

## Privacy Policy

### Introduction

Welcome to the OnlyFace Telegram mini-application (the “App”). OnlyFace operates as an advanced online face-editing application, employing artificial intelligence algorithms to generate personalized content in real time (the “Services”). We ("**OnlyFace**"; "**we**"; "**us**"; "**our**") recognize the critical importance of safeguarding your privacy and are committed to adhering to the highest standards of data protection and transparency.

This Privacy Policy outlines the basis on which we collect, process, and use your personal data. We will only do so in accordance with your informed consent and for purposes that are essential for delivering our Services effectively and securely. By launching the telegram bot available at [t.me/onlyfaceusa](https://t.me/onlyfaceusa), accessing, or otherwise using the App, you, or your agent ("**user**"; "**you**"; "**your**") explicitly agree to the terms of this Privacy Policy.

In this document, we detail when, where, and how we collect your personal information, the legal grounds for such collection, the specific purposes for which we use your data, and the conditions under which we may share or disclose it to third parties. Additionally, this policy will outline your legal rights with respect to your personal data, as well as the measures we have implemented to protect the security and confidentiality of your information.

### 1. Information We Collect

#### 1.1 Information You Provide to Us Directly

When you engage with our Services, certain categories of personal data are collected directly from you, contingent upon your voluntary submission and informed consent. This data is integral to enabling the functionality of the App and delivering the personalized content you request. The specific types of data we collect include, but are not limited to:

**a) Photos, GIFs, and Videos.** We collect and temporarily store any photos, GIFs, or videos that you upload from your mobile device while using the App. This collection occurs exclusively after you have provided explicit consent through your interaction with the App. It is important to note that photos containing facial data will be automatically deleted from our systems upon the successful generation of a new video output. This process ensures that sensitive visual data is not retained beyond what is necessary for the performance of the Service.

**b) Facial Features.** In the course of providing face-editing functionalities, we may process data related to your facial features, which is extracted separately from the photos you upload. This facial feature data is utilized solely for the purpose of delivering the Services and enhancing the accuracy of the face-editing algorithms. For avoidance of doubt, the facial feature data we collect does not constitute biometric data under applicable data protection laws. This distinction ensures compliance with more stringent data protection regimes governing the use and processing of biometric identifiers.

**c) Email Address.** We require your email address during the registration process for account creation and identity verification purposes. Upon submission of your email address, we will

transmit a verification code to facilitate the completion of your registration process. The email address provided will be stored securely and will be used solely for registration, authentication, and communication purposes in accordance with this Privacy Policy.

## 1.2 Information Collected Automatically

When you access and use the App, we may also automatically collect certain information about your interaction with the App. This information is collected to enhance your user experience, improve our Services, and ensure the functionality and security of the App. The types of data we may collect automatically include the following:

**a) Usage Details.** We may collect data pertaining to your usage of the App, which includes, but is not limited to, traffic data, communication logs, and other data regarding your interaction with the App's resources. This may encompass details of the pages, features, or functionalities you access, as well as the time spent on each resource. Such data is essential for understanding user preferences, optimizing the App's performance, and ensuring efficient service delivery.

**b) Device Information.** We may collect information specific to the mobile device you use to access the App. This may include, but is not limited to, your device's unique device identifier (such as IMEI or MAC address), the operating system version, browser type, and details concerning your mobile network. This information is critical for diagnosing technical issues, ensuring compatibility across different devices and platforms, and maintaining the security of the App.

This data collection is conducted in strict accordance with applicable data protection laws, and is subject to the implementation of appropriate technical and organizational measures to ensure the security and confidentiality of the data collected.

## 2. How We Collect Your Information

We employ a variety of methods to collect personal and usage information when you download, access, and interact with the App. This information may be collected automatically or through technologies provided by third parties. It is important to note that any technologies used for the automatic collection of data are sourced from third-party providers, and their operation is subject to those providers' terms and privacy policies. The key mechanisms for collecting information include, but are not limited to, the following:

**a) Cookies and Similar Tracking Technologies.** Cookies are small text files or data fragments that are stored on your device when you access certain websites or applications. We may utilize cookies and similar technologies to enhance your experience with the App by storing information about your preferences, tracking your interaction with the App, and ensuring that you receive personalized content and features. Upon your subsequent visits to the App, these cookies allow third-party providers to deliver tailored services or content aligned with your preferences. You retain the right to control or block cookies through your device or browser settings, but please be aware that disabling cookies may affect the functionality and performance of the App.

**b) Web Beacons.** The App may also incorporate the use of web beacons (also referred to as "clear GIFs," "pixel tags," or "single-pixel GIFs"). These small, transparent graphic images are embedded in certain pages of the App and function by collecting information about your interaction with those pages. For example, web beacons enable us to track the number of users who have accessed specific pages or sections of the App, monitor user engagement with certain features, and compile aggregated data for statistical analysis. Web beacons may work in conjunction with cookies to

collect technical information such as your IP address, browser type, and the date and time of your interaction.

**c) Third-Party Technology Providers.** We utilize third-party providers to facilitate the automatic collection of information. These providers may deploy their own tracking technologies, such as cookies or web beacons, within the App. These technologies may be subject to the third party's privacy practices, and we disclaim responsibility for the data collection and usage policies of such third parties. You are encouraged to review their privacy policies for further details on how your data is handled.

### 3. How We Use Your Information

#### 3.1 Ownership and Intellectual Property

**a) Ownership of Uploaded Content.** You retain all intellectual property rights in any content you upload to the App, including, but not limited to, photos, GIFs, and other media, unless explicitly provided otherwise herein (collectively, the "Uploaded Content"). This ownership extends to any modifications or edits applied to the Uploaded Content through the App's editing functionalities. We do not claim ownership over the original content you submit, and our use of such content is governed by the terms set forth in this Privacy Policy.

**b) License to Videos Submitted by Users.** By submitting videos (the "Submitted Videos") through the App, you hereby grant the Company a **non-exclusive, worldwide, royalty-free, transferable, sub-licensable, and irrevocable** license to view, use, reproduce, distribute, modify, adapt, publish, and display such Submitted Videos, including for **commercial purposes** and in connection with the promotion, marketing, or improvement of the Services. This license applies only to the Submitted Videos and does not extend to other forms of Uploaded Content such as photos or GIFs.

#### **c) Scope of License**

- i. This license grants us the right to use the Submitted Videos in any media formats and through any media channels, without further consent, notice, or compensation to you, except as otherwise required by law.
- ii. We may sub-license these rights to third parties for purposes related to the operation, development, or promotion of the App and the Services.
- iii. The license is **irrevocable**, meaning that even if you choose to delete the Submitted Videos from your account or terminate your use of the App, this license will remain in effect.

#### 3.2 Use of Your Information (Excluding Photos or Facial Features)

We use your information, excluding photos or facial feature data, for a variety of essential purposes aimed at ensuring the efficient operation of the App and fulfilling our contractual obligations to you. Specifically, we may use your information to:

**a) Provide the App and Associated Services.** Your information is used to facilitate the core functionality of the App, including, but not limited to, providing you with access to the App's features, processing your requests, and delivering the content and Services you have requested.

**b) Fulfill Contractual Obligations.** We may process your personal information for the purpose of fulfilling any contractual obligations arising from agreements entered into between you and us. This includes, but is not limited to, billing, account management, and enforcing our rights under any applicable contract.

**c) Legal Compliance and Enforcement.** We may use your personal information as necessary to comply with legal obligations, respond to law enforcement inquiries, or to protect the rights, property, or safety of the App, its users, or the general public. This may include the enforcement of our terms and conditions, conducting internal audits, or defending ourselves against potential legal claims.

**d) Notification of Updates and Changes.** We may use your email address and other contact information to notify you of updates to the App, including the release of new features or enhancements. Additionally, we may notify you of changes to any Services, products, or terms that may impact your use of the App.

### **3.3 Use of Automatically Collected Information**

The information we collect automatically (including usage data and device information) is critical to enhancing the functionality of the App and delivering a better, more personalized experience to users. In particular, we may use such information to:

**a) Analyze Audience Size and Usage Patterns.** We may process this data to better understand our user base, monitor user behavior, and generate insights into how the App is utilized. This information enables us to refine our offerings and tailor our Services to meet user demand.

**b) Store Preferences and Customize User Experience.** By analyzing usage data and device preferences, we are able to store user-specific preferences, allowing us to customize the App according to your individual interests, making it more intuitive and responsive to your needs.

**c) Improve Efficiency and Speed of Service.** We may use your information to optimize the speed and performance of the App. This includes streamlining search functions, reducing loading times, and improving the overall responsiveness of the App's features.

**d) Recognition Without Registration.** We may store identifiers that allow us to recognize you on subsequent visits to the App, even if you do not go through the full registration process. This allows for a more seamless and efficient user experience.

### **3.4 Changes to Processing Purposes**

In the event that we decide to change the purposes for which your personal information is processed, we will provide you with prior notice of such changes. Any changes to the purposes of processing will only be implemented with your explicit consent, where required by applicable data protection laws.

## **4. Third-Party Information Collection**

### **4.1 Third-Party Automatic Information Collection**

When you use the App, certain third parties may deploy automatic information collection technologies to gather data regarding your use of the App and your device. These third-party service providers play an essential role in helping us enhance the App's functionality, performance, and user experience by collecting, analyzing, and reporting various data points. The third parties that collect information about you while using the App include, but are not limited to, the following:

#### **a) Firebase Crashlytics**

Firebase Crashlytics, a service provided by Google, assists in monitoring and improving the stability and performance of the App. By collecting real-time crash reports and diagnostic data, Firebase Crashlytics enables us to identify and prioritize issues affecting the App's stability, allowing for faster resolution and enhanced user experience. The data collected by Firebase Crashlytics may include device-specific information such as your operating system version, device model, and app activity leading up to a crash.

#### **b) Google Analytics**

Google Analytics is a widely-used analytics service provided by Google that helps us track and analyze user interactions with the App. The purpose of integrating Google Analytics is to gather anonymized data regarding user behavior, usage patterns, and user demographics. This data enables us to make informed decisions to optimize the App's performance, improve features, and deliver a more personalized user experience. Google Analytics may collect data such as your device identifier, IP address, session duration, and interaction with specific app features.

#### **c) Microsoft Bing Webmaster Tools**

Microsoft Bing Webmaster Tools is a service provided by Microsoft to help improve our search engine visibility and monitor the performance of the App's web pages. Through this tool, we can analyze how users find and access the App via search engines, and make data-driven decisions to enhance search engine optimization (SEO) strategies. The data collected through this service may include search queries, referral URLs, and click-through rates, helping us understand how users engage with the App when referred from search engine results.

d) **SumSub.** We utilize Sumsub, a third-party identity verification provider, to conduct Know Your Customer (KYC) checks as part of our compliance with platform safety and accountability standards. Given that OnlyFace provides faceswapping tools that may be used to create content resembling deepfake protocols, it is critical that we verify the identities of our users to ensure that they are legitimate and accountable for the content they create or upload.

By leveraging Sumsub's biometric verification and liveness detection technologies, we confirm that the individual creating or uploading content is, in fact, the person they claim to be. This process ensures that any user engaging in prohibited conduct, such as uploading someone else's content or misusing our faceswapping tools for malicious purposes, can be quickly and accurately identified. Sumsub's KYC process serves to protect the integrity of our platform, making it easier to hold users accountable and compliant with our content policies.

Sumsub operates under strict confidentiality agreements, ensuring that your personal data is processed securely and used solely for KYC verification purposes in line with this Privacy Policy. More details about Sumsub's privacy practices can be found on their website.

These third-party providers may utilize cookies, web beacons, or other tracking technologies to collect information about your device, browsing activities, and usage patterns while interacting with the App. Such data collection is governed by the respective privacy policies of each third-party provider.

## **4.2 Control and Responsibility over Third-Party Tracking Technologies**

While we carefully select and engage third-party service providers to assist in data collection and analysis, it is important to note that we do not have control over these third parties' tracking technologies or the specific ways in which they utilize the information they collect. Their actions

are governed by their respective privacy policies, terms of service, and legal obligations. If you have any concerns, questions, or requests regarding the data collection practices or tracking technologies of these third parties, we recommend that you contact the responsible provider directly.

Furthermore, we disclaim responsibility for the accuracy, completeness, or appropriateness of any third-party content or advertisements displayed through the App. You are encouraged to review the privacy policies of these third parties to understand their practices and how they handle your personal data.

## **5. Data Retention and Transfer**

### **5.1 Retention of Created Content and Uploaded Materials**

The retention of user-generated content and uploaded materials within the App is structured to enhance your experience while ensuring compliance with applicable data protection and privacy laws. Specifically:

**a) Retention of Created Content.** Any content generated through the App's face-editing functionalities (including, but not limited to, videos) will be stored for a maximum duration of **seven (7) days, twenty-four (24) hours per day** on our remote servers located in the **United States**, including servers in **Delaware** and other jurisdictions where our infrastructure is maintained. This retention period is designed to facilitate user access to created content even if the App is closed during processing or reopened after a delay. Upon the expiration of this retention period, all generated content will be automatically and permanently deleted from our systems.

**b) Retention of Uploaded Materials.** Photos, GIFs, and videos that you upload to the App for the purposes of face-editing will be stored exclusively for the duration of your active session with the App. These materials are stored on servers located in the United States, including but not limited to **Delaware**, and are automatically deleted upon completion of the Services or upon termination of your session. The storage of these materials is limited to what is necessary for the provision of the Services, and no further retention will occur unless required by law or legal obligations.

### **5.2 Data Storage, Cross-Border Transfers, and Legal Jurisdiction**

The data you provide to us is primarily stored and processed within the **United States**, but it may also be transferred to other jurisdictions for operational, security, or legal compliance purposes. As a corporation registered in **Delaware**, we comply with both **Delaware state law** and federal laws governing data privacy and protection, as well as the applicable laws of other states in which our users reside.

**a) Legal Requests and Law Enforcement Compliance.** As a Delaware-based entity, we may be subject to lawful requests for information from **U.S. federal and state courts, law enforcement agencies, or regulatory bodies**. You acknowledge that data stored in the United States may be subject to such lawful requests, and we may be required to disclose your data in accordance with applicable legal obligations. Where feasible and lawful, we will notify you of such disclosures unless prohibited by law.

**b) Cross-Border Data Transfers.** By using the App, you consent to the **transfer, storage, and processing** of your personal data across different jurisdictions within the United States and, where necessary, to locations outside the United States. The storage and processing of your data in these jurisdictions may be subject to laws that provide different levels of protection than those in your

home state or country. For example, if your data is transferred to servers in jurisdictions outside the U.S., it may be subject to the legal frameworks governing those regions.

**c) State-Level Data Protection Compliance.** We comply with state-specific data privacy laws, including but not limited to the **California Consumer Privacy Act (CCPA)** for users residing in California. If you are a resident of California, you may have additional rights regarding your personal information, including the right to access, delete, or opt-out of the sale of your personal information. More information regarding your state-specific rights can be found in **Section [insert section number for user rights]** of this Privacy Policy.

### **5.3 Special Considerations for Users Outside the United States**

For users located outside the United States, including but not limited to residents of the **European Union (EU)**, any transfer of personal data to recipients within the United States or other jurisdictions will be carried out in compliance with applicable data protection regulations, such as the **General Data Protection Regulation (GDPR)** for EU residents.

**a) Legal Safeguards for International Data Transfers.** Where necessary, we will rely on legally recognized mechanisms, including **Standard Contractual Clauses** or other **adequacy decisions** issued by the European Commission, to ensure that your personal data is adequately protected during international transfers. These mechanisms serve to safeguard your personal information and ensure that it is subject to the same high standards of protection as those enforced within your home jurisdiction.

**b) Consent to Data Transfers.** By utilizing our Services, you expressly consent to the **transfer, processing, and storage** of your personal data outside your country or state of residence, including transfers to the United States and other countries where we or our service providers operate. Should any changes occur regarding the mechanisms for international data transfers, we will promptly inform you and seek additional consent if required by applicable law.

## **6. Disclosure of Your Information**

We take the confidentiality and security of your personal data seriously. However, under certain circumstances, we may disclose your personal information, subject to the conditions set forth below. We commit to ensuring that any disclosure is done in accordance with applicable privacy laws and only for legitimate purposes. Specifically, we may disclose personal information that we collect or that you provide, without restriction, in the following circumstances:

### **6.1 Disclosures to Subsidiaries, Affiliates, and Third Parties**

**a) Subsidiaries and Affiliates.** We may share your personal information with our subsidiaries, affiliated companies, or other entities under common ownership or control with us. These entities are bound to maintain the confidentiality of your personal data and to use it solely for the purposes consistent with this Privacy Policy and in accordance with applicable data protection laws.

**b) Contractors, Service Providers, and Third-Party Partners.** We may disclose your personal information to third-party contractors, service providers, vendors, and other entities we engage to support our business operations. These third parties may include, but are not limited to, IT and hosting providers, analytics services, marketing and advertising agencies, and payment processors. Each such entity is bound by contractual obligations to maintain the confidentiality of your personal

data and to use it solely for the purposes for which it was disclosed to them. Any unauthorized use of personal data by these third parties is strictly prohibited.

**6.2 Corporate Transactions.** In the event of a merger, acquisition, divestiture, restructuring, reorganization, dissolution, or other corporate transaction involving the transfer of assets, we may disclose or transfer your personal information to the buyer or successor entity. Such disclosure will occur where the transfer includes personal data as part of the assets of the company. This may include disclosures in connection with bankruptcy, liquidation, or similar proceedings. The entity acquiring your personal data will assume the rights and obligations regarding your information as outlined in this Privacy Policy.

### 6.3 Legal and Regulatory Compliance

**a) To Fulfill the Purpose for Which It Was Provided.** We may disclose personal information where it is necessary to fulfill the specific purpose for which you voluntarily provided the data. For instance, if you provide us with an email address to request support, we will use your email address solely for that purpose.

**b) Disclosures With Your Consent.** In cases where disclosure is not otherwise required or permitted under this Policy, we may disclose your personal information with your explicit consent. We will inform you of the nature and scope of such disclosures at the time your consent is obtained.

**c. Compliance with Legal Obligations.** We may disclose your personal information to comply with any applicable law, regulation, legal process, court order, or **governmental request**. This includes compliance with the laws of the United States and any U.S. state in which we operate, including **Delaware law**, federal laws, and the laws of other states in which our users reside, such as the **California Consumer Privacy Act (CCPA)**. Where possible, we will notify you of such disclosure unless prohibited by law.

**d) Enforcement of Rights and Obligations.** We may disclose your personal information to enforce our legal rights, including those arising from any contracts entered into between you and us. This includes actions necessary for **billing, collections**, or compliance with our **Terms of Service**.

**e) To Protect Safety and Prevent Harm.** If we believe in good faith that the disclosure of your personal information is necessary to **protect the rights, property, or safety** of our company, our users, or others, we may disclose such data. This may include disclosure in connection with preventing fraud, mitigating cybersecurity threats, or addressing violations of law.

## 7. How You Can Manage or Erase Your Information

We are committed to giving you control over your personal data. You have several rights under applicable data protection laws, including rights of access, rectification, portability, and erasure. Below are the specific ways in which you may exercise your rights in relation to the personal data processed by us:

### 7.1 Access and Portability

You have the right to access your personal data held by us. Upon request, we will provide you with a **structured, commonly used, and machine-readable format** of your personal data, as required by applicable law. This right also allows you to transfer your personal data to another service



provider, where technically feasible. To exercise your right to access or data portability, please contact us at [contact@onlyface.io](mailto:contact@onlyface.io).

**7.2 Rectification of Inaccurate Data.** You have the right to request the correction or rectification of any inaccurate or incomplete personal data we hold about you. If you believe any of your personal information is incorrect or requires updating, you may contact us to request its correction. We will make reasonable efforts to verify and update your data promptly. This includes the right to complete any missing data relevant to your account or the Services.

**7.3 Withdrawal of Consent.** You may withdraw your consent for the collection, processing, or use of your personal data at any time by contacting us at [contact@onlyface.io](mailto:contact@onlyface.io). Upon receiving your request for withdrawal, we will process it in a timely manner and will no longer process your personal data, unless otherwise required by law or to fulfill any remaining contractual obligations. Please note that withdrawal of consent does not affect the lawfulness of any data processing that occurred based on consent prior to its withdrawal.

**7.4 Sharing of User Content.** The App allows you to create and share content, including photos, GIFs, and videos (collectively, "User Content"), on social media networks or other websites. However, once you share your User Content through external platforms, we do not control how third parties may use, share, or store that content. While we take steps to secure User Content within the App, once it is posted on other platforms, your content may be subject to different privacy policies or terms. You should be aware that posting content on third-party platforms is at your own risk, and we cannot guarantee that unauthorized parties will not gain access to such content.

**7.5 Erasing Your Information.** To delete your account and all related data at any time, please contact us at [contact@onlyface.io](mailto:contact@onlyface.io).

## 8. European Privacy Rights

**8.1 Rights of European Union Residents.** If you are a resident of the European Union (EU) or the European Economic Area (EEA), you are entitled to certain additional rights regarding the collection, use, and processing of your personal data under the General Data Protection Regulation (Regulation (EU) 2016/679) ("GDPR"). These rights supplement the protections provided under this Privacy Policy and ensure that your personal data is processed lawfully, fairly, and transparently.

Under the GDPR, your rights may include, but are not limited to:

- The right of access to the personal data we hold about you.
- The right to rectification of inaccurate or incomplete data.
- The right to erasure ("right to be forgotten") under specific circumstances.
- The right to restrict processing of your personal data under certain conditions.
- The right to data portability, allowing you to receive a copy of your personal data in a structured, machine-readable format.
- The right to object to the processing of your personal data for direct marketing or other legitimate interests.
- The right not to be subject to automated decision-making, including profiling, where such decision-making has legal effects or significantly affects you.

This Privacy Policy does not affect your rights under mandatory provisions of the local law of your country of residence, and you may continue to rely on such provisions in addition to the rights set forth in the GDPR.

**8.2 Exercising Your Rights.** You may contact us at any time at **contact@onlyface.io** to exercise your rights under the GDPR or to make inquiries regarding the handling of your personal data. For the security and protection of your information, we may request additional verification details to confirm your identity before proceeding with any request.

In certain circumstances, we reserve the right to charge a reasonable fee for access to your personal data or for repetitive or excessive requests, as permitted under applicable law. We will inform you of any such fees before processing your request.

**8.3 Complaints and Supervisory Authorities.** If you believe that our processing of your personal data violates your rights under the GDPR, and if we have not adequately addressed your concerns, you have the right to lodge a formal complaint with the data protection supervisory authority in your country of residence. This authority is responsible for monitoring and enforcing compliance with data protection laws, including the GDPR. We encourage you to first contact us at **contact@onlyface.io** to resolve any issues before contacting your local supervisory authority.

## 9. Children's Policy

We are committed to protecting the privacy of children. As such, we do not knowingly collect or solicit any personal information from individuals under the age of **18** (or such other minimum age as required by applicable local law). If you are under the age of 18, you are not permitted to use the App or submit any personal data to us.

For more detailed information regarding the treatment of personal data belonging to minors, please refer to our **Minor Use Policy**. This policy provides specific provisions concerning the collection, use, and protection of data pertaining to children and young users. If we become aware that we have inadvertently collected personal information from a user under the applicable minimum age without proper parental consent, we will promptly take steps to delete such information.

## 10. Changes to Our Privacy Policy

We reserve the right to update or modify this Privacy Policy from time to time in order to reflect changes in our Services, our legal obligations, or developments in data protection laws. Any such changes will be made in accordance with applicable legal requirements, and we will provide **appropriate notifications** to you, either through the App, via email, or by other suitable means, to inform you of significant updates.

You are encouraged to periodically review this Privacy Policy to stay informed about how we protect your data. In the event of material changes that affect your rights or the way we process your personal data, we will request your explicit consent if required by law. If no explicit consent is required, your continued use of the App after receiving notice of such changes will be considered as your acceptance of the updated Privacy Policy.

Please note that if the applicable laws impose an obligation on us to seek your consent for specific amendments, we will do so before such changes take effect. This ensures that your privacy rights

are fully respected, and that you have the opportunity to review and agree to any material updates to this Policy.

## **11. How to Contact Us**

If you have any questions, concerns, or comments regarding this Privacy Policy or our privacy practices, we invite you to contact us directly. We value your feedback and are committed to addressing any inquiries related to your personal data and our processing activities.

You can reach us at [contact@onlyface.io](mailto:contact@onlyface.io).

We strive to respond to all inquiries in a timely and professional manner, ensuring that your privacy and data protection rights are fully upheld, however, the actual response time might vary.