

## PRIVACY POLICY

This Privacy Policy describes and informs how Historeat, S.A.P.I. de C.V. (hereinafter "Historeat") collects, uses and discloses certain information and data obtained through our mobile application (the "App"), our website [www.historeat.app](http://www.historeat.app) (the "Site"), personally, by telephone, by electronic means or by mail. In some cases, Historeat may obtain such information and data from other sources or from third parties.

The information contained herein is issued in accordance with the Mexican Federal Law on Protection of Personal Data Held by Individuals published in the Official Gazette of the Mexican Federation on July 5, 2010 (hereinafter the "Law"); the Mexican Regulation of the Federal Law on Protection of Personal Data Held by Private Individuals published on December 21, 2011 (hereinafter the "Regulation"); the Privacy Policy Guidelines published on January 17, 2013 (hereinafter the "Guidelines") and other applicable provisions.

Your data and information will be collected and stored by Historeat, with address at Av. Coyoacan 333, int. 18, Ciudad del Sol, Zapopan, Jalisco, Mexico, C.P. 45050, who will be responsible for the use and protection of your data and personal information; preserving it according to the rules of protection and confidentiality. If you share information with us, browse our Site or make use of the App, it will be understood that you have reviewed, read and accepted the terms of this document.

### 1. Scope.

This policy applies to anyone who browses our Site or registers and/or uses the App, as well as to any person who contacts Historeat or makes his/her personal information and data available in any way, unless that particular action is subject to another privacy policy.

Any information or data that is collected about identifiable or identified individuals will be considered as "*personal information*". Then, the "*holder*" is any identified or identifiable person who communicates his/her data or personal information to Historeat by any means.

It is the responsibility of the holder of the personal information, to ensure that the data or private information provided voluntarily to Historeat in a verbal, documentary or electronic manner, is correct, truthful and complete; and must inform Historeat in a timely manner, through the means indicated in this privacy policy, about any modification in order to keep the information updated.

## 2. What data we collect?

Historeat may collect and process the following information:

- *Personal and contact information*: full name, date of birth, email, telephone, username and password.
- *Content*: communications, content, posts, images and other data provided when using the App.
- *Networks and connections*: information about other accounts, hashtags and groups to which you belong.
- *Interactions and use*: information on how you use the App, the type of content you upload to the account, functions used, actions carried out, frequency and duration of use of the Site or the App, as well as geolocation (when allowed by you in the settings of your personal device), travel plans and food and beverage preferences.
- *Preferences*: information about preferences and settings chosen in the App, either through cookies or other similar technologies.
- *Devices*: data of the device in which you install the App or from which you access it, as well as the data generated by those devices based on the permissions granted; including IP address, attributes, identifiers, mobile carrier, signals and device configuration data. This data is collected to customize the content or functions available in the App or the Site.
- *Geolocation*: information about geolocation (only if you allowed it in the privacy settings of the device from which you access the App, or shared content with location).
- *Address Book Contacts*: You can choose to synchronize your address book contacts with Historeat so that we can help you connect with people you know, as well as help others connect with you in the App.

Historeat may also collect information from other people through the App users. If you share information about third parties, be sure to obtain prior consent to provide their information, as it is your responsibility and not Historeat's.

Historeat will not collect information considered as “*sensitive data*”, in accordance with the provisions of section VI of article 3 of the Law.

## 3. How we collect your information?

Historeat may collect your information through any of the following ways:

- a. When you directly provide your information to Historeat, either personally, through the Site, the App or by other any other legal means, whether is electronic, optical, documentary, sonorous and/or visual, which includes the information and data you provided when you:
  - Create or update your user account.
  - Contact Historeat by any means.
  - Answer the satisfaction surveys you receive directly from Historeat.
  - Use the App allowing access to obtain certain information, such as your location. Depending on the permissions you have granted on your device and App settings; Historeat may collect data about your precise or approximate location, whether it is obtained when the App is running on foreground or in background.
  - Answer our requests, phone calls, emails or messages.
- b. From other sources permitted by law, such as phone books, references from other companies or individuals, public databases of any public or private entity or agency.

4. For what purposes do we use your information?

Historeat may access and use your personal information and data for the following purposes:

- Identification and contact.
- Creation and administration of the user's profile.
- Solve technical support issues.
- Maintain the security and integrity of the App and the Site.
- Verify accounts and activity, investigate or address reports about suspicious activities, reports of intellectual property rights, complaints related to the use of Historeat's App and the Site or for any other aspects permitted by Law.
- Avoid fraud, abuse and spam.
- Improve the user experience in the App and the Site.
- Provide and manage the services of the App and the Site (as defined in our Terms and Conditions).

Secondarily, we will use your personal data for the following purposes that are not necessary for the functionality of the App and the Site:

- Conduct studies on your interests and behaviors to better understand your needs and interests so we can be able to offer a better user experience or provide you certain related information in the App or the Site.
- For marketing, advertising and recommendations.
- Communicate information about updates and events.

If you do not agree with the secondary purposes, you may express your refusal to process your personal data with respect to purposes that are not considered necessary for the use of the App or the Site. Please send an email to [support@historeat.app](mailto:support@historeat.app) to communicate this.

Please be aware that information such as your likes, followers, posts, lists and other content is shared with third parties when you use the App and allow your profile to be public, or if you have a private profile, with people that you previously authorized, enabling other users to share your content with others, either inside or outside the App, therefore we invite you to consider with whom or who you want to share your content, since Historeat is not responsible for the use that other users make of the information that you freely shared (for more information please consult the Terms and Conditions of Historeat). Likewise, the information published about you by other users who use our Services may also be public. For example, other users may tag you in a post.

- 4.1. Direct messages. If you communicate with other users through direct messages (inbox), we will store such communications, to be able to detect abuses, prohibited images and reported matters. We will also use information about who has been contacted and when so we can be able to show more relevant content and protect the integrity of the App and Site. The content of your direct messages will be shared with the users to whom you have sent it, which implies that they will keep a record of the communications, even if you delete such messages from your account those communications may be duplicated, shared or stored by the other users and Historeat has no control over it.
- 4.2. Public communications. Consider that if you interact in a public way within the App, such interactions will be visible to other users. If you interact in a private way, your interactions will be visible to all users that you have previously authorized. Historeat has no control over what users themselves can do with the information you share in the App.
- 4.3. Location. If you decide to share your location with Historeat, you may add location to your posts. If you decide to share your location, be careful when sharing locations that you do not want other users to know, such as your

home. From the App configuration tool, you may modify your geolocation preferences.

#### 5. Transfer and/or remission of personal data.

In order to duly comply with the purposes of this Privacy Notice, Historeat may disclose and/or transfer your information to its partners, holding, affiliated or subsidiary companies, whether national or foreign, present or future, as well as to third parties, that are service providers, advisors and/or consultants, national or foreign, who will have privacy policy equal or similar to Historeat's, in order to maintain the security of your data.

When you use the App and choose to share certain content on other social media, the information you share will be regulated by the privacy policies of the respective social network, as well as by the privacy settings that you have established on that site.

Likewise, Historeat may disclose and/or transfer your personal information and data on the occasion of a corporate transaction (including mergers and acquisitions). In those cases, the potential acquirers and the advisors (legal, accounting and/or financial) that are involved in the transaction could receive your information. We will only communicate your personal information and data to the necessary extent.

Historeat may transfer your information to government agencies, as well as to third parties, when, at its sole discretion, considers it necessary or appropriate to: (i) respond to any legal claim process, (ii) protect its property and rights or even those of a third party, (iii) preserve the safety of the general public or any person, (iv) prevent or stop any illegal activity or that goes against morality and decency, and (v) to ensure compliance with the Law.

In the case where Historeat requires to use your personal data for purposes other than those established in this privacy policy, you will be notified in writing, telephone, electronic or by any other optical, sound, visual or other available means (now or in the future). You will be informed about the new purposes for which your information is intended to be used, with the purpose of obtaining your authorization.

#### 6. How do we protect and store your information?

Your personal data is protected based on the principles of lawfulness, consent, information, quality, purpose, loyalty, proportionality and responsibility, which are stipulated in the Law.

In Historeat we have implemented policies and mechanisms that protect your personal information in an administrative, technical and electronic way, in order to avoid losses, incorrect uses or unauthorized access, publications, modifications or destruction. These privacy practices are brought to give you the proper protection, privacy and confidentiality that your personal information deserves. However, Historeat does not guarantee that, due to hardware or software failures, or other circumstances beyond its control, third parties' access or make unauthorized use of such data.

Historeat will store your information while your account is active, unless you request the elimination of your User Account or information. In some cases, certain information may be stored in our database, even if you delete your user account, until legal actions that may arise from our relationship are extinguished, in which case they will be kept exclusively for effects of the responsibilities emanated from its treatment or as required by Law.

The App, the Site and the services that Historeat provided are intended for the use of adults or teenagers (over the age of 13) with the consent of their parents or legal guardian. If Historeat receives notice or reasonable evidence that someone underage, without her/his parents or legal guardian consent, has provided us with personal information, Historeat will promptly delete the user account and all the personal information that has been provided.

7. How can you exercise the rights of access, rectification, cancellation and objection ("ARCO")?

We want you to freely decide what information you share with us, for which, and in accordance with the provisions of the Law, you can access, rectify and cancel your personal information, as well as oppose the disclosure of these information through the procedures that Historeat has implemented in the App itself, the Site and through our Personal Information Protection Department.

For a better understanding, we explain the ARCO rights below:

- **Access:** You have the right to know what personal information we have about you, what we use it for, as well as the generalities of such treatment.

- *Rectification*: It is your right to request the rectification of your personal information if it is incorrect, outdated or incomplete.
- *Cancellation*: You have the right to delete your information from our records or databases when you consider that it is not being used in accordance with the principles, duties and obligations of law.
- *Opposition*: You can object or request the ceasing of the use of your personal information and data for specific purposes.

For the exercise of any of the ARCO rights or the revocation of the consent that you have granted us, you must submit a written request to our Department of Protection of Personal Data, to the following email: [support@historeat.app](mailto:support@historeat.app) in which we will attend and resolve your request in accordance with the provisions of the Law. As established in Article 29 of the Law, the ARCO application you submit must contain at least the following:

- Your name and address, or other means to communicate the response to your request;
- Documents proving your identity or, where appropriate, the legal representation;
- The clear and precise description of the personal information of which you want to exercise any of the rights (reason for the request);
- In the case of rectification of any of your personal information, you must indicate the modifications to be made and provide the documentation that supports your request;
- Any other element or document that facilitates the location of personal information, as well as any other document required by the Law at the time of the application being submitted.

In the event that a third party submits such request on your behalf, the legal representation must be proved by means of a power of attorney signed before two witnesses or public instrument and must also attach a copy of valid identification belonging to both the holder of the personal data and the legal representative.

Historeat will notify the determination adopted within a maximum period of 20 (twenty) business days, counted from the date on which the request was received, so that, if appropriate, it will be effective within 15 (fifteen) business days following the date on which the response is communicated.

Historeat may deny the exercise of ARCO rights, in the following cases:

- When you are not the holder of the personal information or you have not duly accredited the representation of the holder;

- If your personal information or data is not in our database;
- When the rights of a third party are injured;
- When there is a legal impediment or the resolution of a competent authority that restricts your ARCO rights;
- When the rectification, cancellation or opposition has been already made.

The answer to your request could be partially negative, in which case Historeat will respond to the request only partially.

Not in all cases we will be able to attend your request or conclude the use of your information or data immediately, since it is possible that for some legal obligation, we will need to continue treating your personal information. Likewise, you should consider that for certain purposes, the revocation of your consent will imply the end of your relationship with us, and therefore, the suspension, disqualification or elimination of your user account.

It is important that you consider that Historeat also provides certain means for you to view, control, modify and/or correct the information we collect through the following accesses available in the App:

- *Edit Profile*. In this section, users may modify and/or update their information such as email, telephone, date of birth and username.
- *Privacy settings*. In the privacy settings menu, users are allowed to configure or *update preferences* regarding notifications, privacy, security and account, so that you can limit the data and information that we collect and how we use it, as well as control other related issues. You may also close and/or delete your Historeat user account from the account settings menu.
- *Exclusions*. You may register in the exclusion list, so that your personal information and data is not processed for secondary purposes, marketing, advertising or commercial prospecting purposes, by sending an email to the following address [support@historeat.app](mailto:support@historeat.app)

## 8. Social Media.

If you have active accounts on social media such as Instagram and/or Facebook or any other, the processing of your personal information and data, when you become follower or fan of the official pages of Historeat on those social media, will be ruled by the terms and conditions and privacy policies of that social media, since that data and personal information is collected by such social media and not Historeat. Having

said the above, we recommend you review the privacy policy and/or the terms of use of the concerning social network in order to know the conditions and purposes for which your data will be used.

#### 9. Use of Cookies.

Cookies and/or similar technologies are small pieces of text used to store and receive identifiers and other data on computers, phones and other devices. This allows us to provide, protect and improve the operation of the App and the Site, identify the preferences of the users and customize the content.

Cookies and similar technologies allow us to monitor user's behavior online. We use the information obtained to help us optimize our Site and the App settings and improve your user experience.

Your device will accept cookies and/or similar technologies and allow automatic collection of data unless you change the default settings. Most devices allow you to manage your cookie preferences. You can adjust your device to reject or delete cookies. If cookies of the App and the Site are disabled, certain functions and/or services may be restricted.

Historeat uses "cookies" and similar technologies for the following purposes:

- a. User authentication;
- b. Remember user preferences and settings;
- c. Determine the popularity of content;
- d. Protect the integrity and security of the user account and your personal information and data;
- e. Analyze the traffic of the Site and the App and trends to understand the behaviors and interests of the users that interact in the App.
- f. App and Site usage, schedule and time.

#### 10. Updates to the Privacy Notice.

Historeat reserves the right to modify and/or update this privacy policy at any time, in order to meet new legislation, case law, internal policies, as well as new requirements for the proper functioning of the App and the Site.

If we make significant changes, we will notify the changes through the Historeat App, the Site and/or through email. To the extent permitted by law, when you continue

using the Site or the App after such notification, it is understood that you have accepted the updates of the privacy notice. We recommend that you periodically review this privacy notice to obtain the latest information about our policies.

#### 11. Acceptance.

All processing of your personal information and data is subject to your consent as the holder, except for the exceptions established in the Law and its Regulations. In accordance with article 8 of the Law, by the simple fact of not expressing opposition when reading this privacy notice, the processing of your personal data in all of its terms is tacitly consented, except those that require your express consent in terms of the Law.

By sharing your information with us and using the Site or the App it is understood that you have reviewed, read and accepted the terms of this privacy policy. Also, you declare that the personal information you provide to Historeat has been obtained in a free, informed, voluntary and unequivocal manner.

#### 12. Contact.

For any questions or comments about our privacy policy, or if you need advice and/or you require to update the personal information and data we have about you, please contact us via email at [support@historeat.app](mailto:support@historeat.app)

If you send us an email, we will retain the content of the message, your email address and your contact information in order to answer your request.

Last update: February 6, 2020.

#### 13. INAI (National Institute for Transparency, Access to Information and Personal Data Protection of Mexico).

If you believe that your right to the protection of your personal information has been injured by any conduct or omission from us, or perceive any violation of the provisions set forth in the Federal Law on Protection of Personal Data Held by Individuals in Mexico, its Regulations and other applicable regulations, you can file your dissent or complaint with the National Institute for Transparency, Access to Information and Personal Data Protection of Mexico (INAI). For more information see the official website at [www.inai.org.mx](http://www.inai.org.mx)