

## Privacy Policy



Last Updated: September 27, 2023

GoAnimate, Inc. or its affiliates d/b/a Vyond (“we”, “us” or “our”) recognizes the importance of the privacy of our users. This Privacy Policy contains important information for you about how we collect, use, disclose, retain and delete your personal information collected by us through our website [vyond.com \(https://vyond.com\)](https://vyond.com) (the “Site”) and the services available through our Site (collectively, the “Services”). It also describes your choices regarding use, access, and correction of our personal information.

Your personal information, as collected through this website and the Vyond platform, will be processed in accordance with this policy and applicable data protection laws. Use of our Site or Services and any dispute over privacy is subject to this Policy and our [Terms of Service](#), including its applicable limitations on damages and the resolution of disputes, subject to any law in your jurisdiction applicable to our Service. Our Terms of Service are incorporated by reference into this Privacy Policy.

Please read this Privacy Policy carefully. If you have any questions, feel free to contact our privacy officers by email at [privacy-support@vyond.com](mailto:privacy-support@vyond.com) or by mail at GoAnimate, Inc., 204 East Second Avenue, Suite 638, San Mateo, CA 94401 USA.

**Notice at Collection.** At or before the time of collection, California residents may have a right to receive notice of our practices, including the categories of personal information to be collected, the purposes for which such information is collected or used, whether such information is sold or shared and how to opt-out of such uses, and how long such information is retained. You can find those details by clicking on the following links.

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## Personal Information We Collect and Process

Categories of Data	Purpose of Processing	Lawful Basis (applicable for EEA users only)
Your name, mailing address, phone number, email address, contact preferences, and credit card information.	To register and create your Vyond account or perform account transactions.	Performance of our contract to provide the Services to you.
Your email address and any other information you provide to us, such as contact and employment information.	To communicate with you, including by email, about our Services, to respond to your questions and to request feedback, to offer you additional services, or to provide you with additional content or information that might be relevant or interesting to you	Our legitimate interest in communicating with you about our Services and marketing any additional services.
Your audio recordings and text including text input into prompt boxes as part of generative AI features included in a Video that you create.	To improve and provide our Services where you choose to record your own voice in an animation or otherwise input information into our Site or Services in any form, such as voice or text including text prompt functionality using generative AI.	Performance of our contract with you in terms of providing the Services and our legitimate interest in terms of improving the Services.
<p>Information you provide such as your occupation, language, zip code and area code and any feedback you might give us on our Site or Services</p> <p>Through cookies we may also automatically collect: your domain name, browser type, browser language, operating system type, device name and model, location, time zone where Services are accessed, pages or screens viewed, links clicked, IP address, when and clicked, IP address, when and the length of time you visit our Site or use our Services and the referring URL or the webpage that led you to our Site.</p> <p>We use the information derived from users' access to and use of our Site and our Services, both on an individual and aggregated basis, and to respond to user desires and preferences.</p>	To better understand customer behaviour in order to improve our Site, and Services and enhance User experiences, including to tailor the content provided through our Site and Services to provide you with personalised recommendations, and to improve our marketing of our Services.	Our legitimate interest in improving our products, services and marketing our products and services.

- If we do combine non-personal information with personal information, the combined information will be treated as personal information for as long as it remains combined.
- We may collect and process any of the information above as we deem necessary to (i) prevent, identify and address fraudulent or unlawful activity and security incidents; (ii) comply with laws, rules and regulations applicable to us in the US; (iii) resolve disputes with customers, users or third parties; (iv) respond to claims and legal processes (including but not limited to subpoenas and court orders); and (v) protect our property rights and those of our customers including by retaining data backups for business continuity purposes. For users in the EU: the foregoing purposes for processing are based on our legitimate interests.

## How We Disclose Information

We may disclose the information that we collect about you with the following entities:

- **Your Employer/Contracting Entity.** If you are using the Site or the Services through a work email address, we may disclose your information to your employer/contracting entity only for the purpose of facilitating their potential purchase of an enterprise account from us.
- **Authorized Resellers.** We may disclose your information including your email address, employer and usage data with our authorized resellers and channel partners so that they can provide customers and potential customers with helpful information about our products and services to allow them to make an informed purchasing decision. Our resellers are not permitted to use your information for any other purpose other than contacting customers and potential customers. Where we transfer your information, we have also put in place appropriate safeguards to protect your information irrespective of your country of residence.
- **Service Providers.** We may disclose your information to our vendors or service providers or agents who act as sub-processors on our behalf in providing systems support for our services. Accordingly, these vendors, service providers or agents may process and store your personal information. Service Providers, for example marketing automation and user analytics platforms, may use your personal data in aggregated form where it does not identify you, for their own analytics and research and development purposes.

Vendors or service providers we may disclose to include:

- Cloud-based hosting providers which may process any of your information mentioned in this privacy policy as they provide hosting services for all of the data that you provide or we collect in the context of the Services.
- Marketing automation and data enrichment platforms process contact information (name, email address, physical address, phone number, company name, job role) and provide updated or complete contact information to support our marketing efforts.
- Customer relationship management platforms process contact information as well as transaction information (such as type of subscription) to allow us to better support and market our customers.
- Customer support and community platforms which may process contact information and any personal data that users share on the platform.
- Accounting and finance platforms process transaction information (e.g. name, location and payment history) to allow us to budget, forecast and pay taxes.
- Payment processors securely process your contact information and payment card information to process your payment for our Services.
- User analytics platforms will generally process usage information automatically collected from cookies on our Site and Services (domain name, browser type, browser language, device ID, operating system type, device name and model, pages or screens viewed, links clicked; IP address, when and the length of time you visit our Site or use our Services and the referring URL, or the webpage that led you to our Site) as well as information contained in our customer relationship management platform to provide analytics which support our decisions relating to product and service improvement (which includes content personalisation) as well as marketing efforts.

- Consulting firms will process any information that we provide to them which generally includes aggregated data but may include identifying information in limited circumstances.
- Financial advisors, accountants and law firms may process any personal information that may be relevant in the provision of their services to us. While all service providers are subject to contractual obligations of confidentiality, these professional advisors are also generally subject to professional obligations of confidentiality.

We may also disclose the information that we collect about you in the following ways:

- **Business Transfers.** We may disclose your information to another entity if we are acquired by or merged with another company if substantially all of our assets are transferred to another company, or as part of a bankruptcy proceeding.
- **In Response to Legal Process.** We may disclose your information to comply with the law, or a judicial proceeding, subpoena, court order or another legal process.
- **To Protect Us and Others.** We may disclose your information to law enforcement, financial institutions, judicial authorities or regulatory authorities when we believe it is necessary to investigate, prevent or act regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Service or this Privacy Policy, or as evidence in litigation in which we are involved.
- **Aggregate and De-Identified information.** We may disclose aggregate or de-identified information about our users for marketing, advertising, research or similar purposes.
- We may disclose aggregate or de-identified information about our users for marketing, advertising, research or similar purposes.

## Privacy Choices

GoAnimate will offer individuals the opportunity to choose (opt-out) whether their personal information is (a) to be disclosed to an employer or non-agent third party or (b) to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual. GoAnimate will provide individuals with reasonable mechanisms to exercise their choices.

You may sign-up to receive email or newsletter or other communications from us. If you would like to discontinue receiving this information, you may update your email preferences by using the “Unsubscribe” link found in emails we send to you or by contacting us at [support@vyond.com](mailto:support@vyond.com).

## Privacy Rights

In accordance with applicable law, you may have the right to: (i) request confirmation of whether we are processing your personal information; (ii) obtain access to or a copy of your personal information; (iii) receive an electronic copy of personal information that you have provided to us, or ask us to send that information to another company (the “right of data portability”); (iv) object to or restrict our uses of your personal information; (v) seek correction or amendment of inaccurate, untrue, incomplete, or improperly processed personal information; and (vi) request erasure of personal information held about you by us, subject to certain exceptions prescribed by law. If you would like to exercise any of these rights, please follow the instructions set forth below.

We will process such requests in accordance with applicable laws. To protect your privacy, we will take steps to verify your identity before fulfilling your request. Where we are the “Processor,” “Service Provider,” or other similar term of the personal information under applicable data protection laws, you must contact the appropriate data “Controller,” “Business,” or other entity ultimately responsible for your information to exercise these rights.

**Non-Discrimination.** You may have the right not to receive discriminatory treatment by us for the exercise of your rights conferred by data protection laws.

**Right to Review, Delete, and Control Our Use of Your Information.** You may have the right to request access to your personal information and may have additional rights depending on the personal data protection laws applicable to your jurisdiction.

You can review most of the personal information we collect about you by logging into your account and reviewing your account information and updating the personal information we maintain about you.

You may also contact our privacy officers at the address below, or email us at [privacy-support@vyond.com](mailto:privacy-support@vyond.com) to request access to (i) review your personal information and (ii) exercise any of your rights with respect to your personal information, including erasure or deletion, and/or (iii) request cancellation of your account.

**Right to Take Your Information With You.** You may have the right to obtain a copy of your personal information and take it with you. The copy will be in a structured, commonly used and machine-readable format. If requested by you and when technically feasible, we will send that information via electronic means to a third-party designated by you, where we are the Controller of the information.

**Right to Remove Your Information.** We may store videos you have created on Vyond or external assets you have imported into your asset library on Vyond. You can delete such videos or assets at any time by logging into your account and using the deletion tools provided within Vyond. Please note that such tools will only apply to the copies hosted on Vyond and will not apply to videos previously downloaded or exported. Please also note that it may take up to one (1) month for such deletions to become permanent and irreversible.

**Right to File a Complaint.** If we fail to respond to your complaint within a reasonable period of receiving it in writing, or if you are dissatisfied with the response that you receive from us, you may, subject to the laws applicable to you, lodge a complaint with the data protection authorities in your home jurisdiction.

**Opting Out of “Sharing” For Cross Context Behavioral Advertising.** Subject to applicable law, you may also have the right to opt-out of sharing of information for cross-context Behavioral advertising. To do so, you can access our “Do Not Sell or Share My Personal Information” page available [here](#) or by broadcasting the GPC signal.

If you have any questions about how to remove videos or assets on Vyond, please contact our support team at [support@vyond.com](mailto:support@vyond.com).

## How Long We Retain Your Information

GoAnimate is subject to various retention requirements and retains personal data only for as long as necessary for a specified purpose or legal requirement wherever technically and operationally feasible and in accordance with any applicable regulations. If you are using the Site or the Services through your employer’s multi-seat account, please be aware the Administrator of the account has the ability to delete all personal data processed using the Site or the Services, including any content you create and your account details.

## Cookies and Other Tracking Mechanisms

We and our service providers use cookies and other tracking mechanisms to track information about our users’ use of our Site or Services. We or our service providers may combine this information with other personal information we collect from you.

- **Do Not Track.** Our Site does not respond to Do Not Track signals and we or our third-party service providers may track your activities once you leave our Users may disable certain tracking as discussed in this section (e.g., by disabling cookies).
- **Cookies.** We or our service providers may use cookies to track your activity on our Site. A cookie is a text file that a website transfers to your computer or device for record-keeping purposes. We or our service providers may use cookies to track your activities on our Site, such as the pages visited and time spent on our Site. Most browsers allow users to refuse cookies. The Help portion of the toolbar on most browsers can inform you about how to prevent a computer from accepting new cookies, how to have the browser notify a user upon receipt of a new cookie, or how to disable cookies altogether. If you disable cookies, you may not be able to browse certain areas of our Site, or use certain parts of our Services, such as our recommender system which will tailor content according to User preferences.

- **Clear GIFs, Pixel Tags, and Other Technologies.** Clear GIFs are tiny graphics with a unique identifier, similar in function to cookies, which are embedded invisibly on web. We or our service providers may use clear GIFs (also known as web beacons, web bugs or pixel tags), relating to our Site to track your activities, help us manage content, and compile statistics about usage of our Site. We or our service providers may also use clear GIFs in HTML emails to our users, to help us track email response rates, identify when our emails are viewed, and track whether our emails are forwarded.
- **Third-Party Analytics.** We use third-party service providers, such as Google Analytics, to evaluate the use of our Site and our Services. We or our service providers use automated devices and applications to evaluate the use of our Site and Services. We or our service providers use these tools to help us improve our Site, Services, performance, and user experiences. These entities may use cookies and other tracking technologies, such as web beacons or Flash cookies, to perform their services. You can learn more about Google's practices by visiting [here](#).

## User-Generated Content

Users can create content on our Site or Services, such as by creating videos using the assets we provide and importing their own assets (such as image and audio files) for inclusion in these videos. You control the sharing and distribution settings for the videos created by you according to the control settings you set for yourself. If you have elected to make your animations public, then other users will be able to see that you posted animations and view your animations. We cannot prevent such information from being used in a manner that might violate this Privacy Policy, the law or your personal privacy. If you or other users authorized on your account download or export a video, the resulting video file does not reside on our Site or Services and is no longer governed by this Privacy Policy.

## Vyond Community

Users can also post materials and other information through their use of the Vyond Community Site. You will determine what materials and information you post, and because those postings will be viewable by other users of the Vyond Community Site, you should have no expectation of privacy with respect to such postings.

## Third-Party Links

Our Site and Services may contain links to third-party websites. Any access to and use of such linked websites is not governed by this Privacy Policy but instead is governed by the privacy policies of those third-party websites. We are not responsible for the information practices of such third-party websites.

## Children and Minors

Our Site and our Service are not directed to children under 18. Without a parent or legal guardian's written consent, we do not knowingly collect personal information from anyone under 18 years of age. If we become aware that we have unknowingly registered and collected personal information from a child under the age of 18 without parental consent, we will make reasonable efforts to delete such information from our records and that registration will be subject to immediate termination for violation of our Terms of Service.

## International Visitors

Our computer systems are currently based in the United States. If you choose to use our Services from other regions of the world with laws governing data collection and use that may differ from U.S. law, then please note that you are transferring your information outside of those regions to the U.S. for storage and processing. By providing any information, including information, on or to our website, you acknowledge and accept such transfers, storage, and processing.



## Supplemental Notice for California Residents

The California Consumer Privacy Act (“CCPA”) provides California residents with the right to know what categories of personal information we have collected about them, whether we have disclosed that personal information for a business purpose (e.g., to a service provider), whether we “sold” that personal information, and whether we have “shared” that personal information for “cross-context Behavioral advertising” in the preceding twelve months. California residents can find this information below:

Categories of Personal Information We Collect	Categories of Third Parties To Whom Personal Information Is Disclosed For a Business Purpose	Categories of Third Parties To Whom Personal Information Is Shared or Sold
Identifiers	Service Providers	Analytics and Advertising Partners
Personal information categories listed in Cal. Civ. Code § 1798.80(e)	Service Providers	N/A
Commercial information	Service Providers	Analytics and Advertising Partners
Internet activity or electronic network activity information	Service Providers	Analytics and Advertising Partners
Geolocation data	Service Providers	N/A
Audio, electronic, visual, thermal, olfactory, or similar information	Service Providers	N/A
Professional or employment-related information	Service Providers	N/A
Inferences drawn from other personal information to create a profile	N/A	Analytics and Advertising Partners

The categories of sources from which we collect personal information and our business and commercial purposes for using and disclosing personal information are set forth in “Personal Information We Collect and Process,” “How We Disclose Your Information” sections above. We will retain personal information in accordance with the time periods set forth in the “How Long We Retain Your Personal Information” section.

We “sell” and “share” your personal information to provide you with “cross-context Behavioral advertising” about our products and services. You can opt out of being tracked by third parties and targeted advertising as set forth in the “Your Privacy Rights” section.

### Disclosure Regarding Individuals Under the Age of 16.

We do not have actual knowledge of any “sale” of personal information of minors under 16 years of age. We do not have actual knowledge of any “sharing” of personal information of minors under 16 years of age for “cross-context Behavioral advertising.”

### Verification

To protect your privacy, we will take steps to reasonably verify your identity before fulfilling requests submitted under the CCPA. These steps may involve asking you to provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative. Examples of our verification process may include asking you to provide the email address or phone number we have associated with you, opening a link sent to the contact information provided, and following the instructions on the website you are taken to.

### Authorized Agent

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. To authorize an agent, provide written authorization signed by you and your designated agent using the information found in the “Contact Us” section below and ask us for additional instructions.

## Supplemental Notice for European Residents

**Controller and Processor.** We are the Controller of data that you provide in order for us to create your account and to provide with you the Services. You are the Controller of any personal data that is uploaded by you in connection with creating videos through the Services and we are the Processor of that data on your behalf. We will process the data according to your instructions, which you give us in the process of signing up for the Services, specifically to facilitate your use of the Services.

**Data Transfers.** We are based in the United States so your personal data (i) will not be processed in the European Economic Area (EEA) and (ii) will be processed by us or our service providers in the United States and other non-EEA countries. We have affiliates located in Hong Kong, Taiwan, Thailand, and Singapore that mainly develop our products and Services. These affiliates have limited access to personal data but may access your personal data to provide technical support when troubleshooting an issue. Any transfer of EEA personal data between GoAnimate affiliates occurs on the basis of EU Commission-approved standard contractual clauses.

We have authorized resellers and channel partners all over the globe. Our largest markets where we have established channel partners are the US, UK, Germany, France, Brazil, Australia, Japan, and South Korea. But, as we said, we may have a channel partner or reseller in other jurisdictions including in your jurisdiction. In any event, we always ensure that we have appropriate contractual safeguards in place to protect your data regardless of the location of the reseller. For transfers of EEA data to the UK and Japan we rely on adequacy decisions (available [here](#) and [here](#) respectively). For transfers to all other countries not deemed to have an adequate level of data protection under EU law we rely on European Commission-approved standard contractual clauses.

All of our service providers and vendors mentioned in the 'How We Disclose Information' section above (except for our EU-based customer support partner) are located in the US and any transfers of EEA personal data to these service providers and vendors are made on the basis of EU Commission-approved standard contractual clauses.

You may request a redacted copy of these standard contractual clauses by contacting us at [privacy-support@vyond.com](mailto:privacy-support@vyond.com).

## Data Privacy Framework

GoAnimate, Inc. participates in and has certified its compliance with the EU-U.S. Data Privacy Framework and the Swiss-U.S. Data Privacy Framework. We are committed to subjecting all personal data received from European Union (EU) member countries and Switzerland, respectively, in reliance on each Data Privacy Framework, to the Framework's applicable Principles. To learn more about the Data Privacy Framework, and to view our certification, visit the U.S. Department of Commerce's Data Privacy Framework List at <https://www.dataprivacyframework.gov>.

GoAnimate, Inc. is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third-party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>.

Under certain conditions, more fully described on the Data Privacy Framework website at <https://www.dataprivacyframework.gov/s/article/How-to-Submit-a-Complaint-Relating-to-a-Participating-Organization-s-Compliance-with-the-DPF-Principles-dpf>, you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted.

GoAnimate, Inc. respects your control over your information and, upon request, we will confirm whether we hold or are processing information that we have collected from you. You also have the right to amend or update inaccurate or incomplete personal information, request deletion of your personal information, or request that we no longer use it. Under certain circumstances we will not be able to fulfill your request, such as if it interferes with our regulatory obligations, affects legal matters, we cannot verify your identity, or it involves disproportionate cost or effort, but in any event we will respond to your request within a reasonable timeframe and provide you an explanation. In order to make such a request of us, please email us at [privacy-support@vyond.com](mailto:privacy-support@vyond.com).



Please note that for personal information about you that we have obtained or received for processing on behalf of a separate, unaffiliated entity – which determined the means and purposes of processing, all such requests should be made to that entity directly. We will honor and support any instructions they provide us with respect to your personal information.

In the context of an onward transfer, Vyond is responsible for the processing of personal information it receives under Data Privacy Framework and subsequently transfers to a third party acting as an agent on its behalf. We remain liable under the Data Privacy Framework Principles if our agent processes such personal information in a manner inconsistent with those principles, unless we can prove that we are not responsible for the event giving rise to the damage.

## Changes to this Privacy Policy

This Privacy Policy is current as of the “Last Updated” date set forth above. We may change this Privacy Policy from time to time, so please be sure to check back periodically. We will post any changes to this Privacy Policy on our Site. If we make any changes to this Privacy Policy that materially affect our practices with regard to your personal information, we will provide you with email or written notice in advance of such change by highlighting the change on our Site or on our Service. If you do not accept such change, we may restrict or terminate your use of our Site or Service.

We will also keep prior versions of this Privacy Policy in an archive for your review here:

- [July 19, 2023 Privacy Policy](#)
- [May 16, 2023 Privacy Policy](#)
- [January 17, 2023 Privacy Policy](#)
- [January 25, 2022 Privacy Policy](#)
- [March 22, 2021 Privacy Policy](#)
- [July 28, 2020 Privacy Policy](#)
- [June 16, 2020 Privacy Policy](#)
- [Feb 11, 2020 Privacy Policy](#)
- [Oct 3, 2019 Privacy Policy](#)
- [May 16, 2019 Privacy Policy](#)
- [January 25, 2019 Privacy Policy](#)
- [May 6, 2018 Privacy Policy](#)
- [August 1, 2017 Privacy Policy](#)
- [June 8, 2017 Privacy Policy](#)
- [April 1, 2008 Privacy Policy](#)

## Contact

If you have any questions, complaints, or comments about this Privacy Policy, or seek to exercise your rights under applicable personal data protection law, please contact us. We will use reasonable efforts to respond to you as soon as possible.

Send mail to:

GoAnimate, Inc.

Attn: Privacy Officer

204 East Second Avenue, Suite 638

San Mateo, CA 94401

[privacy-support@vyond.com](mailto:privacy-support@vyond.com)