

LookLook® Privacy Policy

Languages:

[中文](#)

[日本語](#)

[Français](#)

[Deutsche](#)

Effective as of: 12.1.2018

Protecting your private information is our priority. This Privacy Policy applies to the websites, apps and services that are controlled by Spark Ideas, LLC (“Spark,” “we,” us” or “our”), including www.spark-nyc.com, www.looklook-app.com and www.looklook-analysis.com (collectively, the “Sites”) and the LookLook mobile application (the “Mobile App”). Please read this Privacy Policy carefully, because by using the Sites or the Mobile App, you consent to the data practices described in this statement.

Your use of the Sites or the Mobile App is also governed by the Terms of Service, which can be found here: <http://spark-nyc.com/s/LookLook-Terms-of-Service-EN.pdf>

Please note the arbitration provision set forth below, which requires you, except to where and to the extent prohibited by law, to arbitrate any claims you may have against Spark on an individual basis. **ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS, CONSOLIDATED OR REPRESENTATIVE CAPACITY.**

Collection and Use of Your Personal Information

We collect both personal and non-personal information. “Personal information” is any information relating to an identified or identifiable natural person. “Non-personal information” includes technical information that does not identify an individual personally. Please note that over time, non-personal information may become personal information due to regulatory developments, technological advancements, or the co-mingling of personal and non-personal information. We collect the following information from and about you:

- We collect the information you provide us through the Mobile App, such as your name, email address and the insights that you choose to share with us via images, dialogue and video.
- We collect your name and email address when you email us or otherwise correspond with us, for example, through the “Contact Us” form, to make inquiries about us, our Sites or the Mobile App.
- When you use our Sites or the Mobile App, we may automatically collect information, through cookies and other similar technologies, such as the date and time of your visit, the pages you view, your browser type, and IP address. Please see Cookies and Other Similar Technologies below for more information.

We use your personal information for the following purposes:

- To provide and improve the Sites and/or the Mobile App;
- To fulfill your orders;
- To respond to inquiries;

- To compile user information for clients for their marketing and research study purposes; and
- To contact you to participate in future marketing and research studies.

Legal Bases for Processing

We process personal information per applicable law and with transparency and fairness. The legal bases for each processing activity listed above are as follows:

- To contact you to participate in future marketing and research studies, processing is based on your consent (Art. 6(1)(a) of the European Union (“EU”) General Data Protection Regulation (“GDPR”).
- To provide our Sites and the Mobile App, fulfill orders, respond to inquiries, and compile user information for clients, processing is necessary to establish and fulfill a contract with you (Art. 6(1)(b) of the EU GDPR).

Cookies and Other Similar Technologies

We use cookies and other similar technologies on our Sites and the Mobile App to help collect information. We may use session cookies or persistent cookies. Session cookies only last for the specific duration of your visit and are deleted when you close your browser. Persistent cookies remain on your device’s hard drive until you delete them or they expire. We use the following types of cookies:

- Essential. Some cookies are essential in order to enable you to move around our Sites and/or the Mobile App and use their features, such as accessing secure areas of the Sites and/or the Mobile App. Without these cookies, we cannot enable appropriate content based on the type of device you are using.
- Browsing and Functionality. We use these cookies to remember choices you make on the Sites and/or the Mobile App, such as your preferred language and the country from which you are visiting, and to provide enhanced, more personalized features.
- Performance and Analytics. We use cookies to see how you use our Sites and/or the Mobile App in order to improve their performance and develop them according to your preferences.

There are several ways to manage cookies. You can control the use of cookies at the browser level, by instructing your browser to accept cookies, disable cookies or notify you when receiving a new cookie. Please note that if you reject cookies, you may still use our Sites and/or the Mobile App, but your ability to use some features or areas of our Sites or the Mobile App may be limited.

Sharing and Disclosure of Your Personal Information

We share or disclose your personal information in the following instances and to the following parties:

- We share information provided through the Mobile App with our clients for their marketing and research studies and business purposes.
- We share information provided through the Mobile App with third party service providers to administer studies and provide reports to clients.
- We will disclose your personal information to comply with the applicable law or in the good faith belief that such action is necessary in order to conform to the requirements of the law or to comply with legal process served on us, to protect and defend our rights or property, or to act in urgent circumstances to protect the personal safety of our users.

Collection and Use of Information from Children

We do not knowingly collect information from children under the age of 13 in the United States or under the age of 16 in the EU. In the event that we learn that a person under the age of 13 in the United States or under the age of 16 in the EU, has provided us with personal information, we will delete such personal information.

Access and Opt Out

If your information has changed and you wish to update the information we have on file for you, please contact us using the contact information below.

If you no longer wish to receive marketing communications from us, you can opt-out by following the unsubscribe instructions provided in our marketing communication or by contacting us at the address below. We will process your unsubscribe as soon as possible and in compliance with applicable law, but please be aware that in some circumstances, you may receive a few more messages until the unsubscribe is processed and completed.

Please note that even if you opt-out of our marketing communications, we will still send you administrative messages regarding your orders and the Sites and/or the Mobile App, including, for example, important updates regarding the Sites and/or the Mobile App.

Your Rights

In addition to the right of access, if you are an EU resident, you have the right to:

- Obtain confirmation as to whether or not your personal information exists and to be informed of its content and source, verify its accuracy and request its completion, update or amendment.
- Request the deletion, anonymization or restriction of the processing of your personal information processed in breach of the applicable law.
- Object to the processing, in all cases, of your personal information for legitimate reasons.
- Receive an electronic copy of your personal information, if you would like such a copy for yourself or to port your personal information to a different provider.
- Lodge a complaint with the relevant data protection supervisory authority.

Third Party Links

Spark encourages you to review the privacy statements of websites linked to and from the Sites and/or the Mobile App so that you can understand how those websites collect, use and share your information. Spark is not responsible for the privacy statements or any content on these websites outside of the Sites and the Mobile App.

Security of your Personal Information

Spark implements reasonable measures to secure your personal information from unauthorized access, use or disclosure. That said, please understand that no data transmissions over the Internet can be guaranteed to be 100% secure. Consequently, we cannot ensure or warrant the security of any information you transmit to us and you understand that any information that you transfer to us is done at your own risk. If we learn of a security systems' breach we may attempt to notify you electronically so that you can take appropriate protective steps. By using the Sites and/or the Mobile App or providing personal information to us, you agree that we can communicate with you electronically regarding security, privacy and administrative issues relating to your use of the Sites and/or the Mobile App. We

may post a notice via the Sites and the Mobile App if a security breach occurs. We may also send an email to you at the email address you have provided to us in these circumstances. Depending on where you live, you may have a legal right to receive notice of a security breach in writing.

Data Retention

We retain your personal information for the period necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required or permitted by law.

International Data Transfers

If you choose to provide us with information, we may transfer that information to our affiliates and subsidiaries or to other third parties, across borders, and from your country or jurisdiction to other countries or jurisdictions around the world. If you are visiting from the EU or other regions with laws governing data collection and use that may differ from U.S. law, please note that you are transferring your personal information to the U.S. and other jurisdictions which may not have the same data protection laws as your country of residence. You acknowledge that you understand that by providing your personal information:

- Your personal information will be used for the uses identified above in accordance with this Privacy Policy; and
- Your personal information may be transferred to the U.S. and other jurisdictions in accordance with applicable law as indicated above.

Assignment

In the event that all or part of our assets are sold or acquired by another party, or in the event of a merger, you grant us the right to assign the personal and non-personal information collected via the Sites and/or the Mobile App.

Dispute Resolution and Agreement to Arbitrate

Except where and to the extent prohibited by law, by using the Sites and/or the Mobile App, you and Spark agree that, if there is any controversy, claim, action, or dispute arising out of or related to your use of the Sites and/or the Mobile App, or the breach, enforcement, interpretation, or validity of this Privacy Policy or any part of it ("Dispute"), both parties shall first try in good faith to settle such Dispute by providing written notice to the other party describing the facts and circumstances of the Dispute and allowing the receiving party thirty (30) days in which to respond to or settle the Dispute. Notice shall be sent to us at:

Spark Ideas, LLC
1328 Ridge Road
Syosset, New York 11791

Both you and Spark agree that this dispute resolution procedure is a condition precedent that must be satisfied before initiating any litigation or filing any claim against the other party. IF ANY DISPUTE CANNOT BE RESOLVED BY THE ABOVE DISPUTE RESOLUTION PROCEDURE, YOU AGREE THAT THE SOLE AND EXCLUSIVE JURISDICTION FOR SUCH DISPUTE WILL BE DECIDED BY BINDING ARBITRATION ON AN INDIVIDUAL BASIS. ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS, CONSOLIDATED, OR REPRESENTATIVE CAPACITY. Other rights that you and we would

otherwise have in court will not be available or will be more limited in arbitration, including discovery and appeal rights. All such disputes shall be exclusively submitted to JAMS (www.jamsadr.com) for binding arbitration under its rules then in effect, before one arbitrator to be mutually agreed upon by both parties.

The arbitrator, and not any federal, state, or local court or agency, shall have exclusive authority to resolve any dispute arising under or relating to the interpretation, applicability, enforceability, or formation of this Privacy Policy, including any claim that all or any part of this Privacy Policy is void or voidable.

Choice of Law

This Privacy Policy has been made in, and shall be construed in accordance with, the laws of the State of New York, without giving effect to any conflict of law principles. The parties acknowledge that this Privacy Policy evidences a transaction involving interstate commerce. Notwithstanding the provision in the preceding paragraph with respect to applicable substantive law, any arbitration conducted pursuant to the terms of this Privacy Policy shall be governed by the Federal Arbitration Act (9 U.S.C. §§ 1-16).

Your California Privacy Rights and How We Respond to “Do Not Track” Signals

California Civil Code Section 1798.83 permits visitors to the Sites and/or the Mobile App, who are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. We do not share your personal information with third parties for their direct marketing purposes.

At this time, our Sites do not recognize automated browser signals regarding tracking mechanisms, which may include “Do Not Track” instructions.

Contact Information

Spark welcomes your questions or comments regarding this Privacy Policy and our privacy practices. If you believe that Spark has not adhered to this Privacy Policy, please contact us at:

Spark Ideas, LLC
1328 Ridge Road
Syosset, New York 11791
United States of America

Email Address:
privacy@spark-nyc.com

Telephone number:
(917) 991-0477

Changes to this Privacy Policy

Spark will occasionally update this Privacy Policy to reflect company and customer feedback. When we do, we will also revise the “Effective” date at the top of this Privacy Policy. If material changes are made to the Privacy Policy, we will notify you by placing a prominent notice on the Sites and the Mobile App. We encourage you to periodically review this Privacy Policy to be informed of how Spark is handling your information.