

KITS AI PRIVACY POLICY

Last Revised on October 2nd, 2024

Welcome to the Privacy Policy for the website, www.kits.ai, operated on behalf of Arpeggi, Inc. (“**Company**,” “**we**” or “**us**”). This Privacy Policy describes how we collect, use and disclose information from our users, including with respect to our website, content, applications, services, tools and features (collectively, the “**Services**”). For purposes of this Privacy Policy, “**you**” and “**your**” means you as the user of the Services. If you use the Services on behalf of a company or other entity then “you” includes you and that entity, and you represent and warrant that (a) you are an authorized representative of the entity with the authority to bind the entity to these Terms, and (b) you agree to these Terms on the entity's behalf.

The Services can only be accessed and used subject to the Terms of Service and this Privacy Policy. PLEASE READ THIS PRIVACY POLICY CAREFULLY. BY USING, ACCESSING, OR DOWNLOADING ANY OF THE SERVICES, YOU AGREE THAT YOU ARE BOUND BY THE COMPANY TERMS OF SERVICE AND PRIVACY POLICY. IF YOU DO NOT AGREE TO OUR TERMS OF SERVICE AND PRIVACY POLICY, THEN YOU MAY NOT ACCESS AND USE THE SERVICES.

1. TYPES OF INFORMATION WE COLLECT

We may collect the following categories of information from you (“**Information**”), which includes:

- “**Personal Information**” means Information that identifies (whether directly or indirectly) a particular individual, such as the individual’s postal address and email. Personal Information includes registration information you provide when you create an account, such as your email address, username and password.
- “**Non-Personal Information**” means Information that does not directly or indirectly identify, and cannot reasonably be used to identify, an individual user. When Non-Personal Information is directly or indirectly associated with Personal Information, this Non-Personal Information is treated as Personal Information.
- Information you provide to us when you access or use the Services and each time you interact with the Services or Company, for example, when you update information in your control panel, communicate with us by telephone or email, and order or download new products or services.
- Information you provide in public forums through the Services, including using our review, comment, post or similar functionality.

2. HOW WE COLLECT YOUR INFORMATION

- We collect Information you provide to us when you register with us; create user generated content; request products, services or information from us; participate in public forums or other activities through the Services; respond to customer surveys; or otherwise interact with us. Please keep in mind that when you post information on a third-party site or platform, the information you provide may be separately collected by the third-party site or platform. The Information we collect is covered by this privacy policy and the information the third-party site or platform collects is subject to the third-party site or platform’s privacy practices.

Privacy choices you make on the third-party site or platform will not apply to our use of the Information we collect directly through our Services.

- We use “cookies” and other technologies to collect data that enable us to better understand and improve the usability, performance and effectiveness of our website. Cookies are files sent to your browser and stored on your computer. We use cookies to gather general information about your visits to our website, the files you have designated for backup, the configuration of your computer and your computer’s interaction with the Services, and stores this information in log files. We use this information to understand traffic and downloads on our website, enabling us to improve the website, provide the best online experience possible, and improve our customer service. We use the following types of cookies on our site:
 - Strictly necessary cookies - These cookies are essential in order to enable you to move around our website and use its features, such as accessing secure areas of the website and remembering which files you have marked for backup. Without these cookies, services you have asked for, like security or e-billing, cannot be provided.
 - Performance cookies - These cookies collect information about how you use the website. These cookies don’t collect information that identifies you and are only used to improve how the website works.
 - Functionality cookies - These cookies allow the website to remember choices you make, such as the configuration of your computer, to provide enhanced, more personal features.
 - Other Technologies - We may also use other Internet technologies, such as web beacons or pixel tags and other similar technologies, to deliver or communicate with cookies and analyze your use of the Services. We also may include web beacons in e-mail messages so that we know when you have opened an email message received from the Company.

You may disable cookies by changing the settings on your browser. Check the help menu in your browser for further information. Remember that if you disable cookies it is likely to affect how the Services work and you may not be able to access or use certain areas of our website or functionality. Unless you have adjusted your browser setting so that it will refuse cookies, our system will place cookies when you log on to the Services.

- We use third parties’ analytic and tracking tools to better understand who is using the Service, how people are using the Service and how to improve the effectiveness of the Service and its content. Those third party companies may use cookies, pixel tags or other technologies to collect and store Non-Personal Information such as time of visit, pages visited, time spent on each page of the Service, device identifiers, type of operating system used and other website(s) you may have visited. They might combine information they collect from your interaction with Service with Personal Information they collect from other sources. We do not have access to, nor control over, third parties’ use of cookies or other tracking technologies.

Online Tracking

- Do Not Track (DNT) is a privacy preference that users can set in some web browsers, allowing users to opt out of tracking by websites and online services. Like many websites, the Company and the Services do not recognize DNT.

3. USE OF YOUR INFORMATION BY THE COMPANY

We may use your data for the following purposes:

- To provide you with the Services and the products and services you request.
- To administer your account.
- To communicate with you about your account or transactions with us and send you information about features of the Services or changes to our policies.
- To ensure consistency with local law and choices and controls that may be available to you.
- To personalize content and experiences.
- To detect, investigate and prevent activities that may violate our policies or be illegal.
- To optimize or improve the content, products, services, and features of the Services. This includes our use of your audio voice files submitted by you through our Services (“input”), as well as the resulting audio file generated through our artificial intelligence technology based on your input to improve the Services, including to train or otherwise improve the artificial intelligence and machine learning model(s) related to the Services.
- To personalize and improve the Services and user experiences, to increase the functionality and user friendliness of the Services, to deliver content or features that match user profiles or interests.
- To monitor and analyze the Services usage and trends and otherwise measure the effectiveness of the Services.

We may also send you newsletters about the Services, provided you have consented to receive these.

4. SHARING YOUR INFORMATION WITH OTHER COMPANIES

We will not share your Personal Information outside of the Company except in limited circumstances, including:

- When you allow us to share your Personal Information with another company, such as directing us to share your Personal Information with third-party sites or platforms, such as social networking sites.
- When we contract or partner with a third party to provide services on our behalf, including Services development and maintenance. We require all third parties to process your data in accordance with this Privacy Policy and as permitted by applicable data protection laws.

- When we share Personal Information with third parties in connection with the sale of a business (including merger, acquisition, or sale of all or a material portion of its assets, change in corporate control, or insolvency or bankruptcy proceedings), to enforce our Terms of Service or rules, to ensure the safety and security of our users and third parties, to protect our rights and property and the rights and property of our users and third parties, to comply with legal process, including judicial warrant, rule, order or subpoena or in other cases if we believe in good faith that disclosure is required by law or regulation.

In addition, we may share Non-Personal Information with third parties, alone or in combination with your Non-Personal Information or the Non-Personal Information of other users.

5. PUBLIC VENUES AND SEMI-PUBLIC VENUES OF THE SERVICES.

If you use a message board, comment function, conversation pages, blogs, social community environments, profile pages, or other public or semi-public venue or forums of the Services, you will be identified on those venues by the username you submit.

6. YOUR CONTROLS AND CHOICES

We provide you the ability to exercise certain controls and choices regarding our collection, use and sharing of your Information. Your controls and choices may include:

- You may correct, update and delete your registration account.
- You may change your choices for newsletters and alerts.
- You may request access to the Personal Information we hold about you and that we amend or delete it (but note that we cannot amend or delete information that is not in our possession or control, such as information uploaded by users to third party platforms).

You may exercise your controls and choices, or request access to your Personal Information, by modifying your profile or by contacting us at outreach@kits.ai or following instructions provided in communications sent to you. Please be aware that, if you do not allow us to collect Personal Information from you, we may not be able to deliver certain products and services to you, and some of our services may not be able to take account of your interests and preferences. If you have questions regarding the specific Personal Information about you that we process or retain, please contact us at outreach@kits.ai.

7. THIRD PARTY WEBSITES AND LINKS

Our Services may contain links to other sites operated by third parties. The Company does not control such other sites and is not responsible for their content, their privacy policies, or their use of Personal Information. Information you provide on public or semi-public venues, including Information you share on third party social networking platforms (such as Meta or Twitter) may also be viewable by other users of the Services and users of those third party platforms without limitation as to its use by us or by a third party. The Company's inclusion of such links does not, by itself, imply any endorsement of the content on such sites or of their owners or operators except as disclosed on the Services. The Company expressly disclaims any and all liability for the actions of third parties, including but without limitation to actions relating to the use and/or disclosure of Personal Information by third parties. Any information submitted by you directly to these third parties is subject to that third party's privacy policy.

8. CHILDREN'S PRIVACY

We do not seek or knowingly collect any Personal Information about children under 18 years of age. If we become aware that we have unknowingly collected Personal Information from a child under the age of 18, we will make commercially reasonable efforts to delete such information from our database.

If you are the parent or guardian of a minor child who has provided us with Personal Information, you may contact us to request it be deleted.

9. DATA SECURITY, INTEGRITY AND RETENTION

9.1 General. We use reasonable security measures, including computer safeguards and secured files and facilities that comply with federal law to protect and limit access to Personal Information. Please note that Information you send to us electronically may not be secure when it is transmitted to us. We recommend that you do not use unsecure channels to communicate sensitive or confidential information to us. From time to time, we review our security procedures to consider appropriate new technology and methods. Please be aware though that, despite our best efforts, no security measures are perfect or impenetrable. We will retain your Personal Information for the length of time needed to fulfill the purposes outlined in this privacy policy unless a longer retention period is required, or for the establishment, exercise or defense of legal claims, or for legitimate businesses purposes, or as provided by law.

10. UPDATING THIS PRIVACY POLICY

We may modify this Privacy Policy from time to time in which case we will update the “Last Revised” date at the top of this Privacy Policy. If we make changes that are material, we will use reasonable efforts to attempt to provide notice to you and, where required by applicable law, we will obtain your consent. Notice may be by email to you at the last email address you provided us, by posting notice of such changes on the Services, or by other means, consistent with applicable law. However, it is your sole responsibility to review the Privacy Policy from time to time to view any such changes. The updated Privacy Policy will be effective as of the time of posting, or such later date as may be specified in the updated Privacy Policy. **IF YOU DO NOT ACCEPT AND AGREE TO THIS PRIVACY POLICY, INCLUDING ANY CHANGES THERETO, THEN YOU MUST NOT ACCESS OR USE THE SERVICES.**

11. YOUR CALIFORNIA PRIVACY RIGHTS

This Privacy Policy describes how we may share your Information for marketing purposes. It applies to all users of the Services, including California residents.

If you are a user of this service and a California resident under the age of 18, you may request to have your posted content or Information removed from the publicly-viewable portion of this website by or contacting us directly at outreach@kits.ai. Content or information may not be removed from the Company’s systems or databases. In certain situations, content or information cannot be removed.

As a California resident, you may contact us with any questions or to request a list of third parties to whom we may disclose Information for such third parties’ marketing purposes and the categories of information we may disclose. See “How to Contact Us” below.

12. HOW TO CONTACT US

Any questions or concerns regarding the use or disclosure of Personal Information should be directed to the Company at outreach@kits.ai. You may contact us regarding the Services or this Privacy Policy at: Arpeggi Labs, Inc., 548 Market St, PMB 58661, San Francisco, California 94104-5401.