

Caloricious Privacy Policy

Caloricious Inc., ("Caloricious," "we," "our," or "us") collects certain information through its website located at www.foodsmart.co (the "Site"). Your privacy is important to Caloricious and we are committed to protecting the privacy and security of your personal information.

This Caloricious Privacy Policy ("Privacy Policy") describes Caloricious' policies and procedures relating to the type of personal information we may collect, the handling and use of such information, and when, under certain circumstances we may disclose this information. This Privacy Policy also lays out the steps we have taken to secure your personal information. This Privacy Policy applies only to the Site and it does not apply to any restaurant websites, or third party services linked to Caloricious Site or offline activities related to Caloricious services.

IF YOU DO NOT AGREE TO ALL THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY IN THEIR ENTIRETY, YOU MAY NOT ACCESS OR USE THIS SITE OR MOBILE APPLICATION.

COLLECTION OF INFORMATION

A. COLLECTION OF PERSONALLY IDENTIFYING INFORMATION.

Caloricious may collect the following personally identifying information from you:

Before placing food delivery orders and using certain services provided on the Site, you must complete the registration and create an account ("Account") by completing a registration form. Creation of an Account requires providing certain personal information, including but not limited to, your name, shipping and billing addresses, phone number, e-mail address, Site-specific display name, GPS location (mobile), electronic signature and credit card information. If you choose not to provide the personal information, you may not be able to set up an Account thereby, not being able to use the services offered at Caloricious Site. This personal information will be used by Caloricious for billing, fulfilling food delivery orders, to contact you regarding your order and the Site, and for internal data modeling and marketing purposes.

Caloricious may work with third parties to allow such third parties to deliver Caloricious' ads on the Site or on sites other than the Site. These third parties may set cookies (described below) and use cookies to assist with advertisement delivery services to you based on your past visits to the Site.

B. AUTOMATIC COLLECTION OF MOBILE ANALYTICS INFORMATION

In addition, the Foodsmart Application may collect certain information automatically, including, but not limited to, the type of mobile device you use, your mobile devices unique device ID, the IP address of your mobile device, your mobile operating system, the type of mobile Internet browsers you use, and information about the way you use the Application.

Methods of Collecting the Personal Data

Facebook Analytics for Apps

We use Facebook Analytics for Apps to collect Usage Data in our iOS App. Facebook Analytics for Apps is an analytics service provided by Facebook, Inc. This service is designed for mobile apps analytics and can collect various information about your phone, such as what are the users choices and preferences when they use our iOS App, the duration of your videos, the type of your mobile device etc, as highlighted in the Facebook Analytics for Apps Overview. Users have the option to opt-out via our iOS App by visiting the settings of the iOS App and disabling the ‘Send Usage Stats’ option.

Mixpanel

We use Mixpanel to collect Usage Data and your Geolocation in our iOS App. Mixpanel is an analytics service provided by Mixpanel, Inc. This service is designed for mobile apps analytics and can collect various information about your phone, such as what are the users choices and preferences when they use our iOS App, the duration of your activity, the type of your mobile device etc, as highlighted in the Mixpanel Privacy Policy. Via Mixpanel, our iOS App may collect, use, and share your location data in order to provide location-based services.

Carnival

We use Carnival.io to collect User profile data, Usage Data and Geographic Position in our iOS App. Carnival.io is an push notification and in-app message streaming service provided by Carnival, Inc. This service enables us to monitor and analyze our iOSApp’s traffic and can be used to keep track of the users behavior. Information that Carnival.io collects is highlighted in the Carnival.io Privacy Policy.

All the above collection of Personal Data does allow any third parties to personally identify an individual (such as certain names, e-mail addresses or any other similar data). Further, it does not allow third party to permanently identify a particular device (such as a unique device identifier if such an identifier cannot be reset), even in hashed form.

However, All the above collection of Personal Data does allow Caloricious to personally identify an individual (such as certain names, e-mail addresses or any other similar data). Further, it does not allow Caloricious to permanently identify a particular device (such as a unique device identifier if such an identifier cannot be reset), even in hashed form.

C. PUSH NOTIFICATIONS

“Push notifications” are alert messages that are sent to your smartphone whenever new recipes or tips are available. Push notifications also help in reminding the user to check out the new recipes, healthy eating tips and other new features and products offered in the app.

D. HealthKit App Data

Foodsmart app(owned by Caloricious) makes use of the Apple’s HealthKit. You can choose to save Nutrition information of any meal available in Foodsmart app into HealthKit. If you grant Foodsmart App access to HealthKit, nutrition information of the meal including calories, fat, carbohydrates, protein, sodium and cholesterol are added to HealthKit. This Privacy Policy covers the treatment of Health App data shared with us through the Apple HealthKit API (“Health App Data”).

All iOS Health app and HealthKit data conform to Apple's development guidelines. To view Apple's HealthKit developer guidelines, go to <https://developer.apple.com/app-store/review/guidelines/#healthkit>.

E. COLLECTION OF PRECISE REAL TIME LOCATION INFORMATION OF THE DEVICE

When you use Foodsmart application, we may use GPS technology (or other similar technology) to determine your current location in order to determine the city you are located within and display information relevant to users in that city. We will not share your current location with other users or partners.

If you do not want us to use your location for the purposes set forth above, you should turn off the location services for the mobile application located in your account settings or in your mobile phone settings and/or within the mobile application.

F. COLLECTION OF NON-PERSONALLY IDENTIFYING INFORMATION.

Caloricious may collect the following non-personally identifying information from you:

When you access the Site, some of your non-personally identifying information that is sent by your browser upon visiting a website is automatically recorded. This includes information including, but not limited to internet protocol (IP) addresses, internet service

provider (ISP), date and time stamp, browser type, platform type, aggregated information, demographic information, and other information that does not specifically reveal your identity.

Caloricious, like most other websites, uses HTTPS cookie technology to collect information about you throughout this Site. Caloricious uses cookies to remember users on the Site and to enhance user experience by providing customers with higher security, customized content, order tracking. For example, when Account holders return to the Site, cookies help provide specific information relating to those Accounts such as past orders etc. To learn more about cookies visit www.allaboutcookies.org.

USE OF COLLECTED INFORMATION.

Caloricious does not sell or rent information it collect through the Site to third parties. All information provided to Caloricious remains absolutely confidential. However, the following information may be shared: (a) Caloricious may share aggregated information about our customers without personally identifying them with partners, advertisers or other third parties; (b) we may share information with companies that provide marketing services to Caloricious; (c) we allow certain social media platforms to host plug-ins or widgets on the Site which may collect information about our customers who choose to use those plug-ins or widgets; (d) Caloricious may also share this information with companies whose products may be of interest to you. These companies however, do not have the authority to use such personal information about our customers for any other purpose; (e) your personal information will be used to contact you about your orders and deliveries, and for sending confirmation emails when you create an Account or place an order with us; (f) Caloricious may disclose such information to third parties like attorneys, collection agencies tribunals, law enforcement officials in response to subpoenas, court orders, or if we are otherwise required to disclose such information by law; or (g) Personal information may need to be shared in the event of the sale, merger, acquisition, reorganization, or dissolution, of Caloricious or similar event.

PROTECTION OF COLLECTED INFORMATION

Caloricious has employed measures to guarantee an easy, secure and hassle-free food ordering experience for you. Information about your order and your credit card information is safely and securely retained by using a Secure Sockets Layer (SSL), an advanced encryption technology. SSL, an industry norm in encrypting online transactions enables the encryption of your personal information so that it cannot be read as it is transmitted over the Internet. Unfortunately, even with these, no data transmission over the Internet can be guaranteed to be completely secure. By using this Site, you acknowledge and agree that any information you transmit to the Site is sent at your own risk.

DO THIRD PARTIES SEE AND/OR HAVE ACCESS TO INFORMATION OBTAINED BY FOODSMART APP

Yes. We will share your information with third parties only in the ways that are described in this privacy statement.

We may disclose User Provided and Automatically Collected Information:

- as required by law, such as to comply with a subpoena, or similar legal process;
- when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request;
- with our trusted services providers who work on our behalf, do not have an independent use of the information we disclose to them, and have agreed to adhere to the rules set forth in this privacy statement.
- if Caloricious is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on our Web site of any change in ownership or uses of this information, as well as any choices you may have regarding this information.

WHAT ARE MY OPT-OUT RIGHTS?

You can stop all collection of information by the Application easily by uninstalling the Application. You may use the standard uninstall processes as may be available as part of your mobile device or via the mobile application marketplace or network. You can also request to opt-out via email, at support@foodsmart.co.

CHILDREN'S PRIVACY

The Site is not intended for use by children under the age of thirteen and Caloricious does not intentionally and/or knowingly collect personally identifiable information from children under the age of thirteen. We will make every effort to remove personally identifiable information from the user of the Site under the age of thirteen if we get notified about it or become aware about it.

CORRECTIONS

Registered Account Holders may update or correct their personal information by using the "Edit" function on the Site. They may also disable their account to prevent any future

purchases through that account by sending in a request for disabling by emailing their request to Caloricious' Customer Service department at: support@foodsmart.co.

Notwithstanding the foregoing, we may contact you regarding your request for Caloricious services and to respond to any inquiry or concerns you may have.

OFFLINE INFORMATION COLLECTION, USE & DISCLOSURE OF INFORMATION

We use our Site to collect majority of information about you. This Privacy Policy applies only to that online collection of personal information. We also protect privacy of your personal information collected offline.

PRIVACY POLICY AMENDMENTS

We may amend our Privacy Policy at any time without providing notice to you. The new Privacy Policy become effective on the date it gets posted on the Site. We encourage you to refer to this Privacy Policy on an ongoing basis so that you understand our current Privacy Policy.

CONTACT

If you have questions about this Privacy Policy, please e-mail us at: support@foodsmart.co

TERMS AND CONDITIONS

Please www.foodsmart.co to view the Caloricious Site Terms and Conditions.