

Echo Labs Authorized User Privacy Policy

Last updated: August 2, 2024

1. Introduction

This Echo Labs Authorized User Privacy Policy (this “Privacy Policy”) provides important information regarding how Echo Laboratories, Inc. (“Echo Labs”, “we” or “us”), process, use, collect, disclose, and protect Personal Data (as defined below) when you use any Echo Labs products, software, platforms, applications, and services (the “Services”) through one of our Customers (as defined below). “Personal Data” is information about you that is personally identifiable or can be linked to you through a personal identifier, such as your e-mail address, phone number, location, or the physical address of your organization, and which is not otherwise publicly available (this definition is given here for the purpose of this Privacy Policy only, and some laws may use a different definition). This Privacy Policy does not apply to third-party services that are not under Echo Labs’ control; those parties’ services are governed by their own privacy policies.

An organization or other third party, which is Echo Labs’ “Customer,” has entered into a written agreement with Echo Labs for the Services (the “Customer Agreement”) and has given you access to use the Services pursuant to the Customer Agreement. You, along with others in your organization, are each an “Authorized User” under the Customer Agreement. The Customer Agreement contains Echo Labs’ commitment to deliver the Services to the Customer, which may then invite Authorized Users to access and use the Services. This Privacy Policy applies to you as an Authorized User of the Services. This Privacy Policy may change as our business evolves, so please check back regularly for updates and revisions.

2. Echo Labs is a Data Processor

The Services Echo Labs provides to its Customers primarily include artificial intelligence based transcriptions and captioning for video and audio files that are uploaded by Authorized Users to the Services (the “Content”). Customers are responsible, in their sole discretion, for provisioning accounts to Authorized Users to give them access to the Services, and for removing an account once a given Authorized User is no longer permitted to have such access. In each case, the Customer is the controller of the Personal Data of its Authorized Users, and Echo Labs is the processor carrying out data processing activities in accordance with the Customer’s instructions.

If you use the Services through one of Echo Labs’ Customers, that Customer controls and administers your account, and may access, process, and share your Personal Data, including the Content you create through the Services, in accordance with its own policies and procedures. Echo Labs has no direct control over the Personal Data collected by its Customers. Customers are directly responsible for the configuration and administration of the Services they use, and are responsible for adhering to legal and regulatory requirements, including the collection and

maintenance of any necessary rights, permissions, and consents for the Personal Data they collect and manage as a controller. Echo Labs is not responsible for the privacy or security practices of its Customers, which may differ from those set forth in this Privacy Policy.

In its capacity as a controller, each Customer is responsible for maintaining the privacy of the Personal Data pertaining to its Authorized Users uploaded to the Services. Echo Labs processes such Personal Data under the direction of the Customer, and has no direct relationship with the individuals whose Personal Data it processes. Echo Labs is not responsible for disclosures of information made by a Customer to its Authorized Users through the Services. If you are concerned about your privacy while interacting with the Services or wish to exercise your rights in connection with the Personal Data included in the Services, you should direct your inquiry or request to the applicable Customer.

3. When Personal Data is Collected

We collect your Personal Data when it is provided to us by the Customer through which you access the Services, as well as when you interact with the Services through a Customer's account, such as when you:

- Create an account on the Services
- Upload Content into the Services
- Appear within Content hosted on the Services
- View, comment on, or otherwise interact with Content stored in the Services
- Contact Echo Labs' customer support team
- Interact with Echo Labs on behalf of a Customer, such as when you are the Customer's account administrator or technical contact

4. What Personal Data is Collected

When you use the Services, the following categories of Personal Data may be collected and processed by Echo Labs:

- Personal Data provided by the Customer: If you are an Authorized User, the Customer may provide your name, email address, and relation to the Customer in order to create an account for you on the Services.
- Personal Data uploaded to the Services: The Content that you, other Authorized Users, and/or the Customer uploads to the Services may include your Personal Data, such as video and audio recordings of your voice and references to you.

- Passwords and login credentials: When you log in to the Services, we collect your user ID (which may be your email address or other identifier) and password in order for you to access the Services. However, when you log in through the Customer's systems connected to the Services, such as single sign-on or third-party portals, we may receive user login credentials or an anonymous identifier or token (depending on the configuration of those systems).
- Information automatically collected: When you interact with the Services, we automatically gather certain types of information needed to deliver your actions and instructions over the Internet. This information is stored in our log files and may include Internet protocol (IP) addresses, type of device, operating system, and browser, unique device identifier, browser settings, usage information, performance data, Internet service provider (ISP), date/time stamp, and/or clickstream data. Similarly, if you contact our customer support team, we may automatically collect or request this information to aid in troubleshooting and error reporting.
- Contact and billing information: If you are the Customer's account administrator or technical contact, we will collect your name, email address, mailing and billing address, phone and fax numbers, and billing and account information, including payment details.

We currently only provide the Services to Customers located in the United States, and we and our authorized service providers (as described in Section 7 below) maintain, store, and process the Personal Data collected through the Services entirely within the United States. The Services are not intended to be used outside of the United States.

In addition, the Services are not designed for or directed to children under the age of 13. We do not collect Personal Data from any person we actually know is under the age of 13.

5. How Personal Data is Used

We use your Personal Data to:

- Provide the Services to the Customer and its Authorized Users, including performing the actions and instructions requested by you or the Customer
- Diagnose and repair technical issues with the Services and provide other customer care and support services
- Communicate Services and other relevant notifications to you
- Protect the security and safety of the Services and our Customers, detect and prevent fraud, resolve disputes, and enforce our agreements

- Include personalized features and recommendations within the Services that enhance your productivity and user experience enjoyment, and automatically tailor your experiences within the Services based on your activities, interests, and locations
- Develop aggregate statistics and analytics information that enable us to operate, protect, make informed decisions about, and report on the performance of our business
- Monitor the performance of the Services, track account usage, and test and improve the Services
- Create audit logs to provide Customers with statistical analysis of the use of the Services and to enable us to monitor the Services, perform security audits, track errors, and report activity

In addition, if you use Echo Lab's Google Play app, Echo Lab's use and transfer to any other app of information received from Google APIs will adhere to [Google API Services User Data Policy](#), including the Limited Use requirements.

6. Cookies and Similar Technologies

Echo Labs uses cookies and similar technologies in connection with the Services. A cookie is a file containing an identifier (a string of letters and numbers) sent by a web browser, and then stored by the browser. The identifier is sent back to the server each time the browser requests a page from the Services. Echo Labs uses cookies in a number of ways, such as to authenticate an Authorized User, help mitigate security threats, improve the performance of the Services, track an Authorized User's interactions with the Services, store information regarding an Authorized User's preferences, and collect analytics data. You may be able to control the use of cookies and similar technologies at the individual browser level. However, choosing to disable any cookies may limit your use of certain features or functions on the Services.

7. Sharing of Personal Data

Echo Labs will never sell your Personal Data or share it with any third party for marketing purposes or with any third-party tools, including AI models. Your Personal Data may be shared or disclosed to a third party in the following limited circumstances:

- We use trusted third-party service providers to help us operate and administer certain aspects of the Services. For example, we use service providers for web hosting and other business operations, and such service providers may need access to Personal Data to complete those functions. In such cases, these service providers must abide by our data privacy and security requirements and are not allowed to use Personal Data they receive from us for any other purpose.

- At the Customer's discretion and choice, the Services may be integrated with other third-party systems, applications, or hardware, such as unified communications platforms or learning management systems. In such cases, your Personal Data may be shared with the companies that provide these systems or applications. We encourage you to review and understand the terms of service and privacy policies of such third parties, over which we have no control or responsibility as to their use of your Personal Data.
- In the event Echo Labs is acquired or merges with another company, the Services (including the Personal Data included in them) may be transferred to another entity.
- As we believe to be necessary or appropriate, we may disclose Personal Data (a) in accordance with applicable laws, (b) to comply with a subpoena or other legal process, (c) to respond to requests from public and government authorities, (d) to enforce our terms and conditions, (e) to protect our operations, (f) to protect our rights, privacy, safety, or property, and/or that of you or others, and (g) to allow us to pursue available remedies or limit the damages that we may sustain.

8. Protection of Personal Data

Echo Labs maintains an information security program, under which it has adopted security measures to protect Personal Data against loss, theft, unauthorized access, alteration, disclosure, or destruction. Among other things, these measures include policies, procedures, employee training, physical access control, and technical elements relating to data access controls. In addition, Echo Labs uses industry standard encryption to protect Personal Data when it is being exchanged or transmitted. Echo Labs has also obtained various compliance certifications and undergoes audits to ensure continued security and compliance best practices. However, data transmissions over the Internet cannot be guaranteed to be 100% secure or safe from intrusion by others. Be sure to use secure Internet connections, protect your login credentials, and create strong passwords for your Services account.

9. Data Retention

We may retain your Personal Data (even after you cease to use the Services) for any lawfully permitted period of time and as necessary to meet our legal and contractual obligations, enforce our agreements, and enable us to investigate events and resolve disputes. Please note that, except as required by law, we are not obligated to retain your Personal Data for any particular period, and we are free to securely delete it or restrict access to it for any reason at any time, with or without notice to you.

10. Your Rights as a Data Subject

Depending on your location, Echo Labs may have certain legal obligations to its Customers relating to your Personal Data. For example, Echo Labs has obligations as a data processor or service provider under the California Consumer Privacy Act and the California Privacy Rights Act,

and other applicable data protection laws or regulations (“Data Protection Laws”). In addition, you (as a data subject) may have certain rights under these Data Protection Laws, such as (a) the right to know about the Personal Data collected about you and how it is used and shared, (b) the right to delete your Personal Data, and (c) the right to correct inaccurate Personal Data.

However, it is important to keep in mind that Echo Labs is a service provider to its Customers, and therefore acts as a processor, and not a controller, of your Personal Data. If you wish to exercise any of your rights pursuant to applicable Data Protection Laws, you should contact the relevant Customer, which is the controller of your Personal Data and is therefore responsible for protecting your rights under these Data Protection Laws. If you contact Echo Labs directly, we may forward your request or inquiry to the relevant Customer.

12. Changes to this Privacy Policy

We may change, modify, or update this Privacy Policy at any time. When we do, we will revise the date at the top of this page and provide a link to the archived previous version. We encourage you to check this page frequently for any changes to this Privacy Policy.

13. Contacting Echo Labs

If you have any questions or concerns about your privacy in connection with your use of the Services through a Customer, you should direct them to that specific Customer. As noted above, if you contact us with any such questions or concerns, we may forward them to the relevant Customer.

If you have any questions about this Privacy Policy, please contact us at privacy@el.ai or via mail at:

Echo Laboratories, Inc.
Attn: Privacy
700 Alabama Street
San Francisco, CA 94110