

Privacy Policy

This Privacy Policy governs your use of everclose.com and our application (collectively referred to as "Product"). It describes the types of data we collect, how we store it, how it may be used, with whom it may be shared, and your choices regarding these uses and disclosures. Please make sure to carefully read the entire Privacy Policy when using our Product.

"GDPR" means the General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons concerning the processing of personal data and on the free movement of such data.

"EEA" includes all current member states of the European Union and the European Economic Area.

"CCPA" means the California Consumer Privacy Act of 2018.

"Processing," in relation to personal data, includes collecting, storing, using, and disclosing it to others.

Refer to EverClose's Terms of Use and Service (the "Terms") for the meaning of defined words (those capitalized) not explicitly defined in this Privacy Policy.

1. DATA CONTROLLER

Luninaries LLC, 150 E B St Lbby #1810 SMB#63779 Casper, WY 82601 USA, will be the data controller of your personal data.

2. WHAT CATEGORIES OF PERSONAL DATA DO WE COLLECT?

We collect data that you voluntarily provide to us (e.g., email address, name, date of birth). We also collect data automatically when you use the Product (e.g., your IP address, device type).

2.1. Data You Provide to Us

You provide data about yourself when you register and/or use the Product, for example, when creating a user profile ("Profile"), responding to our emails, or reporting an issue. The data you provide includes:

- **Profile Data:** This includes your email address and password.

2.2. Data We Collect Automatically

- **Data on How You Found Us:** We collect data about your referral URL (i.e., the place on the web where you were when you clicked on our ad).

- **Cookies and Similar Technologies:** As detailed in our Cookie Policy, our Product uses cookies that record data about your use of the Product to distinguish you from other users. You can control cookies via your browser settings.
 - **Browser and Device Data:** We collect data from or about the devices you use to access the Product, depending on the permissions you grant. We may link data we collect from your different devices, which helps us provide consistent Services across all your devices. Examples of such data include language settings, IP address, location, time zone, device type and model, device settings, operating system, internet service provider, mobile carrier, hardware ID, and Facebook ID.
We also collect your Apple Identifier for Advertising ("IDFA") or Google Advertising ID ("AAID") (depending on your device's operating system). Typically, you can reset these numbers via your device's operating system settings (but we have no control over this).
 - **Transaction Data:** When you make payments through the Product, you need to provide financial account data, such as your credit card number, to our third-party service providers. We do not collect or store full credit card numbers, though we may receive data related to credit cards and transactions, including transaction date, time, amount, and payment method type.
 - **Usage Data:** We record how you interact with our Product. For example, we log the messages you send to your virtual coach, the features and content you interact with, the frequency and duration of Product use, sections visited, and other interactions.
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3. FOR WHAT PURPOSES DO WE PROCESS YOUR PERSONAL DATA?

We process your personal data for the following purposes:

3.1. To Provide You with Services

This includes enabling you to use the Product seamlessly and preventing or resolving errors or technical issues with the Product. For example, we use your data to authenticate you and authorize access to our Product.

To provide personalized support and improve your experience with our AI assistant, we process information you share within our chat and how you interact with the chat. This includes details about the features you access, chat updates, pop-ups you've responded to, quick clicks, exit actions, and usage frequency, helping us better understand general engagement patterns, including your feedback.

We collect and store the specific content of your messages to train and improve the AI assistant (the virtual coach) you interact with. Chat data may be retained indefinitely unless you explicitly request the deletion of your data by emailing us at help@everclose.com.

We could use the following companies as a third-party provider for AI chat functionality within our app: OpenAI, xAI, LLama (Meta), Anthropic, Gemini (Google), Mistral AI. In the event that data is shared with one of these companies, each of them may retain chat data for a maximum of 30 days exclusively for security purposes and abuse monitoring. They do not

use this data to train or improve their models and implement security measures to protect the data.

3.2. To Research and Analyze Your Use of the Product

This helps us better understand our business, analyze operations, maintain, improve, innovate, plan, design, and develop the Product and our new offerings. We conduct surveys, research, and test features in development. We analyze the data we have to assess our Product and perform audits and troubleshooting activities to improve the content and layouts of our Product. For example, if we discover that users rarely use a particular section of the Product, we may focus on improving that section.

3.3. To Personalize the Product for You

We may select the payment processor available to you; we may also use your data to determine your eligibility for promotions, sweepstakes, and contests.

3.4. To Process Your Payments

We provide paid products and/or services within the Product. To do so, we use third-party services to process payments (e.g., payment processors). As a result of this processing, you will be able to make payments for the paid features of the Product.

3.5. To Enforce the Terms and Prevent, Detect, Investigate, and Resolve Disputes or Harmful Activities

We use personal data to enforce our agreements and contractual commitments, detect, prevent, and combat fraud. As a result of this processing, we may share your information with others, including law enforcement (especially if a dispute arises concerning the Terms).

3.6. To Communicate with You About Your Use of Our Product

We may communicate with you via email or directly on the Product, including through push notifications. As a result of this processing, we may send you messages about your statistics.

3.7. To Show and/or Send You Marketing Communications

We process your personal data for our marketing campaigns. We may add your email address to our mailing list. As a result, you will receive information about our Product, features, offers, promotions, contests, and events, or we may provide you with other news or information about third-party services that may interest you. You can unsubscribe from marketing communications by clicking the "Unsubscribe" button in any email you receive.

3.8. To Provide You with Assistance and Customer Support

As a result of this processing, we will send you messages about Product security availability, payment transactions, order status, legal notices, or other Product-related information.

3.9. To Customize Our Ads

We and our partners use your personal data to customize advertisements and potentially show them to you at the right time.

3.10. To Comply with Legal Obligations

We may process, use, or share your data when required by law, particularly if a law enforcement authority requests your data through legally available means.

4. LEGAL BASIS FOR PROCESSING (EEA ONLY)

This section applies only to users located in the EEA. Here, we inform you about the legal basis we rely on for processing your personal data for specific purposes. For more details on a particular purpose, refer to Section 3.

We process your personal data based on the following legal bases:

4.1. Your Consent

We process your data when you have given consent for a specific purpose. For example, we may process your data to send you marketing communications if you have consented to this.

4.2. To Perform Our Contract With You

Under this legal basis, we process your data for purposes such as:

- Providing services,
- Personalizing your experience,
- Communicating with you about your use of the Product,
- Verifying your identity,
- Managing your account and providing customer support,
- Processing your payments.

4.3. For Our (or Others') Legitimate Interests

We process your personal data based on legitimate interests, provided these interests are not outweighed by your interests, rights, or freedoms. Examples include:

- **Communicating with you about your use of the Product:** This may involve sending notifications. Our legitimate interest is encouraging you to use the Product more often while considering the potential benefits for you.
- **Researching and analyzing your use of the Product:** Our legitimate interest lies in improving our Product to better understand user preferences and provide a better experience.
- **Sending you marketing communications:** Our legitimate interest is promoting our Product in a measured and appropriate way. Depending on your jurisdiction, we may rely on your consent instead of legitimate interest.

- **Customizing our ads:** Our legitimate interest is promoting our Product in a targeted and reasonable manner. Depending on your jurisdiction, we may rely on your consent instead of legitimate interest.
- **Enforcing the Terms and preventing fraud:** Our legitimate interests include enforcing our legal rights, preventing fraud, and combating unauthorized use of the Product or non-compliance with the Terms.

4.4. To Comply with Legal Obligations

Under this legal basis, we process your data to fulfill obligations such as verifying your identity.

5. CALIFORNIA PRIVACY RIGHTS

This section provides additional details about how we process the personal data of California consumers and the rights available to them under the California Consumer Privacy Act of 2018 ("CCPA") and California's Shine the Light law. This section applies only to California residents.

5.1. Your Rights Under the CCPA

If you are a California resident, you have the right to:

- **Request to Know:** You may request that we disclose the categories and specific pieces of personal data we have collected about you, the sources of this data, the purposes for collecting it, and the categories of third parties with whom we share it.
- **Request Deletion:** You may request that we delete the personal data we have collected about you, subject to certain exceptions.
- **Opt-Out of Sale of Personal Information:** If applicable, you may opt out of the sale of your personal data.

5.2. Submitting Requests

To exercise your rights under the CCPA, you can submit a request by emailing us at **help@everclose.com**. Include "California Privacy Rights Request" in the subject line, along with your name, address, city, state, and zip code.

We may need to verify your identity and the validity of your request before processing it. You may also submit requests through an authorized agent, in which case we will verify the agent's identity and their authority to act on your behalf.

5.3. Shine the Light Law

California residents can request information about our sharing of personal data with third parties for their direct marketing purposes. Such requests can be made once per year, free of charge, and pertain to the last 12 months. Submit requests to **help@everclose.com** under the subject line "California Shine the Light Request."

6. DATA RETENTION

We retain personal data for as long as necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law.

Please note that we are obligated to retain certain data you provide for purposes such as ensuring transactions are processed correctly, detecting fraud, and complying with anti-money laundering and other applicable laws and regulations. Therefore, even if you disable or delete your Profile, we may retain certain data to meet these obligations.

7. WHO DO WE SHARE YOUR PERSONAL DATA WITH?

We share your data with third parties that help us manage, provide, improve, integrate, personalize, support, and market our Product. These include:

7.1. Service Providers

We share personal data with third parties we hire to provide services or perform business functions on our behalf. These include:

- **Cloud storage providers** (e.g., Google Cloud Platform, servers.com),
- **Data analytics providers** (e.g., Facebook, Google, Amplitude),
- **Marketing partners** (e.g., social networks, marketing agencies, email delivery services),
- **Payment processors** (for handling transactions).

7.2. Law Enforcement and Public Authorities

We may use and disclose personal data to enforce the Terms, protect our rights, privacy, safety, or property (and that of our affiliates, you, or others), and respond to legal requests from courts, law enforcement agencies, regulatory bodies, or other public authorities.

7.3. Third Parties in the Context of a Merger or Acquisition

As we grow our business, we may buy or sell assets or business offerings. Customer information is typically one of the business assets transferred in such transactions. We may also share such information with affiliates (e.g., parent or subsidiary companies) or transfer it during business transactions such as mergers, acquisitions, bankruptcies, or sales of all or part of our business.

8. INTERNATIONAL DATA TRANSFERS

We may transfer personal data to countries other than the one in which it was originally collected to provide the Product as outlined in the Terms and this Privacy Policy. If these countries do not have the same data protection laws as your country, we will implement special safeguards.

For example, when transferring data from the EEA to countries with inadequate data protection levels, we rely on:

- Standard contractual clauses approved by the European Commission;
 - The EU-U.S. Data Privacy Framework; or
 - Adequacy decisions by the European Commission on certain countries.
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9. CHANGES TO THIS PRIVACY POLICY

We may modify this Privacy Policy at any time. If we make material changes, we will notify you via the Product or other available means and provide an opportunity to review the revised Privacy Policy. By continuing to access or use the Product after changes take effect, you agree to the updated Privacy Policy.

10. AGE LIMITATION

We do not knowingly process personal data of individuals under the age of 18. If you become aware that someone under 18 has provided us with personal data, please contact us at help@everclose.com.

11. PRIVACY RIGHTS

You have the following rights regarding your personal data:

- **Access/Review/Update/Correct Your Data:** You can review, edit, or change the data you provided by logging into the Product.
 - **Delete Your Data:** You may request the deletion of your data by emailing help@everclose.com.
 - **Object or Restrict Processing:** You can request that we stop using some or all of your personal data or restrict its use.
 - **Data Portability:** You can request your data in a machine-readable format by emailing help@everclose.com.
 - **File a Complaint:** You have the right to file a complaint with a data protection authority in the EU or your place of residence.
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12. HOW DO WE HANDLE “DO NOT TRACK” REQUESTS?

Unless otherwise stated in this Privacy Policy, the Product does not support “Do Not Track” requests. To learn whether any third-party services we use honor these requests, please refer to their respective privacy policies.

13. CONTACT US

For any questions or concerns about this Privacy Policy or our data collection, use, or storage practices, please contact us at:

- **Email:** help@everclose.com