HAPPY THE APP, INC. ("us" or "we") is committed to respecting the privacy of users of HAPPY (the “Application”) and services provided by us through the Application and our website at www.happytheapp.io(collectively, the “Services”). We (or our subcontractors) host the Application to connect you to “Happy Givers” (givers of emotional support) that have entered into an agreement with us (a “Giver”). We created this Privacy Policy (“Privacy Policy”) to tell you how we protect, collect, use, disclose and store the information collected through the Services.

BY DOWNLOADING, ACCESSING, OR USING THE APPLICATION OR SERVICES, AND/OR BY REGISTERING WITH US OR PROVIDING INFORMATION TO US IN CONNECTION WITH THE APPLICATION, YOU ACCEPT THE PRACTICES AND POLICIES OUTLINED IN THIS PRIVACY POLICY AND YOU HEREBY CONSENT THAT WE WILL COLLECT, USE, AND SHARE YOUR INFORMATION AS SET FORTH IN THIS PRIVACY POLICY. IF YOU DO NOT AGREE, PLEASE DO NOT USE OUR SERVICES.

Your use of the Application is also subject to our Terms and Conditions of Use.

We may change this Privacy Policy at any time and any changes to this Privacy Policy will become effective when we make the revised Privacy Policy available through the Application. We will update the “Last Revised” date at the bottom of this Privacy Policy if we make any such changes to this Privacy Policy. Your use of the Application or the submission of any information in connection with the Application following any change means that you accept the revised Privacy Policy.

JURISDICTIONAL ISSUES

We intend to provide our Services in the United States. Accordingly, this Policy, and our collection, use, and disclosure of your Personal Information (as defined below) is governed by U.S. law. We do not represent or warrant that the Application, or any functionality or feature thereof, is appropriate or available for use in any particular jurisdiction. If you choose to access or use the Application from outside the United States, you do so on your own initiative and at your own risk, and are responsible for complying with all local laws, rules and regulations. By using the Application and submitting any Personal Information from outside the United States, you acknowledge that the Application is subject to U.S. law and consent to the transfer of your Personal Information to the United States, which may provide a different level of data security than in your country of residence.

PERSONAL INFORMATION

Personal Information We May Collect

In order for you to use the Services, we may require you to provide us with information that identifies you as an individual ("Personal Information"). We and applicable third parties may collect Personal Information from you that includes, but is not limited to: (1) your name and your contact data (such as your e-mail address, phone number, billing and physical addresses, and your Application login and password); (2) demographic data (such as your gender, your date of birth and your zip code); (3) payment information (such as your credit or debit card number); (4) confirmation that your Giver provided services to you; and (5) your reason for using the Application. If you communicate with us by, for example, e-mail or letter, any information provided in such communication may be collected as Personal Information.

In addition to the information that we collect directly from you, we may also collect certain Personal Information about you from or on behalf of your Givers.

We may also collect precise information about the location of your mobile device with your consent. Please see below under “How We Collect Non-Personal Information” for additional information about our collection of location information.

How We May Use Personal Information

We and applicable third parties may use Personal Information to:

Send to you administrative information, including information regarding the Application, and changes to our terms, conditions and policies;
Update you on special offers related to our Services, and to improve our Services;

Confirm that services you request were provided to you by your Givers;

Personalize your experience on the Application by presenting products and offers tailored to you;

Further our business purposes, such as quality assessment, data analysis, audits, developing new products, enhancing the Application, improving our Services, identifying usage trends, and determining the effectiveness of our promotional campaigns; and

Act as we believe to be necessary or appropriate: (a) under applicable law; (b) to comply with legal process; (c) to respond to requests from public or government authorities; (d) to enforce our Terms and Conditions of Use; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, or that of our affiliates, you or others; (g) at our discretion under emergency circumstances, to notify emergency services or your family members, personal representative or other individuals involved in your care of your location and condition; or (h) to allow us to pursue available remedies or limit the damages that we may sustain.

Our use of your Personal Information may also be subject to certain restrictions set forth in an agreement between us and your Giver.

How Personal Information May Be Disclosed

Your Personal Information may be disclosed to:

Applicable third parties that provide services such as hosting of the Application, data analysis, IT services and infrastructure, customer service, e-mail delivery, auditing and other similar services;

A third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer, liquidation or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceeding); and

A third party as we believe to be necessary or appropriate: (a) under applicable law; (b) to comply with legal process; (c) to respond to requests from public or government authorities; (d) to enforce the Terms of Use; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, or that of our affiliates, you or others; (g) at our discretion under emergency circumstances, to notify emergency services or your family members, personal representative or other individuals involved in your care of your location and condition; or (h) to allow us to pursue available remedies or limit the damages that we may sustain.

Our disclosure of your Personal Information may also be subject to certain restrictions set forth in an agreement between us and your Giver.

NON-PERSONAL INFORMATION

Non-Personal Information We May Collect

“Non-Personal Information” is any information that does not reveal your specific identity. The types of Non-Personal Information that we collect are described in more detail below under “How We Collect Non-Personal Information.”

How We Collect Non-Personal Information

We and applicable third parties may collect Non-Personal Information in a variety of ways, including:
Through your device: Certain information is collected automatically through your device, such as your operating system name and version, device manufacturer and model, device identifier, language, the name and version of the software application you are using. We use this information to ensure that the Application functions properly and to understand usage of the Application.

Through server log files: Your “IP Address” is a number that is automatically assigned to the device that you are using by your Internet Service Provider (ISP). An IP Address is identified and logged automatically in our server log files whenever a user uses the Application, along with the time of the use and the pages visited within the Application. We use IP Addresses for purposes such as helping to calculate Application usage levels, diagnose server problems and administer the Application.

Physical Location: If you give us your consent, we may collect information about the physical location of your device. We may use such information to provide you with personalized location-based services and content (for example, information regarding local Givers).

From you: We may collect Non-Personal Information such as your general geographic location, as well as other information, such as your preferred means of communication, when you voluntarily provide such information to us. Unless combined with Personal Information, this information does not personally identify you or any other user of the Application.

By de-identifying information: Aggregated Personal Information is information that is derived from Personal Information that does not personally identify you or any other user of the Application.

How We Use and Disclose Non-Personal Information

Because Non-Personal Information does not personally identify you, we may use and disclose Non-Personal Information for any purpose. In some instances, we may combine Non-Personal Information with Personal Information. If we combine any Non-Personal Information with Personal Information, the combined information will be treated by us as Personal Information as long as it is so combined.

THIRD PARTIES

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including Givers, the manufacturer of your mobile device, and any other third party mobile application or website to which the Application may contain a link.

SECURITY

We seek to use reasonable measures to protect Personal Information under our control. Unfortunately, no data transmission over the Internet or data storage system is 100% secure, and therefore we cannot guarantee against all potential security breaches.

If you have reason to believe that your interaction with us is no longer secure, please immediately notify us of the problem by contacting us in accordance with the "Contacting Us" section below.

How you can access or update your Personal Information

If you would like to review or update your Personal Information that has been previously provided to us, you may do so by logging into your account within the Application. We will try to comply with your request to update your Personal Information as soon as reasonably practicable. We are not responsible for changing information from the databases of third parties with whom we have already shared your Personal Information.

USE OF APPLICATION BY MINORS

We do not knowingly allow individuals under the age 18 to use our Services.
CONTROLLING YOUR PERSONAL INFORMATION

As a registered user of the Services, you can modify some of the Personal Information you have included in your profile or change your username by logging in and accessing your account. Upon your request, we will use commercially reasonable efforts to delete your account and the Personal Information in your profile; however, it may be impossible to remove your account without some residual information being retained by us. Registered users who wish to close their account should email: support@happytheapp.io.

CONTACTING US

If you have any questions about this Privacy Policy, please contact us by e-mail at support@happytheapp.io or by regular mail at:

Happy the App, Inc.
15539 Vía De Las Olas
Los Angeles, CA, 90272
(646) 872-5320

Please note that e-mail communications are not always secure; so please do not include health information, credit card information or other sensitive information in your e-mail messages to us.

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