

# Privacy Policy

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This privacy policy (the “ **Policy** ”) describes how HTC Corporation and our related companies (“ **HTC** ” or “ **we / our / us** ”) collect, use and share personal information that we collect from you as a user of HTC websites, devices, applications and services (together, the “ **Services** ”). HTC strives to comply with all laws that apply to our handling of information collected about you. This Policy is subject to those laws that may be more strict than as outlined here. The term “ **related companies** ” means HTC Corporation, HTC America, Inc., HTC Europe Ltd. Inc and HTC affiliates which collect and process your personal information in the countries you are located.

We may add to, or amend, this Policy with other notices. We may also post different privacy policies for some Services and, when we do so, this Policy does not apply. For example, where applicable, separate policies apply to information collected from your device through Tell HTC Usage and Tell HTC Error Reporting.

As described in this Policy, you have the right to object to us using, sharing or carrying out any activity with your personal information (in certain circumstances) including using your personal information for direct marketing (i.e. receiving emails from us notifying you about other services which we think will be of interest to you or being contacted with varying potential opportunities). Contact us at any time with the details provided in the contact section below for more detail and to exercise these rights where applicable.

NOTE: Your wireless operator, mobile operating system provider and/or third-party applications, toolbars, services, “plug-ins”, social media platforms and websites may also collect, use and share information about you and your device and your usage. HTC’s privacy policies do not cover any third parties, their products, actions or their services. HTC does not control how third parties collect, use or secure your data. For information about third-party privacy practices, please consult their privacy policies. Only download applications from, and interact and connect with, reputable third parties.

- [INFORMATION YOU GIVE US](#)
- [INFORMATION WE AUTOMATICALLY COLLECT](#)
- [INFORMATION COLLECTED THROUGH THIRD PARTY](#)
- [OTHER INFORMATION FOR ADVERTISING](#)
- [CHILDREN PRIVACY](#)

- [USE OF YOUR PERSONAL INFORMATION](#)
- [MORE ABOUT CONTACT LIST DATA](#)
- [MORE ABOUT SMS LOG](#)
- [MORE ABOUT LOCATION DATA](#)
- [SHARING OF PERSONAL INFORMATION](#)
- [WHERE WE STORE YOUR INFORMATION AND TRANSFER OF YOUR INFORMATION](#)
- [RETENTION](#)
- [YOUR RIGHTS](#)
- [YOUR CALIFORNIA RIGHTS](#)
- [INFORMATION CHOICES AND CHANGES](#)
- [PROTECTION OF YOUR PERSONAL INFORMATION](#)
- [CONTACT INFORMATION](#)
- [CHANGES TO THIS PRIVACY POLICY](#)

## **1. INFORMATION YOU GIVE US**

When you use our Services, you may provide information to us, both online and offline, including, for example:

- Contact Information: your name, email address, street address, phone numbers, crypto wallet address;
- Files: photos, contacts list, and videos;
- Demographics: gender, company or organisation name, occupation, language preference, city, country, postcode, area code, time zone, etc.).
- Payment Information: If you purchase Services from us, we may also store your credit card numbers or other payment information, as required.

We may hold and associate any information you provide us with together with information gathered from other sources, including the social accounts that you choose to associate with your use of the Services, or with information we receive from other companies.

## **2. INFORMATION WE AUTOMATICALLY COLLECT**

When you use the Services, we automatically collect some information. We may collect information about your usage of and activity on our Services. When you visit our websites, information we may automatically log includes, for example, your operating system, Internet Protocol (IP) address, access times, browser type and language and the website that you visited before visiting our website. When you

use our devices, download and use our applications, or access the Services from your device, we may also log information related to your device and your use of our applications and Services depending on your device and application settings. We may log, for example, the date you activate your device, your geolocation, phone service provider, phone number, device type, serial number, device identifiers (e.g., IMEI, MEID, serial number, CID, MID and MCC ID Number or SIM card ID), the types and versions of mobile operating systems on your device, applications and software you install and use and how you use them, content you view or use and time-stamped logs of data exchanges.

If you use the Services to back up and store your device data and content with an independent third party service provider, we will collect certain information needed to help restore your data and content to your device, such as your device settings and the names of files and applications that you wish to back up.

We may also log information about you using web beacons, cookies, local shared objects (LSOs) and similar methods as described in our [cookie policy](#). We may automatically link any of the information that we collect about you using these methods, to information that you provide us and any other information that we collect about you in accordance with this Policy.

**For the United States:** [https://www.macromedia.com/support/documentation/en/flashplayer/help/settings\\_manager.html#117118](https://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html#117118)

**For the EU:** <https://www.youronlinechoices.com>

Information created or generated. We infer new information from other data we collect, including generating information about your likely preferences or other characteristics. For example, we may infer your city, state, and country location based on your IP address.

**Usage Data and Error Reporting.** In addition to the information we automatically collect, as described above, we may collect more detailed de-identified data about your device usage and error report data about your device (formerly called Tell HTC Experience and Tell HTC Error Report on older devices). When you participate in these programmes, you help us to understand how you use your device and improve HTC devices and other HTC and trusted partner products and services. HTC may re-identify this data when appropriate; for example, when you request technical support, choose to use a specific HTC service or app, or create

an HTC Account. To learn more about usage and error reporting on your device, and/or to change your option to participate, go to “Settings” on your device. Usage and error data settings will not affect HTC’s collection of de-identified activation data or data about specific HTC apps and services you choose to use, including HTC Account, and are otherwise subject to limitations described in this Policy.

Others, including third party analytics service providers and third party ad service providers, as described in the section below, may also automatically collect the same or similar information about you and your device when you use the Services, including personally identifiable information about your online activities over time and across third party website and applications.

### **3. INFORMATION COLLECTED THROUGH THIRD PARTY**

Some of our HTC e-store is operated by third parties, such as Luzern Technology Solutions Ltd.. When you purchase products through that e-store you enter into terms and conditions with Luzern and it has a separate privacy policy available on the website. Luzern is a data controller in its own right. Luzern share certain user transaction data with us for our sales reports, better understanding of customer behavioral analysis, or other legitimate purpose as described in this Policy.

### **4. OTHER INFORMATION FOR ADVERTISING**

We may use third-party ad service providers to serve ads in our Services. We may also use third parties to deliver or help us deliver HTC-branded ads to you on third-party websites. To deliver these ads, third parties automatically collect certain information about you and your devices and your use of the Services. This information may include visits to the websites and applications of HTC and others, your IP address, your Internet service provider, and the browser that you use to visit our website. Third parties may collect information by using cookies as described in our cookie policy. We may also use your email address to target marketing to you on social media platforms (in accordance with your marketing preferences on those platforms).

HTC may use information collected through third-party cookies or beacon in our Service or email for purpose to serve better ads to you on third-party websites. We may know when you visit HTC website after you browse such third-party websites and use the information collected about you to serve tailored ads to your interests through our Services or third-party service.

## 5. CHILDREN PRIVACY

We do not knowingly collect or solicit any information from anyone under the age of 14 (or under the age concerning with children privacy under the applicable laws) or knowingly allow such persons to register for the Services. The Service and its content are not directed at children under the age of 14 (or under the age concerning with children privacy under the applicable laws). In the event that we learn that we have collected personal information from a child under age 14 (or under the age concerning with children privacy under the applicable laws) without parental consent, we will remove that information as quickly as possible. If you believe that we might have any information from or about a child under 14 (or under the age of majority), please contact [global-privacy@htc.com](mailto:global-privacy@htc.com).

## 6. USE OF YOUR PERSONAL INFORMATION

HTC may use your information, including personal information, as follows:

### **To provide requested services or perform a contract with you**

- To provide and deliver products and Services that you request;
- To process the post transaction requested by you, such as refund;
- To send you information related to your requests, queries and purchases, including confirmations, invoices, technical notices, updates, security alerts and support and administrative messages;

### **Where we have your consent**

To send you marketing communications including about contests, promotions, rewards, upcoming events and news about products and services offered by HTC and our selected partners (we do this as per your choices) and to process and deliver contest entries and rewards.

### **Where we have a legitimate interest in improving your customer experience and the quality of the Services provided to you:**

- To operate and improve our websites, products, Services and marketing;
- To respond to your comments and questions and provide customer service;
- To compile information to be able to provide you with a personalised and customised experience, content, marketing and recommendations across

all our Services (in line with your choices as relates to receiving any direct marketing communications);

- To link or combine your personal information with other information we get about your use of other HTC Services and from third parties for the purposes that we disclose in this policy, including to help understand you and your needs, and provide you with recommendations, better service and customised marketing;
- To filter the content to be displayed as part of the Services;
- To compile usage and other statistics and insights relating to the Services;
- To prevent, investigate and deter against fraudulent, unauthorised or illegal activity, and ensure network and information security; and
- To facilitate sharing of information and content that you choose to upload via social media (for example if you choose to upload content on the HTC forum or other applications, this may be made available for others to see through such forum).

#### **Where we have a legal obligation**

- To protect, investigate and deter against fraudulent, unauthorised or illegal activity.

We may share certain non-personally identifiable information with our partners, such as advertisers, or developers. For example, we may share an analytic report which includes aggregate customer usage or other statistics to show the trend of general use of our products or services.

Where your personal information is necessary for us to be able to provide you with requested services we make this clear on collection. If you decline to provide us with this information or object to continued processing of this information we will be unable to provide such requested services to you.

If you object to the processing of your personal data for marketing communication or if you withdraw your consent, we may only process certain required data (for example, name and email address) in our internal emailing system in order to ensure the ongoing observance of your objection or of your withdrawal of consent.

## **7. MORE ABOUT CONTACT LIST DATA**

When you use certain HTC applications and Services, you may grant us with access to names and phone numbers contained in your contacts information ("Contact Information") on your phone or device, HTC applications may retrieve your Contact Information when you receive incoming call on your phone and will then send Contact Information related to the incoming call to the connected VR device as a notification, and you can always choose not grant access to Contact Information with us.

Please note that no other contacts information other than the phone numbers and thereto attached names will be collected and used from your contacts information. Other numbers or information that may be contained in your contacts information will be filtered and will therefore not be accessed by us. Please also note that we do not store any Contact Information, all Contact Information remain in your device and you can always choose not grant access to Contact Information with us.

#### **8. MORE ABOUT SMS LOG**

When you use certain HTC applications and Services, you may grant us with access to SMS information on your phone or device, HTC applications may retrieve your SMS information when you receive new SMS on your phone and will then send SMS information to the connected VR device as a notification, and you can always choose not grant access to SMS information with us.

#### **9. MORE ABOUT LOCATION DATA**

When you use certain Services, we may collect, process, store and share your precise location data. This location information may include real-time geographic location of your device. It may also include the names of places that you have been, where you choose to "check-in", to determine, log or share your location, places that you mark on a map, the geographic location, dates and other metadata of photos that you've taken, routes that you have travelled, how close you are to other devices, such as Bluetooth-enabled devices, Wi-Fi routers and services that use those devices (such as a store's tracking of your movement for data collection and marketing purposes) and the dates and times that you were at certain locations. HTC may share your location data with application providers who show that they have the right permissions. HTC may associate location data with personally identifiable or identifying information, such as your device ID and your account information. Our Services may also collect precise location data in a de-identified form, and we may share this data with partners and carriers to improve features and services.

## 10. SHARING OF PERSONAL INFORMATION

### INFORMATION YOU SHARE

The Services may allow you to connect and share your actions, comments, content and information publicly or with people you specify. You may also connect to, and share your information on, third-party social media platforms, websites, applications and services (“Third Party Sharing Services”) through “plug-ins,” widgets, buttons, and other third party features made available on and connected with our Services. Please be mindful of your own privacy needs as you choose who to connect with and what to share and make public. We cannot control the privacy or security of information that you choose to make public or share with others. We also cannot control and are not responsible for any Third-Party Sharing Services or their actions, including the data that these Third-Party Sharing Services collect from you and your device, or how they use such data. Please review the privacy policies of all Third-Party Sharing Services to understand their privacy practices.

### INFORMATION WE SHARE

We may share your personal information as follows where it is lawful to do so:

**With your consent.** For example, we share your personal information with ad network providers where you have given your consent to receive marketing. We also share your personal information with co-branded partners where you have consented to this. Our partners’ use of your personal information will be subject to their privacy policies.

**For the purposes of a business deal (or negotiation of a business deal) involving a sale or transfer of all or a part of our business or assets.** Business deals may include any merger, financing, acquisition or bankruptcy transaction or proceeding.

**For legal, protection, security and safety purposes:**

- to comply with laws or regulatory requirements and to respond to lawful requests and legal processes;
- to protect the rights and property of HTC, our agents, customers and others, including enforcing our agreements, policies and terms of use and protecting our network and physical assets; and/or
- in an emergency, including protecting the safety of our employees and agents, our customers or any other person.



**With our subsidiaries and affiliates** as needed to provide our products and services and operate our business.

**With service providers and vendors** who process personal information for the purposes described in this Policy as part of services to us and who are subject to appropriate contractual obligations.

**With wireless carriers for their provision of services to you.** Their use of your information is subject to their privacy policies.

We may share aggregated and de-identified data with others for any purpose.

## **11. WHERE WE STORE YOUR INFORMATION AND TRANSFER OF YOUR INFORMATION**

Information that we collect may be stored on your phone or stored on our servers and transferred to, stored and processed in the United States, Taiwan, Singapore, People's Republic of China, United Kingdom, other EU member state countries (such as Poland) and any other country where HTC or its service providers maintain facilities, depending on where you use our product and services.

Where your personal information is transferred from within the EU to outside the European Economic Area (EEA), security measures and appropriate safeguards are put in place to protect your information and we ensure that all transfers of your information comply with applicable data protection law, and are carried out in accordance with our instructions. We may use certain legal mechanisms as an adequate safeguard, including the relevant EU Model Clauses\*, with any party (including HTC Corporation) where your information is transferred to outside the EEA. To find out more about how we safeguard your information (including obtaining a copy of such safeguards) in relation to transfers outside the EEA, please contact us via the details provided in the contact section below.

\* EU Model clauses means standard clauses for transfer of personal information to a controller established in third party countries under Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016.

## **12. RETENTION**

Information that we collect may be retained for as long as needed to fulfil the purposes outlined in the "use of your personal information" section above, or for a

period of time specifically required by applicable regulations or laws such as retaining the information for tax and accounting purposes.

When determining the relevant retention periods, we will take into account factors including:

- our contractual obligations and rights in relation to the information involved;
- legal obligation(s) under applicable law to retain data for a certain period of time;
- statute of limitations under applicable law(s);
- (potential) disputes; and
- guidelines issued by relevant data protection authorities.

Otherwise, we securely erase your information once this is no longer needed. Contact us if you would like more information on how long we retain your information.

### 13. YOUR RIGHTS

Subject to the applicable data protection laws, you may have a number of rights (subject to certain conditions) when it comes to your information. Further information and advice about your rights can be obtained from the data protection regulator in your jurisdiction. You can request to exercise any of these rights by contacting us through our contact information in Section 17 of this Privacy Policy.

- **The right to object to processing.** You may have the right to object to certain types of processing, including processing for direct marketing (i.e. receiving emails from us notifying you about other services which we think will be of interest to you or being contacted with varying potential opportunities).
- **The right to be informed.** You may have the right to be provided with clear, transparent and easily understandable information about how we use your information and your rights. This is why we're providing you with the information contained in this Policy.
- **The right of access.** You may have the right to request obtain access to the specific pieces of your information we have collected, and certain other information (similar to that provided in this Privacy Policy).

- **The right to rectification.** You may be entitled to have your information corrected if it is inaccurate or incomplete. You can request that we rectify any errors in information that we hold.
- **The right to erasure/deletion.** Subject to certain exceptions, this right enables you to request the deletion or removal of your information that we hold.
- **The right to restrict processing.** You may have rights to 'block' or suppress further use of your information. When processing is restricted pursuant to these rights, we can still store your information, but will not use it further. We keep lists of people who have asked for further use of their information to be 'blocked' to make sure the restriction is respected in the future.
- **The right to data portability.** You may have rights to obtain and reuse your information for your own purposes across different services. For example, if you decide to switch to a new provider. This is not a general right however and there are exceptions.
- **The right to lodge a complaint.** You may have the right to lodge a complaint about the way we handle or process your information with your national data protection regulator.
- **The right to withdraw consent.** If processing of your personal data is based upon your consent, you have the right to withdraw your consent at any time (although if you do so, it does not mean that anything we have done with your personal data with your consent up to that point is unlawful). You can withdraw your consent to the processing of your information at any time.

Where your personal information is collected within the European Economic Area (EEA), you can contact us through the contact information of HTC Europe Co. Ltd to exercise any of those rights described above.

#### 14. YOUR CALIFORNIA RIGHTS

If you are a California resident and the processing of personal information about you is subject to the California Consumer Privacy Act of 2018 ("CCPA") and the California Privacy Rights Act of 2020 ("CPRA"), please visit "[Privacy Notice for California Consumers](#)" for your California privacy rights.

#### 15. INFORMATION CHOICES AND CHANGES

Our marketing emails tell you how to “opt out” of receiving further marketing emails. If you opt out, we may still send you non-marketing emails. Non-marketing emails include emails about your accounts and our business dealings with you, and may include a request that you participate in surveys related to your use of, and satisfaction with, the Services.

You may send requests about your personal information to us through our contact information below. You can request to change contact choices or marketing choices and to update, access, delete or make other changes regarding your personal information or content that you post on the Services in line with your rights above. We may not honour all such requests unless required by law.

When you use our Services, we and third parties may give you choices about use of certain mechanisms for tracking, including tracking of your online activities over time and across different websites, applications and online services. We may provide settings on your device that allow you to change how we, and others, collect certain information about you. Read your product manual for more information about settings on your device. Many browsers are set to accept cookies unless and until you change your settings.

Removing or rejecting our cookies could affect how our websites and Services work for you and could delete or disable opt-out cookies set by us and third parties.

Some of our third party ad service providers also provide choices for use of cookies to deliver ads tailored to your profile and preferences. To learn more visit:

<https://optout.networkadvertising.org/#/>

<https://www.adobe.com/privacy/opt-out.html#measure>

While we and others give you certain choices, as further outlined in this Policy, there are many ways in which Web browser signals (including “Do Not Track” or “DNT”) and similar mechanisms can indicate your choice to disable tracking, and we may not be aware of nor honour every such mechanism. Instead, you can use the range of other tools to control data collection and use, including the controls described in this Policy.

## **16. PROTECTION OF YOUR PERSONAL INFORMATION**

We strive to protect personal information by taking appropriate physical, technical and organisational measures to help guard against unauthorised or unlawful

access, use, processing or alteration of the personal information that we obtain from you through our Services and against any breaches or loss of such personal information, such as anonymization, pseudonymization, encryption (such as encrypted by Transport Layer Security (HTTPS) during transmission), restricted access, etc.. Although we take steps to use and improve various safeguards, no system or technology is completely secure. If you become aware of a technical vulnerability affecting HTC Services, please email [security@htc.com](mailto:security@htc.com) or visit this website to report it. If you have a concern related to the protection of personal information or this Policy, please send an email to [global-privacy@htc.com](mailto:global-privacy@htc.com).

HTC Account lets you use a single user name and password to log on to [HTCSense.com](http://HTCSense.com) and other HTC applications and Services. Some HTC applications and Services require a different user name and password. Please protect your user names and passwords to help prevent anyone from accessing your accounts and your personal information.

We are not responsible for the security of any independent third-party applications and services or the data those third-party applications and services may collect about you. Please ask those third parties how they keep your data safe.

## 17. CONTACT INFORMATION

We welcome your comments or questions about this Policy. Please email us at [global-privacy@htc.com](mailto:global-privacy@htc.com). You may also contact us in writing at the addresses listed below:

**Americas:** HTC America, Inc.

1625 Shattuck Ave., Suite 300, Berkeley, CA 94709

Attention: Privacy Administrator

**APAC/MEA:** HTC Corporation

No. 1, Ln. 21, Xinghua Road,

Taoyuan District,

Taoyuan City 330, Taiwan

Company registration number: 16003518

Attention: Privacy Administrator

**UK:** HTC Europe Co. Ltd

Salamanca, Wellington Street

Slough, Berkshire SL1 1YP, U.K.

Company registration number: 04826012

Attention: Privacy Administrator

**EU:** HTC Poland sp. z o.o.

Aleje Jerozolimskie 146A,

02-305 Warsaw

Attention: Privacy Administrator

(HTC Poland sp. z o.o. is the leads establishment of HTC Corporation for the EU.)

## **18. CHANGES TO THIS PRIVACY POLICY**

We may make changes to this Policy. If we make any changes to the Policy they will be posted on this page and we will change the “Last Updated” date below.

**THIS PRIVACY POLICY WAS LAST UPDATED ON 3rd OCTOBER 2023.**