

SEELAB PRIVACY POLICY

Last updated: February 1th, 2024

Creative Sheep is a company registered with the Trade and Companies Register of Saint-Brieuc (RCS) under the number 948 824 032 with registered offices at 4, Rue André Marie Ampère, 22300 Lannion - France (“**Seelab**” “**Us**,” “**We**,” “**Our**”).

We respect the privacy of Our users. This privacy policy (“**Privacy Policy**”) describes Our practices with respect to personal data We collect from or about Our You when You access and use the Seelab.ai website (“**Website**”) and the associated platform (“**Platform**”).

1. ABOUT THIS PRIVACY POLICY

What Services does this Privacy Policy Apply To

Seelab has developed and operates the Seelab.ai website (“**Website**”) and the associated platform (“**Platform**”) through which it offers its AI image generation services on a software-as-a-service model.

The Website, the Platform, artificial intelligence models, products, services and all other software, and any content, tools, features and functionality offered on or through our Website and Platform are collectively referred to as the “**Services**”.

Who does this Privacy Policy Apply To

This Privacy Policy applies to all the users of the Services, who may be:

- Businesses (independent workers or organisations) to whom Seelab provides the Services (“**Customers**”),
- the Customer’s registered end users (employees, agents, contractors, partners).

together, the “**User(s)**”, “**You**”, “**Your**”.

The Privacy Policy applies to the Users’ access to the Services on any device and for any purpose (purchase, access, use of the Services).

What is the Purpose of this Privacy Policy

The purpose of this Privacy Policy is to provide Users with information regarding how We process Personal Data, including:

- what Data We collect;
- what We’re going to do with it;
- what processes We’ll follow;
- and what Your rights are in relation to that Data.

Personal Data will be collected and processed in compliance with the applicable national or state legislation and/or regulation, including but not limited to the European Union Data Protection Regulation 2016/679 (the “**GDPR**”).

This Privacy Policy is part of the Seelab Terms and Conditions (“**Terms**”) published on the Website and describes Our policies and procedures regarding the collection, use and disclosure of Your information when You purchase a subscription, access or use the Services and tells You about Your privacy rights and how the law protects You.

We use Your Personal Data to provide and improve the Services. Please read this Privacy Policy carefully. If you do not agree with the terms of this Privacy Policy, please do not purchase, access or use the Services.

2. INTERPRETATIONS AND DEFINITIONS

Interpretation

The words of which the initial letter is capitalised have meanings defined under the following conditions. The following definitions shall have the same meaning regardless of whether they appear in singular or in plural.

Definitions

For the purposes of this Privacy Policy:

"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.

"User" means an individual person who purchases, accesses or uses the Services under the Terms accepted by the Customer.

"Data" or **"Personal Data"** means any information relating to a natural person, including any information deemed personal information under the applicable regulation regarding data protection and/or information through which a person may be identified directly or indirectly (e.g. by reference to a user ID, an identification number, location data, an online username or one or several specific elements related to a person's physical or health status, nationality, cultural or social identity).

"Data Controller", for the purposes of the GDPR (General Data Protection Regulation), refers to Seelab's Customer as the legal person which alone or jointly with others determines the purposes and means of the processing of Personal Data. For the purpose of this Privacy Policy, Seelab's Customer is the Data Controller.

"Device" means any device that can access the Services such as a computer, a cellphone or a digital tablet.

"Processing" or **"Process"** means any operation or set of operations carried out by Us and Our Services Providers for the purpose of providing the Services, regarding Data, such as collection, registration, organization, retention, adaptation or modification, extraction, consultation, use, disclosure by transmission, distribution or any other form of making available, matching or interconnection as well as archiving and/or deletion.

"Services" has the definition provided above.

"Service Provider" means Seelab and any natural or legal person who needs to process the data for the provision of the Services. It may therefore refer to third-party companies or individuals whose Services are used by Seelab to facilitate the provision of the Services or to assist Seelab in analyzing how the Services is used. For the purpose of this Privacy Policy, Services Providers are considered Data Processors.

"Usage Data" refers to data collected automatically, either generated by the use of the Services or from the Services infrastructure itself (for example, the duration of a page visit).

"User Account" means a unique account created for You to access our Services, the User Account may be a Content Manager Account (administrator account) and Content Producer Account (unique user account). Content Manager Accounts give access to information shared by Content Producers on their Content Producer Accounts.

"You/Your" **"User"** **"Authorized User"** or **"Data Subject"** means all Users accessing or using the Services on behalf of Our Customer.

3. COLLECTING AND USING YOUR PERSONAL DATA

We collection Personal Data relating to You as follows:

Types of Data Collected

Personal Information You Provide: We collect Personal Information if you create an account to use our Services or communicate with us as follows:

- Account information: to enable You to use the Services, We will be required to obtain 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 name, payment card information, VAT number, billing address and transaction history;
- User content: When You use our Services, we collect Personal Data that is included in the Input, file uploads, or feedback that you provide to our Services;

- Communication information: If You communicate with us, We collect Your name, contact information, and the contents of any messages You send.

Unless specified otherwise, all Data requested by the Services is mandatory and failure to provide this Data may make it impossible for Seelab to provide the Services. In cases where the Services specifically state that some Data is not mandatory, Users are free not to communicate this Data without consequences to the availability or the functioning of the Services.

Users are responsible for any third-party Personal Data obtained, published or shared through this Application and confirm that they have the third party's consent to provide the Data to the Owner.

Personal Information We Receive Automatically From Your Use of the Services: When You visit, use, or interact with the Services, We receive the following information about Your visit, use, or interactions (“**Technical Data**”):

- Usage Data: Usage Data is collected automatically when using the Services. Usage Data may include information such as Your Device's Internet Protocol address (i.e. IP address), browser type, browser version, Device information, the pages of our Services that You visit, the time and date of Your visit, the time spent on those pages, unique device identifiers and other diagnostic data;
- Services Metadata: When a User interacts with the Services, metadata is generated to provide additional context about their use of the Services.
- Log Data: Information that your browser or device automatically sends when you use our Services. Log data includes your Internet Protocol address, browser type and settings, the date and time of your request, and how you interact with our Services.
- Device Data. Seelab collects information about Devices accessing the Services, including the type of device, operating system used, device settings, application IDs, unique device identifiers and crash data.
- Analytics: We may use a variety of online analytics products that use cookies to help us analyse how users use our Services and enhance your experience when you use the Services.

We use this information to provide features of Our Services, to improve and customise the Services. The information may be uploaded to Seelab servers and/or a Services Providers' servers.

Use of Your Personal Data

We may use Personal Data for the following purposes:

- To provide, update, maintain and protect Our Services and business. This includes the use of Personal Data to support delivery of the Services, including to prevent or address service errors, security or technical issues, and to analyse and monitor usage, trends and other activities.
- To develop, test and provide additional features. Seelab tries to make the Services as useful as possible. For example, We make Services suggestions based on historical use and predictive models, identify organisational trends and insights, customise Your experience of the Services, or to create new features and products.
- To manage Your Account: to manage Your registration as a User of the Services.
- To support and manage Your requests.
- To protect the security of the Services, Our company, Our Customers and You.
- To communicate with You, including to provide You with news and general information about other goods, the Services and events which We offer that are similar to those that You are using unless You have opted not to receive such information.
- To comply with legal obligations and legal process and to protect our rights, privacy, safety, or property, and/or that of our affiliates, you, or other third parties.
- For other purposes: We may use Your information for other purposes, such as data analysis, identifying usage trends, determining the effectiveness of Our promotional campaigns, evaluate and improve Our products, the Services, marketing and Your User experience.

Aggregated or De-Identified Data

We may aggregate or de-identify Personal Data so that it may no longer be used to identify You and use such information to analyze the effectiveness of our Services, to improve and add features to our Services, to conduct research and for other similar purposes. In addition, from time to time, We may analyze the general behavior and characteristics of users of our Services and share aggregated information like general user statistics with third parties, publish such aggregated information or make such aggregated information generally available. We may collect aggregated information through the Services, through cookies, and through other means described in this Privacy Policy. We will maintain and use de-identified information in anonymous or de-identified form and we will not attempt to reidentify the information, unless required by law.

Legal Basis for Processing Personal Data

We may process Personal Data for the purposes and with the persons mentioned under “Use of Your Personal Data”, pursuant to the following legal basis:

- Consent: You have given Your consent for processing Personal Data for one or more specific purposes, including for direct marketing/advertising purposes. You have the right to withdraw your consent at any time.
- Performance of an agreement with you when we provide and maintain our Services: when we process Account Information, Content, and Technical Information solely to provide our Services to you, this information is necessary to be able to provide our Services. If you do not provide this information, we may not be able to provide our Services to you.
- Legal obligations: Processing Personal Data is necessary for compliance with a legal obligation to which Seelab is subject.
- Legitimate interest: Our legitimate interests in protecting our Services from abuse, fraud, or security risks, or in developing, improving, or promoting our Services, including when We train our models.

In any case, Seelab will gladly help to clarify the specific legal basis that applies to the Processing.

Retention of Your Personal Data

Seelab keeps Your Personal Data only as long as necessary to provide the Services and for Seelab’s legitimate and essential business purposes such as:

- Maintaining the performance of the Services,
- Making data-driven business decisions about new features and offerings,
- Complying with Our legal obligations,
- Resolving disputes.

The length of time we keep Your Data depends on:

- The nature of the Data,
- Why we’re processing the data (the purpose),
- Any guidelines or recommendations from the relevant data protection authorities,
- Any relevant legal obligations.

Your Personal Data will be deleted upon Your request or as soon as it is no longer required to achieve the purpose for which the Personal Data has been collected, namely, to provide the requested Services. If legal regulations (e.g., by fiscal, commercial, or contractual law) apply that require longer storage of Your Personal Data, or if We need Your Personal Data to assert legal claims or defend against legal claims, We will store Your Personal Data until the expiration of the corresponding storage period or until the settlement of the claims.

Seelab 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 Services, or We are legally obligated to retain this data for longer time periods.

Transfer of Your Personal Data

Your information, including Personal Data, is processed at Seelab operating offices and in any other places where the parties involved in the Processing are located. Data may therefore be transferred or transmitted to, or stored and processed in, countries outside where You live, for the purposes stated in this Privacy Policy.

Specifically, Personal Data of the Data Subjects will be hosted on servers located in the following regions/countries: European Union.

These Data transfers are necessary to provide the Services.

Your express consent to this Privacy Policy followed by Your submission of such information represents Your agreement to that transfer.

In the event of a change in the recipient countries, Seelab shall inform the Customer and all its Users and provide them with an updated list of recipient countries.

Seelab will take all steps reasonably necessary to ensure that Your data is treated securely and in accordance with this Privacy Policy. All transfers of Personal Data made for the purpose of providing the Services from the European Union, the European Economic Area (EEA), their Member States and Switzerland to other countries shall only be made in accordance with the Standard Contractual Clauses, EU-US Data Privacy Framework, and/or relevant adequacy decision in order to ensure each Data transfer complies with applicable EU legislation.

Disclosure of Your Personal Data

We may share Your personal information in the following situations:

- With Services Providers and their Affiliates (see Appendix I - list of Services Providers): We may share Your Personal Data, including Technical Data with Services Providers to provide, facilitate and maintain the Services, to monitor and analyze the use of Our Services, to contact You.
- With third party partners: We may share certain Data, with professional service providers or marketing and advertising partners like Facebook, LinkedIn or GoogleAds to create personalised ads and content. This way we can inform you about Our Services, subject to your consent and choice to opt out.
- Legal requirement: We may share your Personal Data including information about your interaction with our Services, with government authorities, industry peers, or other third parties (i) if required to do so by law or in the good faith belief that such action is necessary to comply with a legal obligation, (ii) to protect and defend our rights or property, (iii) if we determine, in our sole discretion, that there is a violation of our terms, policies, or the law; (iv) to detect or prevent fraud or other illegal activity; (v) to protect the safety, security, and integrity of our products, employees, or users, or the public, or (vi) to protect against legal liability.
- Business Transfers: If we are involved in strategic transactions, reorganization, bankruptcy, receivership, or transition of service to another provider (collectively, a "Transaction"), your Personal Information and other information may be disclosed in the diligence process with counterparties and others assisting with the Transaction and transferred to a successor or affiliate as part of that Transaction along with other assets.

We do not, and will not sell, including to any third party partners, any of Your Personal Data.

4. DETAILED INFORMATION ON THE PROCESSING OF YOUR PERSONAL DATA

For the sole purpose of providing the Services, improving the Service, the features of Our Services and ensuring the best quality User experience, other Services Providers We use may have access to Your Personal Data.

We, or Our Service Providers, may use tools such as, or with the purpose of:

- Analytics,
- Infrastructure monitoring,
- User database management.

The third-party vendors may collect, store, use, process and transfer information about Your activity on Our Services in accordance with their Privacy Policies.

5. YOUR RIGHTS AND HOW TO EXERCISE THEM

Your Rights under this Privacy Policy

Seelab 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,
- Request correction of the Personal Data that We hold about You,
- 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/advertising purposes.
- Request erasure of Your Personal Data,
- Request the transfer of Your Personal Data,
- Withdraw Your consent. You have a right to, at any time, withdraw your consent to the processing of Your Personal Data for any above stated purposes, including direct marketing/advertising. This right to withdraw Your consent to direct marketing/advertising does not affect Your ability to use Our services. However, if You withdraw Your consent to the use of Your Personal Data for purposes necessary to contract performance, We may not be able to provide You with access to certain specific functionalities of the Services.

Exercising of Your Rights under this Privacy Policy

You may exercise Your rights of access, rectification, cancellation and opposition by contacting Us.

You may exercise Your rights, including opt out Your consent to stated above purposes by sending a request to privacy@seelab.ai. 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.

You may file a claim with the CNIL (French Information Commissioner's Office):

- Directly online;
- By letter: 3 Place Fontenoy - TSA 80751 - 75334 Paris Cedex 07.

6. KEEPING YOUR DATA SAFE

Seelab is committed to protecting Users' Personal Data. We put in place reasonable technical and organisational measures to ensure the security of the processing of Personal Data and its confidentiality. However, please be aware that no system is ever completely secure.

To protect Your User Account, We encourage You to:

- Use a strong password which You only use for you User Account,
- Never share Your password with anyone,
- Limit access to Your devices,
- Log out once You have finished using the Services.

If other individuals have access to Your User Account, then they can access Your Personal Data.

It is Your responsibility not to allow other individuals to use Your User Account or access the Services.

7. CHILDREN'S PRIVACY

Our Services 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.

8. CHANGES TO THIS PRIVACY POLICY

Seelab may change this Privacy Policy from time to time. Laws, regulations, and industry standards evolve, which may make those changes necessary, or We may make changes to Our Services or business. We will post the changes to this page and we encourage you to review our Privacy Policy to stay informed. If We make changes that materially alter Your privacy rights, We will provide additional notice, such as via email or through the Services. If You disagree with the changes to this Privacy Policy, You should deactivate Your User Account.

Contact the relevant Customer if You wish to request the removal of Your Personal Data under their control.

Changes to this Privacy Policy are effective when they are posted on this page.

9. CONTACT US

For any additional information on the protection of Your Personal Data, You may contact Us: privacy@Seelab.ai.