

The Misfit Mamas, Inc. Privacy Policy

This is where you can find out how The Misfit Mamas, Inc. (“The Misfit Mamas”, “we”, “us”, “our”) collects, stores, protects, and shares data about you (“Policy”). It’s best read alongside our The Misfit Mamas, Inc. and Conditions, which you can find on our Terms and Conditions page.

When you’re using our The Misfit Mamas, Inc. mobile application and online platform ("App"), there is some information we collect about you, and you can share your information on the App with other users ("Users") globally. The Policy is intended to meet our duties of transparency under the “General Data Protection Regulation” or “GDPR” and other applicable data protection laws.

1. Collection of information

Registration Information

Access to The Misfit Mamas, Inc. is granted through various means of your choice: your Facebook, Apple, Google account or your telephone number.

If you connect through Apple or Google, we will collect information about you from Apple or Google (as applicable), including an email address, full name, and a unique ID (which allows Apple or Google to identify you as a legitimate user of the account).

If you connect through Facebook, we will ask for the following access to information to be granted from your Facebook profile (which you can decline) (“Registration Information”) including:

- Name;
- Age range;
- Gender;
- Birthday;
- Hometown;

- Photographs; and/or
- Email address.

In addition, if you permit us to do so, the App may access your device's geolocation, address book and contact lists in order to offer you certain features of our services, and this data forms part of your Registration Information.

Log and Usage Data

Our servers automatically record information ("Log and Usage Data") created by your use of The Misfit Mamas, Inc, which again helps us to improve our service. Log and Usage Data may include information such as your IP address, browser type, the referring domain, pages visited, access times, your mobile carrier, unique device identifier, device model, operating system, MAC address, and search terms.

Marketing and Communications Data

We also collect information on your preferences in receiving marketing from us and your communication preferences ("Marketing and Communications Data").

Behavioural Data

We collect "Behavioural Data", which is inferred or assumed information relating to your behavior and interests, based on your online activity. This is most often collated and grouped into "segments" (e.g., there may be a segment for women, living in London and aged under 35, who like contemporary art).

Your Content Data

You can post content on the App and/or participate in chats through it. This content may contain personal data, but only what you choose to disclose.

Aggregated Data

We also collect, use and share “Aggregated Data” such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data, but once in aggregated form it will not constitute considered personal data for the purposes of the GDPR and other applicable data protection laws as this data does not directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Policy.

No Special Categories of Personal Data

We do not collect any “Special Categories of Personal Data” about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offenses. However, you have the option of providing such information in your profile or in any information you publish on our App, for instance by sharing your sexual orientation with other users. Please do not submit any Special Categories of Personal Data if you are not happy for such information to be shared publicly on your Misfit Mamas account.

Geolocation Information

Upon downloading the App, you will be asked to turn on location services. If you turn these features on, we may collect your device's geolocation data and save your device's coordinates to offer certain features to you (such as, for instance, finding users who live nearby). We may also use your device's geolocation information to personalize the App and make it easier for you to interact with other Users close by. You can control your location information settings in your Account settings and switch them off if you want to. Even if you have disabled location services, we may still determine your city, state, and country location based on your IP address (but not your exact location).

2. Uses made of the information

Upon downloading the App, you will be asked to turn on location services. If you turn these features on, we may collect your device's geolocation data and save your device's coordinates to offer certain features to you (such as, for instance, finding users who live nearby). We may also use your device's geolocation information to personalize the App and make it easier for you to interact with other Users close by. You can control your location information settings in your Account settings and switch them off if you want to. Even if you have disabled location services, we may still determine your city, state, and country location based on your IP address (but not your exact location).

If we need to use your personal data for an unrelated purpose, we will update this Policy and we will explain the legal basis which allows us to do so.

What is our “legal basis” for processing your Personal Data?

In respect of each of the purposes for which we use your personal data, the GDPR requires us to ensure that we have a “legal basis” for that use. Most commonly, we will rely on one of the following legal bases:

- Where we need to perform a contract we are about to enter into or have entered into with you (“Contractual Necessity”).
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests (“Legitimate Interests”). More detail about the specific legitimate interests pursued in respect of each purpose we use your personal data for is set out in the table below.
- Where we need to comply with a legal or regulatory obligation (“Compliance with Law”).
- Where we have your specific consent to carry out the processing for the purpose in question (“Consent”).

Generally, we do not rely on your Consent as a legal basis for using your personal data other than in the context of direct marketing communications.

What happens when you do not provide necessary personal data?

Where we need to process your personal data either to comply with law, or to perform the terms of a contract we have with you and you fail to provide that

data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with the functionalities of or access to the App).

In this case, we may have to stop you from using our App but we will notify you if this is the case at the time.

3. Personal data from third party sources

In addition to the personal data that we collect directly from you (as described above), we also collect certain of your personal data from third party sources.

4. Disclosure of your information

We will not disclose your information, except in the limited circumstances described here:

- **Service Providers** — We engage certain trusted third parties to perform IT and system administration functions and services. We may share your Registration Information and Log and Usage Data and Audio Data with these third parties, but only for the purposes of performing these functions and providing such services. As noted above, we also use a third-party provider to process your Selfie Data at the onboarding stage. These Service Providers are located within the European Economic Area and/or the United States.
- **Regulators and Public Authorities** — We will cooperate with law enforcement enquiries received from within or outside your country of residence. This may include preserving or disclosing any of your personal data, including your Registration Information, if it is necessary to comply with a law or regulation, or to comply with a judicial proceeding, court order, or legal request, to protect the safety of any person, or to address fraud or security issues. Such Regulators or Public Authorities may be located both within or outside the European Economic Area.
- **Business Transfers** — In the event that The Misfit Mamas, Inc. or any of our affiliates are involved in a bankruptcy, merger, acquisition, reorganization or sale of assets, your information may be transferred as part of that transaction.
- **Professional Advisers** — We may transfer your Registration Data to our lawyers, bankers, auditors and insurers and other advisers who provide consultancy, banking, legal, insurance and accounting services. Such Professional Advisers may be located either in the European Economic Area and/or the United States.

6. Marketing

From time to time, we may send you marketing materials – you retain the right to opt out (or opt in) at any time. However, we may send you emails that are necessary for us to provide our services, or to announce any update of our App or **Terms of service** for instance.

7. What others see about you

The Misfit Mamas, Inc. is designed to make it easier for you to connect with other Users and to interact with them. When you use the App, other Users of the App (both locally and globally) will see certain information, including your personal data, which you upload to your account (as described below):

- General Peanut-submitted information:
 - your Content Data;
 - Photo and other images you upload;
 - First Name;
 - Generalized location (city/state);
 - Location;
 - Birthday
 - life stage;
 - data about your kids;
 - data about your education;
 - data about your workplace; and/or
 - language(s) spoken.
- Third party profile information:
 - When you register or login to the App using your Facebook account, you may authorize us to access certain Facebook account information (as applicable), including information you make available via Facebook, your profile picture(s), your friends list, current location and those friends you have in common with other Peanut users, as well as information you provide through Facebook at your option (i.e., your photos, your name, gender, age, approximate location, friends you have in common with other Users and other profile information, as applicable).
 - If you log in to the App using your Apple or Google account, other Users will be able to see your name.

Such other Users may therefore share your profile information with individuals who may or may not be Users or via third-party applications. So, please be careful about what information you upload to the App and what you post, particularly when it relates to your children. We want to keep you safe, but we need you to help us.

8. Our Policy Towards Age

Our App is for grown-ups. You have to be at least 16 years old to use the App. We don't market to anyone under the age of 16 either. If we discover you're under 16, we will delete your account, sorry but we're looking forward to welcoming you soon!

9. Removing The Misfit Mamas, Inc. access

If you want to remove The Misfit Mamas, Inc. from your Facebook, Apple, or Google account at any time you can do this by visiting the application settings on your Facebook, Apple, or Google profile (as applicable) and following the instructions to remove The Misfit Mamas, Inc. access permissions.

Even after you remove information from your profile or delete your Account, copies of that information may still be viewable and/or accessed to the extent such information has been previously shared with others, made public by you during your use of the App, or copied or stored by other Users or to the extent such information has been shared with search engines. We cannot control this, nor do we accept any liability for this. The App may also include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share your personal data. We do not control these third-party websites and are not responsible for their privacy statements. If you have given third-party applications or websites access to your personal data, they may retain such information to the extent permitted under their terms of service or privacy policies.

10. Your Rights Relating to Your Personal Data

By law you have the right to:

- Request information about your personal data. This enables you to ask us how we have collected and used your personal information during the past 12 months. We have made this information available to you without having to request it by including it in this privacy policy.

- Request access to your personal data. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us to continue to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- 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 processing on this ground. You also have the right to object to where we are processing your personal data for direct marketing purposes.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example, if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data. We will provide to you, or a third party you have chosen, personal data in a structured, commonly used, machine-readable format. 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 consent. This right only exists where we are relying on consent to process your personal data (“Consent Withdrawal”). If you withdraw your consent, we may not be able to provide you with access to certain specific functionalities of our App. We will advise you if this is the case at the time you withdraw your consent.

You are entitled to exercise the rights described above free from discrimination.

How to exercise your rights

If you want to exercise any of the rights described above, please contact us at info@themisfitmamasinc.org. You can also delete your information directly through the app by navigating to ‘Settings’ and selecting ‘Delete My Account’.

Typically, you will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, except in relation to Consent Withdrawal, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive, or, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Depending on your jurisdiction, you may empower an “authorized agent” to submit requests on your behalf. In such instances we will require the authorized agent to have a written authorization confirming that authority.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Complaints

If you would like to make a complaint regarding this Policy or our practices in relation to your personal data, please contact us at info@themisfitmamasinc.org.

We will reply to your complaint as soon as we can.

11. How we keep your personal data secure

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, or accessed in an unauthorized way, altered, or disclosed.

We limit access to your personal data to those employees and other staff who have a business need to have such access. All such people are subject to a contractual duty of confidentiality.

We have put in place procedures to deal with any actual or suspected personal data breach. In the event of any such breach, we have systems in place to work with applicable regulators. In addition, in certain circumstances

(e.g., where we are legally required to do so) we may notify you of breaches affecting your personal data.

12. Changes to our privacy policy

We may revise this Policy from time to time. If we make a change to this Policy that, at our sole discretion, is material, we will notify you, for example, via an email. The revised Policy will apply from the date on which we post it on this page.

14. How long we store your personal data

We will only retain your Personal Data for so long as we reasonably need to use it for the purposes set out in "2. Uses made of the information", unless a longer retention period is required by law.

14. Contact

The Misfit Mamas, Inc. is the controller of your personal data, located at 125 Main Street, PO Box 629 Southington CT,06489. This privacy policy was last updated on: 16 January 2024

Email us at info@themisfitmamasinc.org