Privacy Policy

Version and Effective Date of the Privacy Policy
Effective Date: [Jan 1, 2020]

Welcome to Use Our Products and Services!

Before using our Products and Services, please carefully read our Privacy Policy. YOUR BROWSING OR USING OUR PRODUCTS SHALL BE DEEMED AS THAT YOU FULLY ACCEPT THIS PRIVACY POLICY AND COMMIT TO COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.

“Metersquare” or “We” refers to Metersquare Limited with its registered office in Hong Kong.

“You” refers to the users (whether registered or not) of Our Products and the purchasers of paid services.

“Our Products” include software Products and services (provided by our company and/or our branches, affiliates or partners across the globe) in connection with the software Products we provide. The software Products and applications we provide include [Malibu].

I. Applicability and content of Privacy Policy

Thank you for choosing to use Our Products and services. You may use Our Services in various ways. We hope you have a clear understanding of how we collect and use information and what kind of measures you may take to protect your privacy through our Privacy Policy. IF YOU DON’T AGREE TO OUR PRIVACY POLICY, PLEASE DON’T USE OUR PRODUCTS AND SERVICES. IF YOU HAVE BEGUN USING OUR PRODUCTS AND SERVICES, PLEASE IMMEDIATELY CANCEL YOUR ACCOUNT AND STOP THE USE. YOUR BROWSE AND USE OF OUR PRODUCTS MEANS YOU ACCEPT THAT THIS PRIVACY POLICY IS APPLICABLE TO YOU.

Our Privacy Policy offers answers to the following questions:
(1) Collection purpose and classification of personal information;
(2) Scope and means of information collection;
(3) Options we provide you with, including that of how to have access to, review and update personal information and cancel the account;
(4) Use and setting of personal information;
(5) Sharing, disclosure of and making available to public the personal information;
(6) Information security, etc.

II. Update

We have been continuously improving Our Privacy Policy, and with the extension of the scope of Our Products and services, we may update our Privacy Policy from time to time. Please review our Privacy Policy regularly to know about it in its update version. If any update results in essential reduction of your rights under the Privacy Policy, we will notify you by posting the reminder or announcement where it is notable at the interface of Our Products, or e-mailing you, before the date when the revised version becomes effective. YOUR CONTINUED USE OF OUR PRODUCTS FROM THAT DAY ON WILL BE UNDERSTOOD AS YOU FULLY ACCEPT THE UPDATED PRIVACY POLICY.

IF YOU DISAGREE WITH THE REVISED PRIVACY POLICY, PLEASE IMMEDIATELY CANCEL YOUR ACCOUNT AND STOP USING OUR PRODUCTS AND SERVICES.

III. Collection purpose and classification of personal information

1. Purpose of information collection

We provide services to you by means of website, software and other applications. We collect your information only for the purpose of providing products and services to you (functions designed for each product differs from one another; you should familiarize yourselves with these differences and make your own privacy settings based on your needs and the circumstance), improving your experience of using Our Products and services, facilitating your use of Our Products and services more expediently, obtaining the information that you need in a faster and more accurate way, and conducting the commercial exploration of big data application, on condition of ensuring legal compliance and protection of privacy.

2. Classification of information

The information generated during your use of Our Products and services may be categorized into the following two types by whether the information subject is identifiable or not with the information:
(1) Identifiable personal information: mainly including the information you submit, and it may be used to directly identify, trace, discern, and determine your true identity, such as e-mail address and phone number, etc.
(2) Unidentifiable personal information: mainly including the information generated during using Our Products and services, and it may be related to you but cannot be used to directly identify, trace, discern and determine your true identity, such as the records of your use of Our products and services.

3. Considerations in design of the Products' personal information protection

In designing the Products' personal information protection, the following factors are taken into consideration:
a) Supply of the Products and services;
b) Security setting of the operating system on user's terminal equipment (this usually refers to the different security settings in Android and IOS systems);

c) PRC Cybersecurity Law, EU General Data Protection Regulation and other applicable laws and regulations and mandatory standards;
d) The level of information protection in the same industry, similar products or existing technology and market;
e) Recommended standards, feedback from user's complaints; and
f) Other measures conducive to improving products and services and improving cyber information security.

IV. Scope and means of information collection

1. Information you submit
(1) Registration information you submit and the information collected based on industry practice and demand of the Products.
At the time you register your [Metersquare] account, in order to identify the user and facilitate contact, you shall provide the real and effective information such as e-mail address of phone number, etc. You understand and agree that under necessary circumstances (e.g. cancel of account, etc.), we may identify you based on your registration information, so as to prevent any other person from using your identity to operate fraudulently which will affect your normal use of Our Products and services.

(2) Data information you upload
The information you may upload image and document during using our services can be your personal information or the personal information of others protected by laws and may related to your or other's private information protected by law that may involve your or other's privacy, or is granted protection under copyright law, etc. You shall guarantee that you have obtained the necessary authorization to copy and upload such data information. You will be required to make proper setting and adopt appropriate security measure so as to prevent the leakage of data and damage to right owner's interests. Please pay attention to protecting your own or other's data information. You shall refrain from disclosing the data information to the public without authorization.

2. The information we obtain during your use of Our Products and services
In order to provide high-quality services to you, Our Products collect information for the purpose of performing the product service contract based on the need of Our Products collecting the information from images and documents you upload. We may record and analyze the use and the method of use of our services and any other relevant information, including hardware model and identification information, operating system version, system activities and other device information, Internet Protocol address, account sign-in or sign-out, clicks of advertisements and other log information, as well as Web Beacon or Cookies, browser version information. You may manage permission through security software and we will try our best to seek a balance between your permission and your experience, for instance that we may inform you of authorizing when you first use relevant functions, but then we will no longer inform you frequently to avoid affecting your experience. However, you may not use the products to achieve the purpose of net social if you disagree with the authorization. The purpose of collecting the information of installing applications is only for analyzing which other products would be selected for use by our clients with Our Products.

The information of operating system, etc. is collected for security of the products, which can be in the form of security tip to you.

Including the information mentioned above, the information we collect and/or use include user personal information, non-user personal information, the information recorded by third party's platform, etc.

You agree that the scope of information we collect mentioned above can be properly adjusted with development of legal and regulatory provisions, development of technology and business and user's feedback, etc.

V. Access to, review and update of personal information

You can access, review and update (to ensure that we can timely reach you when necessary, you should process some update upon change of the information) your personal information; However, for the sake of security, you may only do so after you log in. In case of any changes to your personal information, you shall timely log in your account and update accordingly.

VI. Cancellation of personal account

You may contact us at [support@metersquare.io] to cancel your account. We will respond to your request within a reasonable time. After cancelation of your account, we are not obliged to keep or provide information under your account. Except as otherwise provided by law, we will delete your personal information if so requested by you.

VII. Use and setting of personal information

By using Our Products and services, you consent to and grant authorization to our collection and processing your information, including the device and software user information, personal information and content information uploaded by user (mainly the image information you uploaded; regarding the uploaded content, you warrant that you have the intellectual property involved therein or have obtained the relevant license and there is no infringement of third party's right). The information is only used for the optimization of software interface interaction. No specific information will be used or disclosed.

You understand and agree that the information you make public (because of your own choice or our default setting, e.g. the document or user name you share) may be browsed, reposted and commented by other users of our services. You may protect your critical information by deciding whether to upload certain information, and whether to turn on the specific function of Our Products. To prevent harassment due to abuse of personal information by others, we suggest you pay attention and soon familiarize yourself with the function setting of Our Products. The default setting is offered in consideration of various

factors including industry customs, general need of most users and product form, etc. It is possible that what suits most users does not meet your particular need.

If we use your information under any circumstance other than that specified herein, we will obtain your prior consent.

Our Products will ask for the following permissions during regular operation:

1. Storage: Access to device storage in order to read and manage documents
2. Camera & Album: Using your device's camera and photo album to take photos for the function of auto crop
3. Phone: Accessing the equipment ID for bounding Premium Membership to your device or for use without sign-in.
4. Cookies: When accessing our webpage (www.metersquare.io), we use cookies to provide you with necessary services.

It is required to grant these permissions otherwise the stated functions may not work as intended.

As more functions are added to our product, extra permissions may be required. We will always ask for your approval before accessing your data.

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Purpose of and Privacy Policy/Statement or relevant content, of third-party cooperation

Dropbox
Cooperation in: syncing file via user operation or automatic setting to dropbox
Link: https://www.dropbox.com/security/GDPR

Google Driver
Cooperation in: syncing file via user operation or automatic setting to Google Driver
Link: https://cloud.google.com/security/gdpr/

OneDrive\OneNote
Cooperation in: syncing file via user operation or automatic setting to OneDrive\OneNote
Link: https://www.microsoft.com/en-us/TrustCenter/Privacy/gdpr/default.aspx

fabric
Cooperation in: data statistics and collection of breakdown issues
Link: https://fabric.io/dpst.pdf?utm_source=blog&utm_medium=blog&utm_campaign=fabric_gdpr

Microsoft

Cooperation in: Cloud translation
Link: https://www.microsoft.com/en-us/TrustCenter/Privacy/gdpr/default.aspx

VIII. Big data application

Our products and other services may experience business exploration on big data application along with trends of information society. Upon it is confirmed that our contemplated disposal of data resources is in compliance with applicable laws and regulations after compliance review, we may process data mining, processing and matching. We understand user's concern of protection of personal information and privacy and fully note that the potential legal risk if it is held by authority that there is legal compliance issue and commit that all attempts in this regard will be made upon confirmation that our contemplated disposal of data resources is in compliance with applicable laws and regulations after compliance review.

IX. Sharing personal information and third-party service

Unless otherwise provided herein, we will not share your personal information with any entity other than Metersquare or affiliates, partners or solution providers without your consent, and in particular, we will not sell, lease or otherwise distribute your information. In case you find there is steal, sale or unauthorized storage of personal information, please report to us and provide as many clues as possible so that we can investigate and deal with the matter. As a portion of our services may be provided to you as a result of our cooperation with abovementioned relevant companies, you consent to our provision of your information to the foregoing relevant companies for the purpose of providing you with the corresponding services. Such relevant companies only use your information for the purpose of providing corresponding services. We guarantee the safe use of such information by entering into confidentiality agreement or including confidentiality provisions in the contract with such relevant companies. During your use of relevant services, such relevant companies will also undertake the same responsibilities as those we undertake in order to protect the security of your information. If the relevant companies fail to protect your information security, we will pursue their default liability, etc. according to law and contract and we will also probably reach you for negotiation to have your authorization that we can pursue any other party's legal liability, for and on behalf of you, relating to your right of being protected for the personal information.

Our Products may support third-party service and we may replace when necessary third-party service supplier. You understand and agree that if you use third-party service via Our Products, protection of your personal information will be subject to the third-party's Privacy Policy.

X. Disclosure of and making available to public the personal identity information

We respect and protect your privacy and undertake that we will not disclose a user's personal identity information to any third-party entity or person except as stated in the Privacy Policy, unless:

1. You agree to make your personal information available to public including but not limited to in the default setting or other setting you adjusted the Products to;
2. User's personal information is provided according to law, or required by governmental or judicial authority; or
3. In case of emergency and where necessary, the information is required to be disclosed in order to protect the lawful rights and interests of Metersquare or other users or the public security and public interest.

Under the circumstances described in the above Sub-clauses 2 and 3, we will do our best to notify you on the disclosure. You understand and agree that the notification to you will be made in the principles of promptness and integrity, **BUT IF IT CANNOT BE TIMELY MADE DUE TO OBJECTIVE FACTOR OR FOR REASONABLE CAUSE, WE WILL NOT ASSUME ANY RESPONSIBILITY FOR THAT.**

XI. Privacy protection in bankruptcy/sale/merger

In case of sale of company assets, merger with another business entity or bankruptcy filing, etc., the information we collect in providing services may be assigned as part of our assets, and any other entity assigned with this part of assets may continue to use the information according to law and the Privacy Policy.

If your trust in us changes upon the abovementioned assignment, you can cancel your account according to the existing rules.

XII. Information security

We take various security technologies and measures to protect the information and data stored in systems against unauthorized access, use or disclosure of the same. For instance, the safe channel for information you send through Our Products or website to us is protected by TLS, and the information you store in the server is safeguarded with AES 256-bit encryption, a bank-grade security standard. Specific technical measures will be adjusted from time to time with the technical and business development.

We will use our best efforts to protect the security of your information. However, despite all the above-mentioned security technologies and measures we have been taken, we appreciate your understanding that **THERE IS NO SECURITY MEASURE IN THE INFORMATION NETWORK THAT WORKS AGAINST ALL KINDS OF RISKS** due to the complexity of security environment of Internet. Please understand that there are many factors affecting cybersecurity and for the risk of cyber security of information caused not for our reason, we should timely follow up with technical remedy or precautionary measure as well, **BUT WE WILL NOT ASSUME ANY LIABILITY.**

XIII. Remedies for divulgence of secrets

If your personal information has been or may be leaked, destructed, or lost, we will take remedies at once and notify you soonest possible (via alert/announcement posted on the website, push notification, text, telephone or e-mail) and report to the relevant authority; In any event of leakage, destruction or loss where the threat level is high, our remedies may include discontinuation of service for the account involved (to be resumed soonest practicable). If our remedies require your assistance, please assist.

If you are aware your personal information has been or may be leaked, please notify us in a timely manner. We will use our best efforts to take reasonable measures to offer assistance.

XIV. Privacy terms applicable to juveniles

We pay great attention to the security and protection of juveniles' privacy and data. We will be unable to identify whether the user is a juvenile unless we are expressly notified of the same. We will neither use personal information of juveniles nor disclose personal identity information of juveniles to any third-party, if we are informed that the user is a juvenile, unless for the purpose of providing necessary and emergent help or as stipulated herein. If any guardian or interested party of the juvenile finds that there is issue of juvenile's information involved in Our Products, please contact us via our customer service support to file complaint at support@metersquare.io. Upon verification and concluding we have the issue, we will soonest possible delete information, cancel account or respond otherwise as required. If development of relevant legislation has new demand for protection of juvenile's privacy, we will take further action soonest possible and ensure our strict compliance in operation.

XV. Law and Jurisdiction

Metersquare will provide protection to privacy and personal information according to the Privacy Policy made according to law. WHEN YOU BROWSE OR USE OUR PRODUCTS, YOU AGREE THAT YOU (AND YOUR ACT OF BROWSING AND USING) WILL BE REGULATED BY THE HONG KONG SPECIAL ADMINISTRATIVE REGION LAWS AND YOU CONSENT TO JURISDICTION OF THE HONG KONG COURT. THE PARTIES AGREE THAT THE RELEVANT DISPUTE SHOULD BE FIRST RESOLVED THROUGH NEGOTIATION, FAILING WHICH, IT IS TO BE SUBMITTED TO THE COMPETENT COURT AT METERSQUARE'S DOMICILE.

XVI. Risks and exemption

If your personal information or privacy is leaked due to any of the following causes, we will use our best efforts to remedy or assist you, provided, however, that you shall agree that we are not liable for:

1. Information divulged due to computer virus, trojan and hacker attack;
2. Personal information divulged because you tell your password to others, cause others to have your password, or share a registered account with others; or
3. Any other divulgence of personal information not caused by reason of Metersquare.

XVII. Storage of personal information

The information we collect may be stored and processed by Metersquare or its affiliates or service providers through their servers. As Our Products can be downloaded and possibly used by users worldwide, the servers may be located in China (for the purpose of this clause, excluding HK, Macao and Taiwan) or other country/region based on the need of providing the service.

XVIII. Special provisions applicable to certain country/region

In Hong Kong Special Administrative Region, Macao Special Administrative Region and Taiwan, Our Products and services will comply with all applicable legal provisions of each of the regions including but not limited to the *HK Personal Data (Privacy) Ordinance*.

Regarding the personal information collected and generated in China (for the purpose of this clause, excluding HK, Macao and Taiwan), we will comply with the *PRC Cybersecurity Law* on cross-border transfer of personal information and important business data by operator of key information infrastructure.

In the circumstance where the EU General Data Protection Regulation applies to the services provided by us, we commit that you will in addition have the relevant rights and interests under the Regulation including but not limited to right of access to data (you have the right to obtain from us confirmation as to whether or not personal data concerning you are being processed, where they are being processed and for what purpose they are being processed), right to data portability (under certain condition, we will provide to you or another designated data controller upon your request your data in the form stipulated by the Regulation), right to erase (under certain condition, we will erase all personal data concerning you without undue delay upon your request).

In the United States, Our Products and services will comply with all applicable legal provisions including but not limited to the *US Privacy Act*, the *US Electronic Communications Privacy Act* and the *US Children's Online Privacy Protection Act*.

If your rights and interests under the applicable legal provisions differ from what is stipulated herein, that part of the applicable legal provisions prevails, provided, however, in case the abovementioned legal provision conflicts with the mandatory provision under the governing law of the Privacy Policy, we will on the premise of abiding by the mandatory provision, comply with the applicable legal provision to the extent possible.

XIX. Severability

If there is anything herein contradicting the legal provisions applicable to it, the legal provisions prevail over the contradicting part. If there is anything not covered hereunder, the applicable legal provisions will fill in and govern.

If any clause or part of the Privacy Policy is declared or ruled according to applicable law unlawful, invalid or unenforceable, the other clause or other part of the Privacy Policy shall not be affected. The Privacy Policy is to be interpreted with the unlawful, invalid or unenforceable clause or part being deleted.

XX. Implementation of Privacy Policy

We will regularly inspect the implementation of the Privacy Policy. If you have any questions, suggestions, complaints or reports about our Privacy Policy, please contact us at the e-mail address, support@metersquare.io with the e-mail subject: Issues about Privacy Policy.

We pay high level to attention to your information security and specially have a commission of information security, which leads and coordinates relevant departments in handling information security and inspects our company's risk level of information security on a periodical basis; in the meanwhile, the head of the commission will be the Data Protection Officer whose duty includes guarantee of our company-wide performance in fulfilling the commitment of information security, etc.