

## **Mycroft Technologies Inc. Privacy Policy**

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.

### **Table of Contents**

#### **I. Interpretation and Definitions**

#### **II. Collecting and Using Your Personal Data**

#### **III. GDPR Privacy**

#### **IV. CCPA Privacy**

#### **V. “Do Not Track” Policy as Required by California Online Privacy Protection Act (CalOPPA)**

#### **VI. Children’s Privacy**

#### **VII. Your California Privacy Rights (California’s Shine the Light Law)**

#### **VIII. California Privacy Rights for Minor Users (California Bus. & Prof. Code Sec. 22581)**

#### **IX. Links to Other Websites**

#### **X. Changes to this Privacy Policy**

#### **XI. Contact Us**

## **I. Interpretation and Definitions**

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### **A. Interpretation**

The words that are capitalized have meanings defined as follows. The following definitions shall have the same meaning regardless of whether they appear in singular or in plural.

### **B. Definitions**

For the purposes of this Privacy Policy:

**Account** means a unique account created for You to access our Service or parts of our 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 program provided by the Company downloaded by You on any electronic device, named Mycroft

**Business**, for the purpose of the CCPA (California Consumer Privacy Act), refers to the Company as the legal entity that collects Consumers' personal information and determines the purposes and means of the processing of Consumers' personal information, or on behalf of which such information is collected and that alone, or jointly with others, determines the purposes and means of the processing of consumers' personal information, that does business in the State of California.

**Company** (referred to as either "the Company", "We", "Us" or "Our" in this Agreement) refers to Mycroft Technologies Inc., 10900 Research Blvd, STE 160C, PMB 1140, Austin, TX 78759.

For the purpose of the GDPR, the Company is the Data Controller.

**Consumer**, for the purpose of the CCPA (California Consumer Privacy Act), means a natural person who is a California resident. A resident, as defined in the law, includes (1) every individual who is in the USA for other than a temporary or transitory purpose, and (2) every individual who is domiciled in the USA who is outside the USA for a temporary or transitory purpose.

**Country** refers to: United States

**Data Controller**, for the purposes of the GDPR (General Data Protection Regulation), refers to the Company as the legal person which alone or jointly with others determines the purposes and means of the processing of Personal Data.

**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.

**Personal Data** is any information that relates to an identified or identifiable individual.

For the purposes for GDPR, Personal Data means any information relating to You such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity.

For the purposes of the CCPA, Personal Data means any information that identifies, relates to, describes or is capable of being associated with, or could reasonably be linked, directly or indirectly, with You.

**Sale**, for the purpose of the CCPA (California Consumer Privacy Act), means selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a

Consumer's personal information to another business or a third party for monetary or other valuable consideration.

**Service** refers to the Application.

**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. For the purpose of the GDPR, Service Providers are considered Data Processors.

**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).

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

Under GDPR (General Data Protection Regulation), You can be referred to as the Data Subject or as the User as you are the individual using the Service.

## II. Collecting and Using Your Personal Data

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### A. Types of Data Collected

#### Personal Data

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

- Email address
- First name and last initial
- Phone number
- 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 our 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.

## B. Use of Your Personal Data

The Company may use Personal Data for the following purposes:

**To provide and maintain our Service**, including to monitor the usage of our Service.

**To manage Your Account:** to manage Your registration as a 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.

**For the performance of a contract:** the development, compliance and undertaking of the purchase contract for the products, items or services You have purchased or of any other contract with Us through the Service.

**To contact 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 functionalities, products or contracted services, including the security updates, when necessary or reasonable for their implementation.

**To manage Your requests:** To attend and manage Your requests to Us.

**For other purposes:** We may use Your information for other purposes, such as data analysis and identifying usage trends.

We only share Your personal information with partners (e.g., recruiters, researchers, clients) for the purpose of conducting the market research study You signed up for. All personal identifiable information is deleted within ninety days after the project is complete.

During a project, the following data may be recorded:

- User's webcam, including face
- Audio
- Screensharing
- Visual/auditory stimuli
- Whiteboard responses
- Group and private chat messages

Customers may then conduct further processing on their interview data, including:

- Viewing or downloading machine or human transcripts
- Video clipping and editing

- Highlight reel creation
- Viewing and exporting answers to discussion guide questions across an interview or a project
- Viewing, completing, and exporting answers after an interview or a project
- Sharing or exporting full video recordings, video clips, or highlight reels
- Uploading a final report with project learnings
- Importing related video recordings for inclusion in the project

We integrate with all single sign on (SSO) identity providers using the SAML 2.0 protocol to put account provisioning, de-provisioning, and password protection in the hands of clients.

We have proactive logging, monitoring and alerting processes in place to detect attempted fraud, malicious behavior, and system errors. This allows us to instantly act on emerging issues, ensuring business continuity and security.

Users are in control of who has access to their projects and project materials. We support team-level and project-level access with role-based access controlled by the project owner. Project owners also manage project privacy, allowing them to share insights with their larger organization or keep findings private to a core team.

### **C. 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.

### **D. 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 data and other personal information.

## E. Disclosure of Your Personal Data

### 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 in the good faith belief that such action is necessary to:

- Comply with a legal obligation
- Protect and defend the rights or property of the Company
- Prevent or investigate possible wrongdoing in connection with the Service
- Protect the personal safety of Users of the Service or the public
- Protect against legal liability

## F. 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.

# III. GDPR Privacy

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## A. Legal Basis for Processing Personal Data under GDPR

We may process Personal Data under the following conditions:

- **Consent:** You have given Your consent for processing Personal Data for one or more specific purposes.
- **Performance of a contract:** Provision of Personal Data is necessary for the performance of an agreement with You and/or for any pre-contractual obligations thereof.
- **Legal obligations:** Processing Personal Data is necessary for compliance with a legal obligation to which the Company is subject.
- **Vital interests:** Processing Personal Data is necessary in order to protect Your vital interests or of another natural person.
- **Public interests:** Processing Personal Data is related to a task that is carried out in the public interest or in the exercise of official authority vested in the Company.
- **Legitimate interests:** Processing Personal Data is necessary for the purposes of the legitimate interests pursued by the Company.

In any case, the Company will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

## B. Your Rights under the GDPR

The Company undertakes to respect the confidentiality of Your Personal Data and to guarantee You can exercise Your rights.

You have the right under this Privacy Policy, and by law if You are within the EU, 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 information We hold 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. We do not engage in direct marketing of any kind.
- **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.

## C. 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, if You are in the European Economic Area (EEA), please contact Your local data protection authority in the EEA.

## IV. CCPA Privacy

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This privacy notice section for California residents supplements the information contained in Our Privacy Policy and it applies solely to all visitors, users, and others who reside in the State of California.

### A. Categories of Personal Information Collected

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Consumer or Device. The following is a list of categories of personal information which we may collect or may have been collected from California residents within the last twelve (12) months.

Please note that the categories and examples provided in the list below are those defined in the CCPA. This does not mean that all examples of that category of personal information were in fact collected by Us, but reflects our good faith belief to the best of our knowledge that some of that information from the applicable category may be and may have been collected. For example, certain categories of personal information would only be collected if You provided such personal information directly to Us.

#### **Category A: Identifiers.**

Examples: A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, driver's license number, passport number, or other similar identifiers.

Collected: Yes.

#### **Category B: Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).**

Examples: A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.

Collected: Yes.

#### **Category C: Protected classification characteristics under California or federal law.**

Examples: Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).

Collected: No.



**Category D: Commercial information.**

Examples: Records and history of products or services purchased or considered.

Collected: No.

**Category E: Biometric information.**

Examples: Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.

Collected: No.

**Category F: Internet or other similar network activity.**

Examples: Interaction with our Service or advertisement.

Collected: Yes.

**Category G: Geolocation data.**

Examples: Approximate physical location.

Collected: No.

**Category H: Sensory data.**

Examples: Audio, electronic, visual, thermal, olfactory, or similar information.

Collected: No.

**Category I: Professional or employment-related information.**

Examples: Current or past job history or performance evaluations.

Collected: No.

**Category J: Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).**

Examples: Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.

Collected: No.

**Category K: Inferences drawn from other personal information.**

Examples: Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

Collected: No.

Under CCPA, personal information does not include:

- Publicly available information from government records
- Deidentified or aggregated consumer information
- Information excluded from the CCPA's scope, such as:
  - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data
  - Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California

Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994

## B. Sources of Personal Information

We obtain the categories of personal information listed above from the following categories of sources:

- **Directly from You.** For example, from the forms You complete on our Service, preferences You express or provide through our Service, etc.
- **Indirectly from You.** For example, from observing Your activity on our Service.
- **Automatically from You.** For example, through cookies We or our Service Providers set on Your Device as You navigate through our Service.
- **From Service Providers.** For example, other third-party vendors that We use to provide the Service to You.

## C. Use of Personal Information for Business Purposes or Commercial Purposes

We may use or disclose personal information We collect for "business purposes" or "commercial purposes" (as defined under the CCPA), which may include the following examples:

- To operate our Service and provide You with our Service.
- To provide You with support and to respond to Your inquiries, including to investigate and address Your concerns and monitor and improve our Service.
- To fulfill or meet the reason You provided the information. For example, if You share Your contact information to ask a question about our Service, We will use that personal information to respond to Your inquiry.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to You when collecting Your personal information or as otherwise set forth in the CCPA.
- For internal administrative and auditing purposes.
- To detect security incidents and protect against malicious, deceptive, fraudulent or illegal activity, including, when necessary, to prosecute those responsible for such activities.

Please note that the examples provided above are illustrative and not intended to be exhaustive. For more details on how we use this information, please refer to the "Use of Your Personal Data" section.

If We decide to collect additional categories of personal information or use the personal information We collected for materially different, unrelated, or incompatible purposes We will update this Privacy Policy.

## **D. Disclosure of Personal Information for Business Purposes or Commercial Purposes**

We may use or disclose and may have used or disclosed in the last twelve (12) months the following categories of personal information for business or commercial purposes:

Category A: Identifiers

Category B: Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))

Category F: Internet or other similar network activity

Please note that the categories listed above are those defined in the CCPA. This does not mean that all examples of that category of personal information were in fact disclosed, but reflects our good faith belief to the best of our knowledge that some of that information from the applicable category may be and may have been disclosed.

When We disclose personal information for a business purpose or a commercial purpose, We enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We do not share or sell Your data to any third parties who are not involved in the specific study You have signed up for.

## **E. Sale of Personal Information**

We do not sell any of Your personal information.

## **F. Share of Personal Information**

We may share Your personal information identified in the above categories with the following categories of third parties for the purposes of facilitating a specific research project:

Service Providers

Our affiliates

Our business partners

Third party vendors to whom You or Your agents authorize Us to disclose Your personal information in connection with products or services We provide to You

## **G. Sale of Personal Information of Minors Under 16 Years of Age**

We do not sell any personal information.

## **H. Your Rights under the CCPA**

The CCPA provides California residents with specific rights regarding their personal information. If You are a resident of California, You have the following rights:

- **The right to notice.** You have the right to be notified which categories of Personal Data are being collected and the purposes for which the Personal Data is being used.
- **The right to request.** Under CCPA, You have the right to request that We disclose information to You about Our collection, use, sale, disclosure for business purposes and share of personal information. Once We receive and confirm Your request, We will disclose to You:
  - The categories of personal information We collected about You
  - The categories of sources for the personal information We collected about You
  - Our business or commercial purpose for collecting personal information
  - The categories of third parties with whom We share that personal information
  - The specific pieces of personal information We collected about You
  - If we sold Your personal information or disclosed Your personal information for a business purpose, We will disclose to You:
    - The categories of personal information categories disclosed
- **The right to delete Personal Data.** You have the right to request the deletion of Your Personal Data, subject to certain exceptions. Once We receive and confirm Your request, We will delete (and direct Our Service Providers to delete) Your personal information from our records, unless an exception applies. We may deny Your deletion request if retaining the information is necessary for Us or Our Service Providers to:
  - Complete the transaction for which We collected the personal information, provide a good or service that You requested, take actions reasonably anticipated within the context of our ongoing business relationship with You, or otherwise perform our contract with You.
  - Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
  - Debug products to identify and repair errors that impair existing intended functionality.
  - Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
  - Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
  - Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if You previously provided informed consent.
  - Enable solely internal uses that are reasonably aligned with consumer expectations based on Your relationship with Us.
  - Comply with a legal obligation.
  - Make other internal and lawful uses of that information that are compatible with the context in which You provided it.

- **The right not to be discriminated against.** You have the right not to be discriminated against for exercising any of Your consumer's rights, including by:
  - Denying goods or services to You
  - Charging different prices or rates for goods or services, including the use of discounts or other benefits or imposing penalties
  - Providing a different level or quality of goods or services to You
  - Suggesting that You will receive a different price or rate for goods or services or a different level or quality of goods or services

## I. 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:

- By email: [admin@mycroft.co](mailto:admin@mycroft.co)

Only You, or a person registered with the California Secretary of State that You authorize to act on Your behalf, may make a verifiable request related to Your personal information.

Your request to Us must:

- Provide sufficient information that allows Us to reasonably verify You are the person about whom We collected personal information or an authorized representative
- Describe Your request with sufficient detail that allows Us to properly understand, evaluate, and respond to it

We cannot respond to Your request or provide You with the required information if We cannot:

- Verify Your identity or authority to make the request
- And confirm that the personal information relates to You

We 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.

Any disclosures We provide will only cover the 12-month period preceding the verifiable request's receipt.

For data portability requests, We will select a format to provide Your personal information that is readily useable and should allow You to transmit the information from one entity to another entity without hindrance.

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

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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.

## VI. Children's Privacy

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Our Service does not address anyone under the age of 13. We do not knowingly collect personally identifiable information from anyone under the age of 13. If You are a parent or guardian and You are aware that Your child has provided Us with Personal Data, please contact Us. If We become aware that We have collected Personal Data from anyone under the age of 13 without verification of parental consent, We take steps to remove that information from Our servers.

If We need to rely on consent as a legal basis for processing Your information and Your country requires consent from a parent, We may require Your parent's consent before We collect and use that information.

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

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Under California Civil Code Section 1798 (California's 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.

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

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California Business and Professions Code section 22581 allow California residents under the age of 18 who are registered users of online sites, services or applications to request and obtain removal of content or information they have publicly posted.

To request removal of such data, and if You are a California resident, 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.

## IX. Links to Other Websites

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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.

## X. Changes to this Privacy Policy

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We may update Our 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 Our 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.

## XI. Contact Us

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

- By email: [admin@mycroft.co](mailto:admin@mycroft.co)