will disclose and deliver the required information free of charge within 45 days of receiving Your verifiable request. The time period to provide the required information may be extended once by an additional 45 days when reasonable necessary and with prior notice.

"Do Not Track" Policy as Required by California Online Privacy Protection Act (CalOPPA)

Our Service does not respond to Do Not Track signals.

However, some third-party websites do keep track of Your browsing activities. If You are visiting such websites, You can set Your preferences in Your web browser to inform websites that You do not want to be tracked. You can enable or disable DNT by visiting the preferences or settings page of Your web browser.

Your California Privacy Rights (California's Shine the Light law)

Under California Civil Code Section 1798 (the “**California Shine the Light law**”), California residents with an established business relationship with Us can request information once a year about sharing their Personal Data with third parties for the third parties' direct marketing purposes.

If you'd like to request more information under the California Shine the Light law, and if you are a California resident, You can contact Us using the contact information provided below.

California Privacy Rights for Minor Users (California Business and Professions Code Section 22581)

If You are under the age of 18, reside in California and have a registered Account for the Service, you have the right to request the removal of unwanted data that you publicly post. To request removal of such data, You can contact Us using the contact information provided below, and include the email address associated with Your Account.

Be aware that Your request does not guarantee complete or comprehensive removal of content or information posted online and that the law may not permit or require removal in certain circumstances.

Links to Other Websites

Our Service may contain links to other websites that are not operated by Us. If You click on a third party link, You will be directed to that third party's site. We strongly advise You to review the privacy policy of every site You visit.

We have no control over and assume no responsibility for the content, privacy policies or practices of any third party sites or services.

Changes to this Privacy Policy

We may update this Privacy Policy from time to time. We will notify You of any changes by posting the new Privacy Policy on this page.

We will let You know via email and/or a prominent notice on the Service, prior to the change becoming effective and update the "Last updated" date at the top of this Privacy Policy.

You are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page.

Contact Us

If you have any questions about this Privacy Policy, You can contact the Company:

- By email: support@vodium.com