

Privacy Notice

Your privacy is important to us and therefore we put significant efforts into making sure that we secure personal information related to you properly.

This privacy notice explains our privacy practices in connection with the AI Avatar Maker application (the “**Application**” or “**App**”) and it serves as an integral part of our Terms of Service.

Note that this privacy notice is subject to the laws of the State of Israel.

If you have any questions or comments about this privacy notice, please contact us at aiavatar@videobakery.co.

About the Application

The Application provides you with tools to create AI avatars and digital images using AI models, subject to the terms and conditions of our Terms of Service (the “**Services**”).

How AI Magic Avatars Works?

The app uses a Neural Network Model [Stable Diffusion](#) that allows users to generate personalized Magic Avatars (“**Avatars**”).

We do our best to moderate the parameters of the Stable Diffusion model, however, it is still possible that you may encounter content that you may see as inappropriate for you.

By using the app, you understand and agree that we are providing you with tools for editing and adjusting photos and videos that you upload, and, if you so request, for generating or creating new content from them, for example with our Magic Avatars feature.

What is the Flow of the Avatars Training?

1. User uploads 1-20 photos and selects their gender.
2. Using these data, a copy of the Stable Diffusion model is retrained to personalize the model.
3. After the model copy is retrained, it generates Avatars.
4. After the Avatars are generated, the uploaded photos are deleted permanently from our servers. We set certain restrictions to the use the Avatars in restricted cases (e.g., using nude photos, using photos of other people without their consent, etc...).
5. We do not use your Personal Data to generally train and/or create our separate artificial intelligence/products.

How Do We Store the Photos I Upload to Your server?

We don't collect face data; we use the user's images to generate AI artistic avatar images, The images you upload are auto-deleted within 24 hours. Your renders and the trained AI model are kept for your convenience for 30 days; after that images and model will not be retained so it's not stored or collected anywhere. The images or the AI model are not shared with a third party or any other entity, and made only for the purpose of the app.

What Types of Personal Information Do We Collect and Why?

You are not legally obligated to provide us with any personal information related to you. Should you wish not to provide us with the requested personal information related to you, kindly do not download or use the Application and/or Services. You can remove the Application from your smart device at any given time.

When you download the Application, you will be required to permit us to access your smart device's camera, photos, personal information, contact information, and technical information (collectively, "**Your Data**") to provide you with the Services. Without such information it is impossible to provide complete functionality of the App and perform the requested services.

We do not save Your Data on our servers. However, we do save your output images for you to use the Services. We do not share such thumbnails with third parties unless required otherwise by (i) applicable law; or, (ii) the [Apple Terms and Conditions](#).

When you use a mobile device (tablet / phone / smartwatch) to access our App, some of details about your device are reported, including device identifiers. Device identifiers are small data files or similar data structures stored on or associated with your mobile device, which uniquely identify your mobile device (but not your personality). Device identifier enables generalized reporting or personalized content and ads by the third parties.

Ad-related information. The following data might be reported about the ads you can view: the date and time a particular ad is served; a record if that ad was clicked or if it was shown as a conversion event; what the ad offer is about; what type of ad it is (e.g., text, image, or video); which ad placement is involved (where the ad offer is displayed within the App); whether you respond to the ad.

We also collect traffic data of your activities, including your IP addresses, device type, mobile carrier, duration of session, operating system information, session durations, log files, tracking pixel information, viewed screens, app version, and additional analytical data for which we use [Amplitude](#) and [Google Firebase](#), our cloud-based product-analytics platforms. Information provided automatically to advertising or analytics tools does not generally come to our control, therefore we cannot be responsible for processing such information. Please mind that some services are engaged in personal data profiling and may obtain information related to your personality and/or your device by using technologies that do not belong to our scope of responsibility.

We use the above-said types of personal information related to you to provide, manage, and enhance the Application and Services, including by (i) addressing your requests and maintaining contact with you; (ii) improving the Application and the Services, including by establishing statistical data about our data traffic; (iii) preventing harm to the Application and Services, including by identifying and handling abusive activities, preventing cyber-attacks, fraud, identity theft, and any other unlawful or unauthorized use of the Application and Services; (iv) protecting the Application and Services from and against any legal action; (v) complying with applicable laws, rules, and regulations.

How Do We Share Personal Information?

We do not sell, rent, or lease personal information related to you.

We will share personal information related to you with our service providers and other third parties, as necessary, to fulfill the collecting purposes and provide you with the Services.

For example, we use our service providers to manage the transmission of our push notifications, host the Application's files and data, and provide us with usage analytics. These service providers have their privacy notices that they abide by; however, we make efforts to ensure that such service providers hold and maintain proper privacy notices.

Please note that while integrating external services we choose third parties that can assure they apply all necessary technical and organizational measures to protect user personal data. However, we cannot guarantee the security of any information transmitted from us to any such third party. We are not responsible for any accidental loss or unauthorized access to your personal data through a fault of third parties.

We will report or share personal information related to you if we (i) believe that such personal information is illegal or abusive or violate any third-party rights; (ii) are legally required to do so by a government or regulatory authority; or, (iii) enforce contractual terms concerning the Application and Services.

A merger, acquisition, or any other structural change will require us to transfer personal information related to you to another entity, provided that the receiving entity will follow this privacy notice.

What Are Your Choices?

You can opt-out of our subscription push notifications through the unsubscribe option in the Application settings. In addition, you can opt-out of us collecting non-essential traffic data through your settings within the Application.

If you don't want third-party service providers to use to personalize ads on the basis of your interests, please follow the instructions below: Choose option "Limit Ad Tracking" on your iOS device in Settings/ Privacy/ Advertising, please find additional information here: <https://support.apple.com/en-us/HT202074>.

Please mind when you opt out of certain interest-based advertising, you may still continue to receive contextual ads based on other non-personal information, such as ads related to the content of other digital products you are using.

If you need our help, please contact us at aiavatar@videobakery.co, and we will make commercially reasonable efforts to assist you.

How Can You Access and Modify Personal Information?

Note that we do not store personal information related to you on our servers.

You can contact us at aiavatar@videobakery.co and request our assistance to access personal information related to you that is stored on our cloud-based product-analytics service providers' servers. If needed, we will ask you to provide us with certain credentials or details to make sure that you are who you claim to be.

If you find that personal information related to you is inaccurate, incomplete, or not up to date, please provide us with the necessary information to consider the correction or deletion of it, and we will consider your request following the applicable laws and regulations.

Where applicable, and upon your written request, we will address our cloud-based product-analytics service providers or any other relevant service providers, on your behalf, to fulfill your rights.

For How Long Do We Keep Personal Information?

We do not keep personal information related to you on our servers.

Personal information related to you is kept by our cloud-based product-analytics service providers for as long as necessary for the purposes for which such personal information is processed unless otherwise required under applicable law.

If we retain personal information related to you for any legitimate business purpose other than to operate the Application or provide the Services, we will make efforts to limit the access to such personal information and the retention time to a minimum.

Note that we can keep aggregated non-identifiable data without limitation.

How Do We Keep Personal Information Secured?

We implement information security measures, backed by internal policies and procedures, to secure personal information related to you and minimize the risks of theft, damage, loss of data, or unauthorized access.

These measures provide sound industry-standard security protection. However, although we make efforts to protect your privacy, we cannot guarantee that the Application or the Services will be immune from any wrongdoings, malfunctions, unlawful access, or other kinds of abuse and misuse.

Where Do We Store and Process Personal Information?

We do not store personal information related to you on our servers.

However, we use service providers to provide and improve the Services, such as our cloud-based product-analytics service providers, and, to the extent needed, transfer personal information related to you to them, provided, however, that such transfer of personal information is made in a secure manner and compliance with applicable laws.

For your information, acknowledgment, and consent, [Amplitude](#), [AppsFlyer](#), and [Google Firebase](#), our cloud-based product-analytics platforms, store analytical data, which includes personal information related to you, in the United States of America.

We work in the cross-border area and provide our App to our Users around the world. We and third-party organizations that provide automatic data processing technologies for the App or our third-party advertising partners may transfer the automatically processed information across borders and from your country or jurisdiction to other countries or jurisdictions around the world. If you are located in the European Union or other regions with laws governing data processing that may differ from U.S. law, please note that we may transfer information, including personal information, to a country and jurisdiction that does not have the same data protection laws as in your jurisdiction.

This means that your personal information can be transferred to a third country, a territory or one or more specified sectors within that third country, or to the international organization where data protection and confidentiality regulations may not provide the same level of protection of a personal data as your country does.

We try to make sure that the recipient of any personal data provides a proper protection of the personal data received, in accordance with the current legislation on the protection of such information. By using the App, you agree that we may transfer your personal data to any third country, a territory or one or more specified sectors within that third country, or to the international organization.

Your use of the Application and Services signifies your acknowledgment and approval for such transfer of personal information related to you.

How we Change This Privacy Notice?

We can update our privacy notice from time to time after giving proper notice. We will post those changes to this Privacy policy and other places that we consider appropriate. Additional forms of notice of modifications or updates as appropriate under the circumstances may be provided to you.

Until the amended privacy notice takes effect, you can choose not to accept it and terminate your use of the Application and Services. If you continue your use of the Application and Services after the amended privacy notice takes effect, it will express your agreement to the amended privacy notice.

Notwithstanding the above said, if we need to adopt an amended privacy notice due to legal requirements, the amended privacy notice will become effective as soon as required by law.

Last Updated: January 9, 2023.