

MixBit Privacy Policy

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Welcome to MixBit!

AVOS Systems, Inc. provides MixBit – the service that enables users to create, collaborate, and share interesting videos through our downloadable application, MixBit, and our website located at www.mixbit.com. For simplicity, we'll refer to any or all of this as the "Service".

We provide this Privacy Policy so you know what we do regarding the collection, use and disclosure of personal information we receive from users of the Service. This Privacy Policy applies only to information that you provide to us through the Service. Your use of the Service is your consent to the collection, disclosure, transfer, processing, storage and other uses of your information as described in this Privacy Policy.

Our Core Privacy Principles:

- **We take your privacy very seriously.**
- **We collect your information to provide and improve our Service and to increase your enjoyment in using it.**
- **We don't disclose your Personal Information to third parties except as set forth in this Privacy Policy.**
- **You need to create a MixBit user name (which will be public) and provide us with a valid email address (which will never be public) to use all the features of the Service; however, beyond that, providing us with your Personal Information is your choice.**

A little terminology: We use 'video' to mean a collection of clips that have been combined to play together. A 'clip' is a segment of video that has been recorded without stopping, i.e., once you stop and start recording again you've finished one clip and started on another. If a video has only a single clip then the clip and video are the same thing. Whenever we refer to videos in this privacy policy we mean videos and clips unless we say otherwise.

The Big Picture

- **You should assume that any videos you publish on the site and any information associated with those videos will be public; if you don't want the world to be able to see your video, don't publish it.**
- **You may publish videos 'anonymously' by which we mean without publicly associating your user name and profile with those videos. You may also publish videos that are publicly linked to your user name and profile. If you publish an 'anonymous' video there will be no public information linking that video to any other video such that it would be clear that the same person uploaded them both, EXCEPT that, depending on your settings, we will collect time, date, and location information for each video you upload to the Service and that information may be publicly displayed in connection with the relevant video and could be used to determine that two different videos were likely uploaded by the same person**
- **Be thoughtful about what is in your video as you might well be providing more information than you intend. Some examples: a license plate in the background could lead to someone identifying the car and its owner; street signs or addresses might provide location**

information even if you've otherwise disabled location reporting; audio might capture names or other identifying information.

What do the different publishing settings mean?

You can share a video in public or unlisted modes. The difference between those modes relates to how people can see the video.

If you upload a video in **public** mode, the video and any information linked to it, for instance your user name and profile including your MixBit user name, and any information chosen to link with your account (see Third Party Social Networking Services below) will be publicly visible.

If you upload a video in **unlisted** mode then only those people who have the URL for the video can view it and the associated information including your username and any information you've linked to your account (see Third Party Social Networking Services below). An unlisted video is not searchable via the Service and it will not show up in the featured, recent or other public feeds. Please note that anyone with the URL for the video can share that link with anyone they want so just because you've published a video in unlisted mode does not mean that you can control or know who sees it.

We previously allowed a draft mode but we are discontinuing that and all videos that you had in draft mode will be converted to unlisted mode.

How do the publishing settings impact people mixing my content with theirs and vice versa?

Anyone can use clips from a video published in public mode in their own projects on the Service **and they may export those off the Service including to other video sharing websites**. The new project will contain public links to all public videos from which clips were used in that new project. The person who posted the clip will receive notice of the new project using their clip and a link to that project. **If a project containing your clips is exported off the Service you will be notified of that fact.**

Anyone who has the URL to an unlisted video can use clips from that unlisted video in their own projects. The new project will NOT contain a public link back to any unlisted videos from which clips were used in that new project; however, the person who posted the clip originally will get notice of the new project using the clip and the URL to that project and they could share that URL with anyone they wish.

Clips from draft videos cannot be used in other projects except by the person who uploaded the clip to the draft video. Projects using a clip from a draft video will not contain a link back to the draft video from which the clip was taken nor will the person who posted the clip be notified of the draft project though they will be notified and get the URL to the video when the project is published in unlisted or public mode.

What information does AVOS collect when I sign up?

You may use many features of the Service without registering; however, to get access to everything (including the ability to share a video) you will need to create a user name and provide us with a valid email address and doing so will make you a "registered user". You will also be given the opportunity to create and use a display name, profile description, avatar, and to connect your account to various third-party social networks (see Third Party Social Networking Services below). All of this information, except your email address, will be public.

While the information you provide will be public in that someone looking at your profile will see it, this does not mean that such information will necessarily be associated with videos you upload, that is your choice. When you publish a video you will be allowed to decide whether to have that video publicly tied to your user name and profile or not. ...

What can I do with my social identities on other sites like Facebook and Twitter?

We allow registered users to authenticate and log in to their MixBit accounts using their log in credentials from certain third party social networks like Facebook and Twitter. This, by itself, will not publicly

associate the social network you use to log in with your account or profile, i.e., if only use Twitter to log in to MixBit that will not be publicly visible. You will also have the ability to more publicly associate your social network accounts with your MixBit profile as described below.

In addition to the above, users will be able to export their videos (including clips they may have used from other users' projects) to certain third party social networks, for instance, YouTube. To enable exporting where we allow it, you will need to connect your third party social network and authorize us to connect to it for the purpose of exporting your video. When you export a video that contains clips from other users' projects, the owners of those projects will be notified of your export and will be told your user name on the third party social network to which you exported the video and possibly provided with a link to the exported video.

When you create an account on MixBit you may (but are not obligated to) choose to associate your identity on certain other social networks, like Facebook or Twitter, with your account. Doing so requires that you have previously connected the relevant social network for authentication purposes. If you choose to do this, here's what will happen:

- Your avatar and user name (which may be your real name) from each social network you've chosen to link to your account will be publicly visible as part of your profile.
- Any user on MixBit.com will be able to click through to your public profile on whatever social network you selected and also see any information associated with that profile subject to your privacy settings on that site. In other words, if you select to associate your Facebook identity with your account, a MixBit user will be able to click on that and will be taken to whatever is publicly available on your Facebook page based on your Facebook privacy settings.
- Users on MixBit.com will be able to search and find all videos on MixBit.com associated with a social network identity, i.e., if someone searches on MixBit for your Facebook identity they will find all videos you've published if your Facebook identity is tied to your MixBit profile. They will not need to know your MixBit user name or any other information to do this.

A few other important points:

- You can associate more than one social network with your account. For instance, if you have both Facebook and Twitter accounts you can associate none, one or both with your account. But keep in mind that doing so means that people will also know that the Facebook and Twitter accounts are related, a fact which might not be obvious if someone only knows your Facebook or Twitter account but not the other one.
- If you disconnect your social network from MixBit.com we will no longer show the identity from that account as part of your profile.
- Remember, associating a social network identity with your account is optional and, even if you've done so, you can always choose to publish any video 'anonymously' which means it will not be publicly associated with your account as described early in this Privacy Policy.
- For users who currently have associated a social network with a public video but who have not yet created a MixBit user name we will use their identity on that social network as their default user name on MixBit until such time as they choose to change it.

What do you with my information?

Our primary goals in collecting information are to provide and improve our Service and its features and content, to administer your membership and to enable users to enjoy and easily navigate the Site. There are different kinds of information and what we do varies with they type of information.

What types of information to you collect and what do you do with it?

Personal Information is information that can be used to contact or identify you. Personal Information includes, but is not limited to your email address and name. We use your Personal Information to provide the Service and administer your inquiries. We will also use your Personal Information to contact you with MixBit newsletters, marketing or promotional materials and other information that may be of interest to you. If you decide at any time that you no longer wish to receive such communications from us, please follow the unsubscribe instructions provided in any of the messages. You may also choose to provide personal information as part of your profile or by associating your identity on third party social networks with content you post on the Service. See the section below entitled Third Party Networking Services for details.

Non-Identifying Information is the other information that you provide as part of registration and the administration and personalization of your user experience as well as during your use of the Service examples may include: time and date of a video, the location the video was taken, various technical settings relating to the video and so on. We may use Non-Identifying Information alone or aggregated with the Non-Identifying Information of other users to attempt to provide you with a better experience, to improve the quality and value of the Service and to analyze and understand how our Service is used. We may also use the combination of your Personal and Non-Identifying information without aggregating it to serve you specifically, for instance to deliver a product to you according to your preferences or restrictions.

Service Usage Information. When you use our Service our servers automatically record information that your browser sends whenever you visit a website or online service, we call this Log Data and it includes, but is not limited to, your computer's Internet Protocol ("**IP**") address, browser type, the webpage you were visiting before you came to our Site, pages of our Site that you visit, the time spent on those pages, information you search for via our Service, access times and dates, and other statistics. We use this information to monitor and analyze use of the Service (e.g., to understand how our users interact with advertisements), for the Service's technical administration, to increase our Service's functionality and user-friendliness, and to better tailor it to our visitors' needs. We do not treat Log Data as Personal Information and we may use and evaluate such information for the same purposes and in the same ways as other Non-Identifying Information.

Like many websites and online services, we use "cookies" on our Service to collect information. A cookie is a small data file that we transfer to your computer's hard disk. Most Internet browsers automatically accept cookies. We may use both session cookies and persistent cookies to better understand how you interact with our Service, to save your preferences and personalize the Service for you, to monitor aggregate usage by MixBit Users and web traffic routing on our Service and to improve our Service generally. Third party advertisers may also place or read cookies on your browser. You can instruct your browser, by changing its options, to stop accepting cookies or to prompt you before accepting a cookie from the websites you visit. If you do not accept cookies, however, you may not be able to use all portions of the Site or all functionality of the Service.

We also use "pixel tags," "clear GIFs" or similar means (individually or collectively "**Pixel Tags**") on our Site. A Pixel Tag is an electronic image, often a single pixel, embedded on web pages. Pixel Tags are ordinarily not visible to users. Pixel Tags allow us to count the number of MixBit Users who have visited certain pages of the Site, to deliver branded services and to generate statistics about how our Site is used.

Do you share my information with others?

Personal Information. Your email (if you are a registered user) will never be publicly available; however, any profile information you choose to add, if and when we allow such information to be added, will be publicly available so consider whether you want to any include Personal Information in your profile. All content you add to the Service (things like videos, comments, titles, etc...) will be publicly available. Other than the foregoing, we do not share Personal Information with third parties except as follows:

- **Third Party Social Networking Services.** First, please see the section above entitled, “**What can I do with my social identities on other sites like Facebook and Twitter?**” We allow registered users to link their accounts with certain third party social networking services (“SNSs”). In these instances, with your permission and on your behalf, we will share your Personal Information, including, but not limited to, information contained in your profile with the applicable SNS. Through use of such services’ APIs we also receive certain information (which may include your Personal Information) in accordance with the privacy settings you have set in your SNS account, if any. Other than what we may share with the SNS in connection with your linking of accounts, the personal information an SNS has about you is obtained by the SNS independent of our Service. Other services follow different rules regarding the use or disclosure of the personal information you submit to them. We encourage you to read the privacy policies or statements of the other services you use. We also plan to allow users to associate their identities on various SNSs with videos they’ve uploaded, i.e., we will allow you to publicly associate some or all of your videos with your Twitter handle and/or Facebook identity etc.... This will be at your option and if you choose to do it then whatever SNS identities you choose to associate with your videos will be publicly visible and users will be able to visit your pages on those SNSs, subject to your privacy settings on the relevant SNSs, and will know that the videos you posted are related to those SNS pages.
- **Service Providers.** We may employ third party companies and individuals to facilitate our Service, to provide the Service on our behalf, to perform Site-related services (e.g., without limitation, maintenance services, database management, web analytics and improvement of the Service’s features) or to assist us in analyzing how our Service is used. These third parties may have access to your Personal Information only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.
- **Compliance with Laws and Law Enforcement.** We may disclose any of your information if we believe that it is reasonably necessary to comply with a law, regulation or legal request; to protect the safety of any person; to address fraud, security or technical issues; or to protect AVOS’ rights or property.
- **Business Transfers.** AVOS may sell, transfer or otherwise share some or all of its assets, including your Personal Information, in connection with a merger, acquisition, reorganization or sale of assets or in the event of bankruptcy. We will provide you with notice of the transfer of your Personal Information to the new entity.

Non-Identifying and Service Usage Information. We may share Non-Identifying Information and Service Usage Information in aggregated or non-aggregated formats with third parties for industry analysis, demographic profiling and other purposes. We may also publicly associate your Non-Identifying Information with a video you’ve shared; for example, we might display the location of a video next to the video. Any information shared in these contexts will not contain your Personal Information.

Changing or Deleting Your Information

All registered users may review, update, correct or delete their Personal Information by contacting us and may delete videos they’ve uploaded as well by using the tools provided on the Service. If you completely delete all such information, then your account may become deactivated. If you would like us to delete your record in our system, please contact us at account_support@avos.com with a request that we delete your

Personal Information from our database. We will use commercially reasonable efforts to honor your request. We may retain an archived copy of your records as required by law or for legitimate business purposes. You should be aware that even if we delete your Personal Information, it's possible that information will still exist on the internet beyond our control. For instance, to the extent that search engines or others archive pages it's possible your content will remain available through those search engines even though it's not available on the live version of our site (or even in any cached versions we maintain). Further, we will be unable to control or remove any videos that have been exported off of the Service and such videos may include clips from your videos which have been remixed into someone else's project.

Security

AVOS is very concerned with safeguarding your information. We employ reasonable physical, technological, and administrative security measures and attempt to ensure they are applicable under the circumstances (e.g., we encrypt certain information using secure socket layer technology (SSL)). No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

We will make any legally required disclosures of any breach of the security, confidentiality, or integrity of your unencrypted electronically stored "personal data" (as defined in applicable state statutes on security breach notification) to you via email or conspicuous posting on the Site in the most expedient time possible and without unreasonable delay, insofar as consistent with (i) the legitimate needs of law enforcement or (ii) any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

International Transfer

Your information may be transferred to – and maintained on – computers located outside of your state, province, country or other governmental jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. If you are located outside the United States and choose to provide information to us, AVOS transfers Personal Information to the United States and processes it there. Your consent to this Privacy Policy by using the Service followed by your submission of such information represents your agreement to that transfer.

Links to Other Sites

Our Service may contain links to other websites. If you choose to visit an advertiser or third party website by "clicking on" a third party link, you will be directed to that third party's website. The fact that we link to a website is not an endorsement, authorization or representation of our affiliation with that third party, nor is it an endorsement of their privacy or information security policies or practices. We do not exercise control over third party websites or over the choice of which third party sites are linked to using the service. These other websites may place their own cookies or other files on your computer, collect data or solicit personal information from you. Other sites follow different rules regarding the use or disclosure of the personal information you submit to them. We encourage you to read the privacy policies or statements of the other websites you visit.

Our Policy Toward Children

This Service is not directed to children under 13. We do not knowingly collect personally identifiable information from children under 13. If we become aware that a child under 13 has provided us with Personal Information, we will delete such information from our files.

We may make Modifications or Changes

AVOS may, its sole discretion, choose to modify, discontinue or terminate the Service, at any time and without prior notice. AVOS may also choose to modify this Privacy Policy. If we choose to modify this Privacy Policy, we'll post it and give you a chance to provide feedback before they become effective except in extraordinary circumstances where we think it's important for it to become effective as soon as they are posted in which case we'll make that clear. Once it becomes effective your continued use of the Service will mean you agree to be bound by the new policy. If you don't agree then you need to stop using the Service.

Contacting Us

If you have any questions about this Privacy Policy, please contact us at support@avos.com.

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