



PERSONAL TV PLATFORM

Privacy Policy

Texel Ltd. (“**Texel**”, “**we**”, “**our**” or “**us**”) provides an innovative PaaS software, that helps content providers to create a better engagement with their audience by offering viewing personalization capabilities, content synchronization across the users, chat interface and co-watching with other End-Users and introduce more meaningful viewing experience to other End-Users (the “**Platform**”). We also operate the website www.texel.live , its subdomains, pages and related features (the “**Site**”, and together with the Platform – the “**Services**”).

We put great efforts in communicating our data practices and in making sure that the data we process is safe and used properly.

This Privacy Policy describes how we collect, store, use and disclose the information of the following types of individuals:

Website visitors, prospective customers or partners (“**Visitors**”) who visit or interact with our website, social media pages, participate in our events / webinars, online ads and content, emails or communications under our control;

Customers (“**Customers**”) who have engaged with us and their authorized users (“**Customer Representative**”), including account, contact and activity data relating to their use of Texel’s Services and other tools and features provided by us as part of the services;

End-Users (“**End-Users**”) of our Customers – who have implemented Texel’s platform on their websites and mobile applications - and who interact with our Platform via our Customers’ websites and mobile applications. If you are an End User please further note the provisions of Section 10.

Specifically, this Privacy Policy describes our practices regarding:

1. [Data Collection](#)
2. [Data Uses](#)
3. [Data Location](#)
4. [Data Retention](#)
5. [Data Sharing](#)
6. [Cookies and Tracking Technologies](#)
7. [Communications](#)
8. [Data Security](#)
9. [Data Subject Rights](#)
10. [Roles & Responsibilities](#)
11. [Additional Information and Contact Details](#)

Please read this Privacy Policy carefully and make sure that you fully understand and agree to it.

You are not legally required to provide us with any Personal Data, and may do so (or avoid doing so) at your own free will. If you do not wish to provide us with your Personal Data, or to have it processed by us or any of our Service Providers (defined in [Section 5](#) below), please avoid any interaction with us or any use of our Services (or certain parts of our Services). If you are an End-User of the Platform on behalf of any of our Customers, we suggest that you contact your account administrator with any questions.

1. DATA COLLECTION

We collect data regarding our Visitors and Customers ("**you**" or "**your**"), as well as their Customer Representative, and End-Users. Such data is typically collected and generated through automatic means, directly from you / the Customer Representative / End-User, through interactions with us or with our Services; or through third-party services, social media, analytics tools, events we organize or take part in, and other business initiatives.

Specifically, we collect the following categories of data (which, to the extent it relates to an identified or identifiable individual, will be deemed as "Personal Data" or "Personal Information"):

Data automatically collected or generated: When you visit, interact with or use our Services, we may collect or generate certain technical data about you. We do so either independently or with the help of our Service Providers (as detailed in [Section 5](#) below), including through the use of "cookies" and other tracking technologies (as further detailed in [Section 6](#) below).

Such data mainly consists of technical or aggregated usage data, such as IP address, non-identifying data regarding a device, operating system and browser, location and language settings used. Such data mostly serves us to improve engagements, as well as the overall performance of our Services.

We also collect information about End-Users' interaction with our Services ("**Session Information**"). For example: device ID; text chat messages communicated between End Users in the same virtual room (co-viewing) ("**Session**"); reactions shared between End Users; emotional state of End Users; the TV program being watched in the Session; frequency of actions taken by an End User; age range of End Users; End Users' gender; End Users' Geolocation; End Users' language settings & display settings; Session length.

Please note that when we process Session Information, Texel has no way of knowing the identity of the End-User, because we receive only a unique one-way hash identifier for each End-User, that we cannot link to a specific individual (for example, we will never know that John Smith is currently participating in a Session; rather, we will only know that End-user12345678 is in the Session).

Data received when you contact us: You may contact us for support, learning more about our Services and offerings, or for any other reason. In doing so, you may provide us Personal Data such as your name, email, workplace and position and any other data you choose to provide or that we may require in order to properly review your inquiry. Similarly, you can provide us with your Personal Data when you attend our events, webinars or when you contact us via social media (such as [LinkedIn](#), [Twitter](#)).

Data received from third-parties: We may receive your Personal Data from other sources. For example, if you participate in an event or webinar that we sponsor or participate in, we may receive your Personal Data from the event organizers. We may also receive your contact and professional details (e.g., your name, company, position, contact details and professional experience, preferences and interests) from our Service Providers (defined below), and through the use of tools and channels commonly used for connecting between companies and individuals in order to explore potential business and employment opportunities, such as LinkedIn.

Data received from Customer Representatives: You may provide us with your Personal Data voluntarily, such as your name, workplace and position, contact details (such as business e-mail, phone and address), account login details (such as usernames and hashed passwords), as well as any other data you choose to provide when you use our Services or create a Customer Representative account. You may also provide us additional details concerning your organization (our Customer), such as billing details, billing contacts and authorized signatories on behalf of the Customer, business needs and preferences. To the extent that such data concerns an entity and not an individual, we do not regard it as "Personal Data" and this Policy shall not apply to it.

2. DATA USES

Texel processes your Personal Data as well as other types of Personal Data as necessary for the performance of our Services; to comply with our legal and contractual obligations; and to support our legitimate interests in maintaining, improving and advertising our Services, e.g. in understanding how our Services are used and how our campaigns are performing, and gaining insights which help us dedicate our resources and efforts more efficiently; in marketing, advertising and selling our Services; providing customer service and technical support; and protecting and securing our Visitors, Customer Representative, Customers, ourselves and our Services.

Specifically, we use your data for the following purposes:

1. To facilitate, operate, and provide our Services;
2. To authenticate the identity of our Customer Representatives and allow them to access and use our Services;
3. To provide our Customer Representatives and Customers with customer care, assistance and technical support services;
4. To train and improve our algorithms, and to further develop, customize and improve the Services, and to improve End-user experience, based on common or personal preferences, experiences and difficulties;
5. To facilitate and optimize our marketing and advertising campaigns, ad management and sales operations, and to manage and deliver advertisements for our products and Services more effectively;
6. To contact you with general or personalized service-related messages (such as password-retrieval or billing), or with promotional messages (such as newsletters, special offers, new features etc.) in accordance with [Section 7](#) below, and to facilitate, sponsor and offer certain events and promotions;
7. To support and enhance our data security measures, including for the purposes of preventing and mitigating the risks of fraud, error or any illegal or prohibited activity;
8. To create aggregated statistical data, inferred non-Personal Data, or anonymized or pseudonymized data (rendered non-personal), which we or our business partners and Customers may use to provide and improve our respective services, or for any other purpose; and
9. To comply with applicable laws and regulations.

We do not sell your personal information for the intents and purposes of the California Consumer Privacy Act (CCPA).

3. DATA LOCATION

We and our authorized Service Providers (defined below) maintain, store and process Personal Data in the United States, the European Union, Israel, Japan and other locations as reasonably necessary for the proper performance and delivery of our Services, or as may be required by law.

While privacy laws may vary between jurisdictions, Texel and its affiliates and Service Providers are each committed to protect Personal Data in accordance with this Privacy Policy, customary industry standards, and such appropriate lawful mechanisms and contractual terms requiring adequate data protection, regardless of any lesser legal requirements that may apply in the jurisdiction to which such data may be transferred. Notwithstanding the forgoing, End-User data processed on behalf of our Customers may only be processed in such locations as permitted in the Data Processing Addendum (“**DPA**”) and other commercial agreements with such Customer.

4. DATA RETENTION

We will retain your Personal Data for as long as it is reasonably necessary to provide our Services; to maintain and expand our relationship and provide you with our Services and

offerings; to comply with our legal and contractual obligations; or to protect ourselves from any potential disputes (e.g. as required by laws applicable to log-keeping, records and bookkeeping, and in order to have proof and evidence concerning our relationship, should any legal issues arise following your discontinuance of use), all in accordance with applicable laws and regulations, and where applicable, also with our Customer's reasonable instructions and as further stipulated in our DPA and other commercial agreements with such Customer.

In addition, except as required by applicable law or our specific agreements with you, we will not be obligated to retain your Personal Data for any particular period, and we are free to securely delete it or restrict access to it for any reason and at any time, with or without notice to you. If you have any questions about our data retention policy, please contact us by e-mail at privacy@texel.live.

5. DATA SHARING

Legal Compliance: In exceptional circumstances, we may disclose or allow government and law enforcement officials access to your Personal Data, in response to a subpoena, search warrant or court order (or similar requirement), or in compliance with applicable laws and regulations. Such disclosure or access may occur if we believe in good faith that: (a) we are legally compelled to do so; (b) disclosure is appropriate in connection with efforts to investigate, prevent, or take action regarding actual or suspected illegal activity, fraud, or other wrongdoing; or (c) such disclosure is required to protect our legitimate business interests, including the security or integrity of our products and Services.

Service Providers: We may engage selected third-party companies and individuals to perform services complementary to our own. Such Service Providers include hosting and server co-location services, communications, data analytics services (including Google Analytics, as further explained below), marketing and advertising services, data and cyber security services, customer engagement services, billing and payment processing services, web analytics, e-mail and SMS distribution and monitoring services, session or activity recording services, remote access services, performance measurement, data optimization services, social and advertising networks, content providers, support and customer relation management systems, and our legal, financial and compliance advisors (collectively, "**Service Providers**"). These Service Providers may have access to your Personal Data, depending on each of their specific roles and purposes in facilitating, supporting and enhancing our Services, and may only use it for such purposes.

Sharing Data with our Customers and their Representatives: End-User insights are typically available to Customer Representatives within the Customer's account. End-Users' personal data is shared with the administrator of the same Customer's account to which such Customer Representative belongs (including Session Information). In such cases, sharing such data means that the administrator or other Customer Representatives of the account may access it on behalf of the Customer, and will be able to monitor, process and analyze the Personal Data contained in the account. This includes instances where you may contact us for help in resolving an issue specific to a team of which you are a member (and which is managed by the same Customer). Please note that Texel is not responsible for and does not control any further disclosure, use or monitoring by or on behalf of the Customer, that itself acts as the 'data controller' of your data (you can see a further explanation of what this means in [Section 10](#) below).

Protecting Rights and Safety: We may share Personal Data with others if we believe in good faith that this will help protect the rights, property or personal safety of Texel, any of our Visitors, Customer Representatives or Customers, or any members of the general public.

Texel Subsidiaries and Affiliated Companies; Change of Control: We may share Personal Data internally within our group, for the purposes described in this Privacy Policy. In addition, should Texel or any of its subsidiaries or affiliates undergo any change in control or ownership, including by means of merger, acquisition or purchase of substantially all or part of its assets, or will be considered or found eligible for a governmental grant, Personal Data may be shared with the parties involved in such an event. If we believe that such event might materially affect any

Personal Data then stored with us, we will notify the individuals affected by this event and the choices you may have via e-mail or prominent notice on our Services.

For avoidance of doubt Texel may share your Personal Data in additional manners, pursuant to your explicit approval, or if we are legally obligated to do so, or if we have rendered such data non-personal, non-identifiable and anonymous. We may transfer, share or otherwise use non-personal and non-identifiable data at our sole discretion and without the need for further approval.

6. COOKIES AND TRACKING TECHNOLOGIES

We and our Service Providers use “cookies” and other technologies for performance, tracking, analytics and personalization purposes.

Our Sites and Service (including some of our Service Providers) utilize “cookies”, anonymous identifiers, container tags and other technologies in order for us to provide our Service and ensure that it performs properly, to analyze our performance and marketing activities, and to personalize your experience. Such cookies and similar files or tags may also be temporarily placed on your device.

To learn more about our practices concerning cookies and tracking, please visit our [Cookie Policy](#).

Please note that we do not change our practices in response to a “Do Not Track” signal in the HTTP header from a browser or mobile application, however, most browsers allow you to control cookies, including whether or not to accept them and how to remove them. You may set most browsers to notify you if you receive a cookie, or to block or remove cookies altogether.

7. COMMUNICATIONS

We engage in service and promotional communications, through e-mail, phone, SMS and notifications.

Service Communications: We may contact you with important information regarding our Services. For example, we may send you notifications (through any of the means available to us) of changes or updates to our Services, billing issues, Support issues, service changes, log-in attempts or password reset instructions etc. or otherwise in accordance with the instructions included in the communications sent to you. Please note that you will not be able to opt-out of receiving certain service communications which are integral to your use of the Services (like password resets or billing notices).

Promotional Communications: we and our authorized partners (e.g., event or webinar co-sponsors) may also notify you about new features, additional offerings, events, webinars, special opportunities or any other information we think you will find valuable. We may provide such notices through any of the contact means available to us (e.g., SMS, phone, mobile or e-mail), through the Platform or Sites, or through our marketing campaigns on any other sites or platforms.

If you do not wish to receive such promotional communications, you may notify Texel at any time by sending an e-mail to: privacy@texel.live, changing your communications preferences in your User profile settings, or by following the “unsubscribe”, “stop”, “opt-out” or “change e-mail preferences” instructions contained in the promotional communications you receive.

8. DATA SECURITY

We secure your Personal Data using industry-standard physical, procedural and technical measures.

In order to protect your Personal Data held with us, we are using industry-standard physical, procedural and technical security measures, including encryption as appropriate. However,

please be aware that regardless of any security measures used, we cannot and do not guarantee the absolute protection and security of any Personal Data stored with us or with any third parties as described in Section 5 above.

9. DATA SUBJECT RIGHTS

Individuals have rights concerning their Personal Data. For all such Personal Data that we process as a Data Controller (listed in section 1) you may exercise your privacy rights by contacting us. Some countries' privacy laws provide individuals with certain rights regarding their Personal Data. For example, if the EU General Data Protection Regulation (GDPR) applies to our processing of your Personal Data (as a Data Controller), in certain circumstances you will have the right to ask us to:

- access the Personal Data we hold about you and be provided with certain information about how we use your Personal Data and who we share it with;
- correct your Personal Data where it is inaccurate or incomplete;
- provide a copy of your Personal Data in a structured, machine readable format and to ask us to share (port) this data to another Data Controller;
- delete the Personal Data we hold about you;
- restrict (stop any active) processing of your Personal Data; and
- object to our processing of your Personal Data based on our legitimate interests and we will no longer process your Personal Data unless we can demonstrate an overriding legitimate ground.
- Ask us to transfer your data to another person or entity (data portability).

If you wish to exercise your rights under any applicable law, including the EU General Data Protection Regulation (GDPR) or the California Consumer Privacy Act (CCPA), such as the above rights – please contact us by e-mail at privacy@texel.live.

Please note that once you contact us by e-mail, we may instruct you on how to fulfill your request independently through your User Profile settings; or may require additional information and documents, including certain Personal Data, in order to authenticate and validate your identity and to process your request. Such additional data will be then retained by us for legal purposes (e.g. as proof of the identity of the person submitting the request), in accordance with [Section 4](#) above.

10. ROLES & RESPONSIBILITIES

Certain data protection laws and regulations, such as the GDPR or the CCPA, typically distinguish between two main roles for parties processing Personal Data: the “data controller” (or under the CCPA, “business”), who determines the purposes and means of processing; and the “data processor” (or under the CCPA, “service provider”), who processes the data on behalf of the data controller (or business). Below we explain how these roles apply to our Services, to the extent that such laws and regulations apply.

Our role as a data controller

We are the “data Controller” of our Visitors’ and User data consisting profile and contact details, usage, preferences, engagement and analytics data. With respect to such data, we assume the responsibilities of Data Controller (solely to the extent applicable under law), as further detailed in this Privacy Policy.

Our role as a Data Processor

For the avoidance of doubt, this Privacy Policy applies to the Personal Data we process as a Data Controller. It does not apply to the Personal Data we process as a Data Processor. In any event, solely for your understanding, we have explained how we process data as a Data Processor below.

We are the “Data Processor” of End-User data. Such data will be only processed by Texel on behalf of our Customer in order to help our Customers to create better engagement with their audience and enable viewing personalization capabilities, content synchronization, chat interface and co-watching with other End Users.

In such instances, our Customer shall be deemed as the “Data Controller” of such data, and Texel will process such data on the Customer’s behalf, as its “Data Processor”, in accordance with its reasonable instructions, subject to the DPA we sign with our Customer (to the extent applicable) and other commercial agreements. Texel’s Service Providers act as “Sub-Processors” in these instances. The Customer will be responsible for meeting any legal requirements applicable to Data Controllers (such as establishing a legal basis for processing, providing data subjects with sufficient information about their Personal Data, and responding to Data Subject Rights requests concerning the Personal data they control). We are the data processor and our Customer is the data controller in respect of Session Information.

For the avoidance of doubt, each Customer is solely responsible for providing adequate notice to their Users and End-Users whose Personal Data may be processed – including sufficient reference to the processing of their Personal Data via the Services, and any other information necessary to comply with all applicable privacy and data protection laws; and to obtain all approvals and consents from such individuals as required under such laws.

If you would like to make any requests or queries regarding Personal Data we process as a Data Processor on your Account owner’s (our Customer’s) behalf, including accessing, correcting or deleting your data, please contact the Customer Account’s Admin directly.

11. ADDITIONAL INFORMATION AND CONTACT DETAILS

Updates and Amendments: We may update and amend this Privacy Policy from time to time by posting an amended version on our Services. The amended version will be effective as of the date it is published. When we make material changes to this Privacy Policy, we’ll provide notice via any of the communication means available to us or via the Sites, Platform and/or Services. Your continued use of the Service after the changes have been implemented will constitute your acceptance of the changes.

External Links: While our Services may contain links to other websites or services, we are not responsible for their privacy practices. We encourage you to pay attention when you leave our Services for the website or application of such third-parties, and to read the privacy policies of each and every website and service you visit. This Privacy Policy applies only to our Services.

Our Services are not designed to attract children under the age of 16: We do not knowingly collect Personal Data from children and do not wish to do so. If we learn that a person under the age of 16 is using the Services, we will attempt to prohibit and block such use and will make our best efforts to promptly delete any Personal Data stored with us with regard to such child. If you believe that we might have any such data, please contact us by e-mail at privacy@texel.live.

EU/UK Representative:

We value your privacy and your rights as a data subject and have therefore appointed Prighter as our privacy representative and your point of contact.

Prighter gives you an easy way to exercise your privacy-related rights (e.g. requests to access or erase personal data). If you want to contact us via our representative Prighter or make use of your data subject rights, please visit: <https://prightner.com/q/19252742185>

Questions, concerns or complaints: if you have any comments or questions regarding our Privacy Policy, or if you have any concerns regarding your Personal Data held with us, please contact privacy@texel.live.

If you are a GDPR-protected individual, you also have the right to lodge a complaint with an EU supervisory authority.

Effective Date: September, 5, 2021