**Swish Privacy Policy**

**Introduction**

Swish LLC is committed to respecting your privacy as a Swish user. The following document outlines what information we collect and why, what services we provide to you through your information, with whom we share your information, how we safeguard it, and your rights to terminate such uses. For more details on the liabilities associated with our information collection, please review our terms and conditions.

This Policy is a legally binding agreement between you (“User”, “you” or “your”) and Swish LLC (“Swish LLC”, “Swish”, “we”, “us” or “our”). If you are entering into this agreement on behalf of a business or other legal entity, you represent that you have the authority to bind such entity to this agreement, in which case the terms “User”, “you” or “your” shall refer to such entity. If you do not have such authority, or if you do not agree with the terms of this agreement, you must not accept this agreement and may not access and use the Mobile Application and Services. By accessing and using the Mobile Application and Services, you acknowledge that you have read, understood, and agree to be bound by the terms of this Policy. This Policy does not apply to the practices of companies that we do not own or control, or to individuals that we do not employ or manage.

**Collection of personal information**

**Swish mobile does not sell, distribute, or share with third parties, the personal information we collect.** Swish collects basic account information upon signing up for a Swish account. In order to provide optimal friend recognition, player connection facilitation, and player group formation services, we receive and store any information you knowingly provide to us when you create an account or publish content. When required, this information may include the following:

- Account details (such as username, unique user ID, password)

- Contact information (such as email address, optional phone number)

- Basic personal information (such as name, sport preferences, optional profile picture)

- Geolocation data of your device (such as latitude and longitude)

- Certain features on the mobile device (such as contacts, calendar)

- Any other materials you willingly submit to us (such as comments, images, feedback)

You may choose not to provide us with certain elements of your Personal Information, namely phone number, contacts, location, and profile picture, but then you may not be able to take advantage of some of the features in the Mobile Application. Users who are uncertain about what information is mandatory are welcome to contact us.

**Privacy of children**

We do not knowingly collect any Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through the Mobile Application and Services. If you have reason to believe that a child under the age of 13 has provided Personal Information to us through the Mobile Application and Services, please contact us to request that we delete that child’s Personal Information from our Services.

**Uses of Personal Information**

We collect information during your account registration in order to provide optimal service to you regarding the organization of and participation in pick-up sporting games. The personal information collected (as detailed above) is used to facilitate player connections among Swish users and to facilitate the creation of player groups.

Your Swish account profile, including your name, username, and profile picture will be viewable by all other Swish users. Your email and phone number (if you elect to share it) will remain hidden to all other users. The display of your basic personal info will facilitate invitations for pick-up games, as well as recommendations for upcoming games.

**Swish Company Alerts and Campaigns**

As part of the sign-up process, Swish requires you to provide (one of) your valid email address, as well as an optional phone number. We may use your email address to communicate informative alerts, such as the release of new updates and features. We may also send promotional material relevant to our company, such as Swish sponsored tournaments and marketing campaigns. We will not share or sell your email address with third party advertisers. We may use, share, or sell aggregate information Our advertising will be effectuated through in-app features, email promotions, SMS (if phone number provided) and social media.

**Location Services**

Swish uses your location only if you desire to give us access to this data. You do not need to share your location with us to access Swish. However, many of the services we provide are enhanced by the ability to access your location.

Swish requests access to your location in order to locate upcoming pick-up games in your surrounding area. Swish is a platform for public player groups to form, facilitating group pick-up games. The finding of public player groups near your location is contingent upon you allowing Swish access to your location.

Swish will not share, use, or sell data relating to your location in any way. Permission to access your location is directed solely towards providing full and enhanced services. We may share aggregate information about location trends, of which you may be a part as a Swish user. We may record, use, sell, or share aggregate information relating to the population, frequency, and patterns of individuals gathering at sporting locations based on observations from data recorded on Swish.

By joining a pick-up game on Swish, other users will be able to view your username, and thus your profile (indirectly). When you join a public game, all users will be able to see the location and time for the game that you have joined. Thus, your location can be made known. By showing the list of users who join pick-up games, Swish is able to enhance the community effect of playing sports games. We may use data that you join games to make recommendations to other Swish users.

**Other Data Uses**

In order to facilitate connecting friends and community members on Swish, we will store data on friend requests made as well as group member information. Swish may use this information to make friend request or game invite recommendations based on mutual friend connections or group memberships.

**Managing information**

You are able to delete at any time the personal information we have collected from your profile. The personal information collected at account registration can only be deleted with account deletion, upon your request. You are able to change certain Personal Information we have about you (name, username, profile picture). The Personal Information you can alter may change as the Mobile Application and Services change. When you delete or change Personal Information, however, we may maintain a copy of the unrevised Personal Information in our records for the duration necessary to comply with our obligations to our affiliates and partners, and for the purposes described below. If you would like to delete your Personal Information or permanently delete your account, you can do so by contacting us.

**Disclosure of information**

Depending on the requested Services or as necessary to complete any transaction or provide any Service you have requested, we may share your information with our affiliates, contracted companies, and service providers (collectively, “Service Providers”) we rely upon to assist in the operation of the Mobile Application and Services available to you. We will not share any personally identifiable information with third parties and will not share any information with unaffiliated third parties.

Service Providers are not authorized to use or disclose your information except as necessary to perform services on our behalf or comply with legal requirements. Service Providers are given the information they need only in order to perform their designated functions, and we do not authorize them to use or disclose any of the provided information for their own marketing or other purposes.

We may also disclose any Personal Information we collect, use, or receive if required or permitted by law, such as to comply with a subpoena or similar legal process, and when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

**Retention of information**

Swish will not retain any personal information collected from you upon account deletion, or upon your request. We will not use, share, or sell any information collected from you internally, or with third parties once your personal information has been deleted, except to fulfill previous obligations whose services are dependent on the temporary retention of your personal information.

**California privacy rights**

Consumers residing in California are afforded certain additional rights with respect to their Personal Information under the California Consumer Privacy Act (“CCPA”). If you are a California resident, this section applies to you.

As described in this Policy in the information collection section above, we have collected the categories of Personal Information listed below in the past twelve (12) months:

- Personal identifiers (email address, optional phone number)

- Geolocation data

In addition to the rights as explained in this Policy, California residents who provide Personal Information as defined in the statute to obtain Services for personal, family, or household use are entitled to request and obtain from us, once a calendar year, information about the categories and specific pieces of Personal Information we have collected and disclosed.

Furthermore, California residents have the right to request deletion of their Personal Information or opt-out of the sale of their Personal Information which may include selling, disclosing, or transferring Personal Information to another business or a third party for monetary or other valuable consideration. To do so, simply contact us. We will not discriminate against you if you exercise your rights under the CCPA.

**Information Security**

We secure information you provide in a controlled, secure manner, protected from unauthorized access, use, or disclosure, by encrypted login access. We maintain reasonable administrative and technical safeguards in an effort to protect against unauthorized access, use, modification, and disclosure of Personal Information in our control and custody. However, no data transmission over the Internet or wireless network can be guaranteed.

**Privacy Policy Acceptance**

By downloading, using, or accessing in any way the Swish Mobile app, you recognize that you have read this privacy policy and accept the reasons for and uses of the personal information we collect from you. You also recognize that you have read and agree to the terms and conditions that relate to Swish.

**Discrepancies**

Should any discrepancies in the conditions of the privacy policy arise, you are expected to contact us via email at [mark@swishfinder.com](mailto:mark@swishfinder.com). By using the app, you recognize that you do not have any discrepancies with the policy. Claims you make against our collection and use of your personal information that arise after you have already downloaded or used the app will not be held against us. We may consider these claims for future iterations of the policy, but no retroactive claims or prosecutions may be made.

**Policy Changes**

Changes to the policy will inherently arise as Swish Mobile grows and evolves. These changes will be communicated over a week in advance before being effectuated.

**Contact**

If you have any questions, concerns, or complaints regarding this Policy, the information we hold about you, or if you wish to exercise your rights, we encourage you to contact us using the details below:

mark@swishfinder.com

We will attempt to resolve complaints and disputes and make every reasonable effort to honor your wish to exercise your rights as quickly as possible and, in any event, within the timescales provided by applicable data protection laws.

This document was last updated on August 30, 2021