

Gallery Bay

Privacy Policy

Updated: **January 09, 2022**

Welcome to Gallery Bay! Thank you for choosing to be part of our community.

1. Introduction

This privacy policy (the “**Privacy Policy**”) describes the types of Personal Information Gallery Bay, Inc. (“**Gallery Bay**,” “**we**,” “**us**,” or “**our**”) may collect from all visitors, Customers, and Creators (“**you**” or “**User**”) or that you may provide to us when you visit our website at www.gallerybay.com (the “**Site**”), and the services provided on the Site (the “**Services**”) (collectively, the Site and the Services, the “**Platform**”). It also describes our policies and procedures on the collection, use, maintenance, protection, and disclosure of your Personal Information when you access and/or use the Platform and tells you about your privacy rights and the choices you may have with respect to your Personal Information.

Please read this Privacy Policy carefully before accessing and using the Platform to understand our policies and procedures regarding your Personal Information and how we will treat it.

THIS PRIVACY POLICY ONLY COVERS THE PERSONAL INFORMATION WHICH GALLERY BAY COLLECTS, DIRECTLY OR INDIRECTLY, FROM YOU OR FROM THIRD-PARTIES. IT DOES NOT COVER, AND WE HAVE NO CONTROL OVER, THE INFORMATION THAT USERS REQUEST FROM OR PROVIDE TO EACH OTHER. IF YOU SHARE PERSONAL INFORMATION WITH OTHER USERS THROUGH THE PLATFORM, YOU DO SO ENTIRELY AT YOUR OWN RISK AND ANY SUCH DISCLOSURE IS SOLELY BETWEEN YOU AND THE OTHER USER(S).

Capitalized terms not otherwise defined herein have the meaning set forth in our [Terms of Service](#), which is hereby incorporated by reference.

2. Acceptance

By accessing and using our Platform, you agree to the collection and use of your Personal Information in accordance with this Privacy Policy. If you do not agree with our policies and procedures, please do not use the Platform.

3. Updates

We reserve the right to modify this Privacy Policy at any time by posting an updated Privacy Policy on the Platform. If we make changes, we will notify you by revising the date at the top of the policy. If we make any material changes, we will provide you with notice through the Services and we may also, at our sole discretion, provide registered Users with an email notice of those changes. You are responsible for regularly reviewing the Privacy Policy and your continued use of the Platform after we make changes is deemed to be acceptance of the updated Privacy Policy. If any modification is unacceptable to you, you shall cease using the Platform. If you have any questions about this Privacy Policy, you may contact us at contact@gallerybay.com.

4. Personal Information Collected by Gallery Bay

Gallery Bay collects information from the following categories of sources: (a) directly from you; (b) indirectly/automatically from you; and (c) third-parties.

4.1. Personal Information Gallery Bay Collects Directly From You

While you are accessing or using our Platform, we may ask you to provide us with certain Personal Information (defined below) about you that is necessary to provide you with our Services and you may also choose to provide us with additional Personal Information. “**Personal Information**” means any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a

particular individual or household.

You may also provide us with information about you at the time of registering to use our Platform, providing feedback, purchasing Content, requesting Additional Services, requesting customer support, posting User Generated Content on our Platform, or making comments on our blog, which may include the following:

4.1.1. Contact information: first and last name, email address, mailing address, business address, and telephone number;

4.1.2. Categories of personal information: name; address; and telephone number, as described in Section 1798.80(e) of the California Civil Code;

4.1.3. Business information: business name and address;

4.1.4. Payment information: our third-party Payment Processor may also collect your credit card number information and provide us with your name, type of service purchased, the date and time of the transaction;

4.1.5. Account information: username and password, date of birth, profile photo, Content, account activity, and other files you record or upload in your account;

4.1.6. Mobile Device Information: we may access and receive information that you provide us access to, such as from your camera, photos, microphone, and location services;

4.1.7. Communication information: any content of any communications you send and/or receive through the Platform to or from other Users or us; and

4.1.8. Feedback: information you provide through our customer service center, or information that you share with us.

We will not ask or require you to provide sensitive information such as information related to your finances, health, marital status, or any other information not required to provide the Services. We will not ask for, and you should not provide us with, information regarding protected classifications, including: race, color, religion, national origin, age, sex/gender, gender identity, sexual orientation, marital status, medical condition and disability information, as described under the appropriate state or federal law.

4.2. Information Gallery Bay Automatically Collects From You

While you are accessing and using our Platform, we may automatically collect certain information from you. This information may include, but is not limited to:

4.2.1. Your device's internet protocol address (e.g. IP address), browser type and version;

4.2.2. Access date and time, pages of our Platform that you visit and the time spent on those pages, and other actions while using the Platform;

4.2.3. Geolocation data, such as the precise or approximate location determined from your IP address;

4.2.4. When you access the Services by or through a mobile device, we may collect certain information automatically, including, but not limited to, the type of mobile device you use, your mobile device unique ID, the IP address of your mobile device, your mobile operating system, the type of mobile Internet browser you use, unique device identifiers and other diagnostic data;

4.2.5. Information about the device you use to access our Services, including the hardware model, the type of mobile you use, operating system and version, unique device identifiers, cookie data;

4.2.6. Other diagnostic data.

The information we automatically collect from you is only statistical data and does not include Personal Information,

but we may maintain it or associate it with Personal Information we collect in other ways to help us improve our Platform and deliver a better and more personalized service. We use these technologies for a number of purposes, including to enable you to use the Platform, facilitate the functioning of and your access to the Services, to better understand how you navigate through the Platform, and to detect and prevent fraud.

The technologies we may use for this automatic data collection may include:

Cookies (or browser cookies). Cookies are small files placed on the hard drive of your computer when you access certain websites that record your preferences. We use cookies to track use of and improve our Platform.

Flash Cookies. Certain features of our Platform may use local stored objects (or Flash Cookies) to collect and store information about your preferences and/or your activity on our Platform.

Web Beacons. Certain sections of our Platform and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, single-pixel gifs) that permit us to determine whether you performed a specific action, for example, if you visited our Site or opened an email.

4.3. Third-Party Use of Cookies

Some content or applications on the Platform are served by third-parties, including payment processors, and content and application providers. These third-parties may use cookies, web beacons or other tracking technologies to collect information about you when you access or use our Platform. The information they collect may be associated with your personal information and/or they may collect information related to your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content. We do not control these third-parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For more information about how you can opt out of receiving targeted advertising from many providers, see the [Network Advertising Initiative's opt-out page](#) and [Google Ads setting page](#).

Google Analytics. We use Google Analytics as a third party tracking service, but we don't use it to track you individually or collect your Personal Information. We use Google Analytics to collect information about how our Platform performs and how our Users navigate through and use the Platform. This information helps us evaluate our Users' use of the Platform and improve our Platform performance.

Google Analytics gathers certain non-personally identifying information over time, such as your IP address, browser type, internet service provider, referring and exit pages, timestamp, and similar data about your use of the Platform. We do not link this information to any of your personal information such as your username. Google provides further information about its own privacy practices and offers a browser add-on to opt out of Google Analytics tracking. You can access Google Analytics' privacy policy [here](#).

4.4. Personal Information Gallery Bay Collects from Third Parties

We may collect Personal Information about you from other sources, including but not limited to (i) third-party services that you use to link or connect with our Services, such as **Facebook, Instagram, Pinterest, Twitter, and YouTube**, and (ii) **Creators with whom a User purchases Content or Additional Services**; (iii) **service providers, analytics companies, advertising networks, and other third parties** that, to the extent permitted by applicable law, provide us with additional information about you.

The information we collect from such third-parties may include the following:

4.4.1. Name, account information, and friends lists or contacts, in accordance with the authorization procedures determined by such social media site; and

4.4.2. Identification Information: government-issued photo ID, and User profile pictures.

5. Uploading and Posting Personal Information on the Platform

You may provide Personal Information to be displayed on public areas of the Platform, or transmitted to other Users

of the Platform or third-parties. This Personal Information is posted on and transmitted to others at your own risk. While all Users of the Platform must abide by our Terms of Service, we cannot guarantee that their use of Personal Information that you provide directly to them or which is provided to them through the Platform will be handled in accordance with this Privacy Policy.

If you choose to comment, react, or otherwise interact with any blog post or article on the Site, you are choosing to make such comment, reaction, or interaction public. Commenting may be moderated by Gallery Bay administrators and is subject to approval before appearing on the Platform, and a comment may be removed by us at any time in our sole discretion. You need to contact us if you want the Personal Information that was posted to the comments section removed.

6. How Gallery Bay Uses Your Personal Information

Gallery Bay uses the personally identifiable information you provide or we collect:

- 6.1.** To present our Platform to you;
- 6.2.** To provide and maintain the functionality of the Platform, including to monitor the usage of our Platform;
- 6.3.** To create and manage your Gallery Bay account, including to provide you with notices about your registration as a User of the Platform;
- 6.4.** To allow you to log into the Platform;
- 6.5.** To process payments for services you order or receive through the Platform;
- 6.6.** To provide you with news, advertising, and general information about the Services;
- 6.7.** For our internal business purposes, such as data analysis, audits and so forth;
- 6.8.** To fulfill our obligations and enforce our rights arising from any contracts you entered with us;
- 6.9.** To detect security incidents and protect against deceptive, illegal, or unauthorized activities;
- 6.10.** To comply with the law;
- 6.11.** To evaluate and/or conduct a divestiture, restructuring, dissolution, merger, or other transfer or sale of some or all of our assets;
- 6.12.** In any other way we may describe when you provide the information; and
- 6.13.** For any other purpose with your consent.

7. How Gallery Bay Shares and Discloses Your Personal Information

Where permissible under applicable law, we may share your information in the following situations:

- 7.1. With Service Providers.** We may share your Personal Information with service providers, contractors, and other third parties we use to support our business, and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them.
- 7.2. With Business Partners.** We may share your Personal Information with our business partners to offer you certain products, services or promotions, and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them.
- 7.3. With Other Users.** When you share Personal Information in your account profile, or otherwise interact in the public areas with other Users, such Personal Information may be viewed by all Users and may be publicly distributed.
- 7.4. For Business Transfers.** We may share or transfer your Personal Information in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company.
- 7.5. As Aggregated Information.** We may disclose aggregated information about our Users, and information that does not identify any individual, to our advertisers, business partners, or any other third party.
- 7.6. To Enforce Our Terms of Service.** We may disclose your Personal Information to enforce and

administer our Terms of Service.

- 7.7. To protect our rights.** We may disclose your Personal Information to protect the rights, property, or personal safety of our company, its employees, its members and members of the public.
- 7.8. For legal compliance.** We may disclose your Personal Information to comply with the law, a court order, or legal process, including to respond to (a) notices of intellectual property infringement, (b) claims that Profile Information violated the rights of third parties, (c) government or regulatory request, and/or (d) investigate the use of or respond to alleged violations or infringement of Third-Party Content.
- 7.9. With Your consent.** We may disclose your Personal Information for any other purpose with your consent.

8. How Gallery Bay Secures Your Personal Information

When you access your account information, we use commercially reasonable technological safeguards to secure any information we collect about you. The secure server software ("SSL") we use encrypts all information you input before it is sent to us. In addition, your Gallery Bay account information is password-protected for your privacy and security. You should always take steps to protect the confidentiality of the password you select. It is important for you to protect against unauthorized access to your password and to your computer. Be sure to sign off when you finish using a shared computer.

The security of your Personal Information is important to us, but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security. If you have any questions about security on our Platform, you can contact us at contact@gallerybay.com.

9. How You Can Manage Your Personal Information

You may correct, amend, or delete the information we hold about you. Most of your account information can be changed in the "My Profile" section of the Platform. After receiving proof of your identity, you may request that we delete or change any or all of your Personal Information (subject to certain exceptions) and we will do our best to respond to your request within thirty (30) days of receipt. You are responsible for keeping your Personal Information up to date.

On your IOS or Android device you can open the Settings app to change the camera, photos and other permissions you grant to Gallery Bay

10. Retention of Your Personal Information

Gallery Bay may retain your Personal Information for as long as your account is active or as needed to provide you with the Services. We will also retain and use your Personal Information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

11. Consent to Processing of Your Personal Information in the United States

Please be aware that your Personal Information may be processed by us (and third parties on our behalf as further described in this Privacy Policy) outside of your home country, including to the United States, where data protection and privacy regulations may not offer the same level of protection as privacy laws in your country. If you create a Gallery Bay account with us, you agree to this Privacy Policy and you consent to the transfer of all information you provide to us in the United States.

12. Opting-Out of Personalized Ads

You may choose to opt-out of receiving emails and newsletters from us and delete, disable, and manage browser cookies, and flash cookies.

12.1. Marketing Emails Opt-Out

If you no longer want to receive marketing emails from us, you may click the "Unsubscribe" link in an email, follow the instructions provided in any email we send, or contact us at contact@gallerybay.com.

12.2. Tracking Opt-Out

You can opt out of accepting cookies (or browser cookies) by activating the appropriate setting on your browser or you can set your browser to alert you when cookies are being sent. However, if you disable or refuse, you may not be able to access and use some parts of our Platform. Flash Cookies are not managed by the same browser settings as those used for Browser Cookies, for more information on how to manage Flash cookies, please visit [Adobe's Flash player settings page](#).

13. Third Party Websites

We may provide links to third parties' websites within the Services, but this Privacy Policy does not apply when you access third party websites directly from the Platform. Please note that we have no control or responsibility over their data collection, use and disclosure practices. When you click on links that take you to external websites, you will be subject to their privacy policies. If you access and transmit information to third parties' websites, you do so at your own risk. You should carefully review the privacy policy of any third party website you visit before using it or disclosing your personally identifiable information to its provider.

14. Collection of Payment Information

We may provide paid services within the Platform. In that case, we may use third party service providers for payment processing, such as [Stripe](#). [We will not store or collect your payment card details](#). The information will be provided directly to our third party payment processor whose use of your Personal Information is governed by their privacy policy. For more information about Stripe privacy policy please visit the [Stripe website](#).

15. Personal Information of Minors

The Platform is intended for individuals at the age of 18 years old or older. If you are under the age of 18, you may not use the Platform nor have a Gallery Bay account. We do not knowingly collect information from or direct any of our content specifically to children under 18. If we learn or have reason to suspect that you are a User who is under the age of 18, we will have to close your account. If you believe we might have any information from or about a child under the age of 18, please contact us at contact@gallerybay.com.

16. Supplemental Notice to California Residents

Californian Users of the Site may have additional rights afforded to them under California Privacy Laws.

16.1. CCPA Rights

If the processing of your information is subject to the California Consumer Privacy Act (the "CCPA"), you have the right to:

16.1.1. Request us to disclose the categories and specific pieces of Personal Information we collect, use, disclose, and sell;

16.1.2. Know the categories of Personal Information that we collect and the purposes for which we collected or used such Personal Information and whether that information is sold or shared;

16.1.3. Know the categories of sources from which the Personal Information was collected;

16.1.4. Know the categories of third parties with whom we shared or to whom we sell your Personal Information;

16.1.5. Know whether we collected or sold your Personal Information for business or commercial purposes;

16.1.6. Request deletion of Personal Information we collected from you, subject to certain exceptions;

16.1.7. Opt-out of the sale of their Personal Information; and

16.1.8. Not receive discriminatory treatment by us for exercising their rights set out in the CCPA.

16.2. Categories of Personal Information Collected by Us

For information about what categories of personal information we may collect from our customers in the 12 months preceding the date this Privacy Policy was last modified, the sources of such information, the purposes for collecting and using that information and what types of third party service provider we may share that information with please see the following sections in this Privacy Policy titled: "Personal Information Collected by Us"; "How We Your Personal Information;" and "How Your Personal Information is Shared and Disclosed." For more information about how to review and change your Personal Information collected through the Platform, please see the section titled "How You Can Manage Your Personal Information."

16.3. Categories of Personal Information Disclosed for a Business Purpose

The following is a summary of the categories of Personal Information we have disclosed for a business or commercial purpose in the 12 months preceding the date this Privacy Policy was last modified.

Categories of Personal Information we collect include:	Parties with whom each category of Personal Information may be shared include:
Identifiers: Real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.	Service providers, payment processors, our affiliates, our business partners, third-party vendors to whom you or your agents authorize us to disclose your Personal Information in connection with our Services, and other Users.
Categories of personal information described in California Civil Code §1798.80(e): Name, signature, mailing address, telephone number, passport number, driver's license or state identification card number, bank account number, credit card number, debit card number, or any other financial information.	Service providers, payment processors, our affiliates, our business partners, third-party vendors to whom you or your agents authorize us to disclose your Personal Information in connection with our Services, and other Users.
Commercial Information: Records and history of services purchased, obtained or considered, or other purchasing consuming histories or tendencies.	Service providers, payment processors, our affiliates, our business partners, third-party vendors to whom you or your agents authorize us to disclose your Personal Information in connection with our Services, and other Users.
Internet and other similar network activity	Service providers, payment processors, our affiliates, our business partners, third-party vendors to whom you or your agents authorize us to disclose your Personal Information in connection with our Services, and other Users.

Such categories of Personal Information may be collected, used or disclosed for business and commercial purposes, which may include the following examples:

16.3.1. To operate and improve our Platform;

16.3.2. To provide you with our Services, respond to your inquiries, and give you the necessary support;

16.3.3. To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations;

16.3.4. As described to you when collecting your personal information or as otherwise set forth in the CCPA;

16.3.5. For internal administrative and auditing purposes; and

16.3.6. To detect security incidents and protect against malicious, deceptive, fraudulent, or illegal activity, including, when necessary, to prosecute those responsible for such activities.

16.4. Do Not Sell My Personal Information

As a California consumer, you have the right to opt-out of the sale of your personal information. To make such a request please contact us by email at contact@gallerybay.com or visit Do Not Sell My Personal Information.

In the past 12 months, **we have not sold your Personal Information other than to utilize Google Analytics** in order to gain insights regarding how Users interact with the Services and to better provide the Services. See the heading titled "Google Analytics" of this Privacy Policy for more information about our use of Google Analytics and the categories of Personal Information collected by Google Analytics.

16.5. Minors

Our Services are intended for individuals at the age of 18 years old or older. If you are under the age of 18 and registered with our Services, you have the right to request and obtain removal of content or information you have publicly posted, under the California Business and Professions Code Section 22581. Be aware that your request does not guarantee complete or comprehensive removal of content or information posted online as the law may not permit or require removal in certain circumstances.

16.6. Do not Track Features

California law requires us to let you know how we respond to web browser Do Not Track (DNT) signals. However, at this stage there is no uniform technology standard for recognizing and implementing DNT signals. As such, we do not currently respond to DNT browser signals or any other mechanism that automatically communicates your choice not to be tracked online.

To make any requests regarding your California Privacy Rights please contact us by email at contact@gallerybay.com.

17. Contact Information

If you have any questions or complaints about this Privacy Policy or our handling of your Personal Information, please contact us at contact@gallerybay.com.