

# Privacy Policy

**Last updated: December 18, 2024**

Thank you for visiting our site!

VRSpeaking, LLC ("**VRSpeaking**," "**we**," "**us**," or "**our**") operates [ovationvr.com](https://ovationvr.com) and wrote this privacy policy (this "**Policy**") to help you understand the types of information we collect through our website; how we use and share this information; the choices you have regarding such use; and other important information about the collection and use of information obtained through our site. Although some of the concepts below are a bit technical, we tried our best to explain things in a straightforward and transparent way. If you have any questions or comments about this privacy policy or the ways in which VR Speaking uses the information we collect, please do not hesitate to contact us using the information provided at the end of this policy.

## I. Scope of Our Privacy Policy

This Policy applies to information collected through our website (<https://ovationvr.com/>) and any other products and services that display or link to this Policy, including the mobile application (collectively, "**Website**" or "**Site**").

This Policy does not apply to websites, mobile apps, or other online products and services that have their own privacy policy or otherwise do not display or link to this Policy.

## II. Collection of Information

### *Information We Collect*

We collect individually-identifiable information ("**Individual Information**") that you submit or otherwise choose to share with us, as well as Individual Information received from our partners and service providers. Individual Information means information that identifies you or could reasonably be used to identify you, such as your name, postal address, email address, telephone number, or similar information. You can generally visit our Website without revealing any Individual Information about yourself. However, to use our services or to create an account with us, we will ask you to provide certain Individual Information. If you choose not to provide this information, you may be unable to obtain our products and services.

In addition, we collect certain indirectly identifying information (information that pertains to you as an individual, but does not identify you directly) automatically from/about your computer or mobile device when you visit or engage with our Site. This information may include the date and time your browser requested our Site, a device identifier or Internet Protocol address, hardware and software information, the pages of our Site visited or features used, or other indirectly identifying information about your use of our Site.

### *Information You Submit*

We collect Individual Information from you through the Website when you choose to provide it to us. For example, if you have an account with us, we may record the speeches you submit, as well as the speech items (such as presentation or document file), your use analytics, profile information, and similar data. You also provide us with payment information for your use of the

services.

When you submit a question or otherwise choose to contact us, you provide us with any Individual Information you choose to include in your communication.

We may collect certain personally-identifiable information you provide to us when you apply for a job, such as your name, address, telephone number, mailing address, and email address (information that would otherwise be Individual Information). Information collected in the application process is explicitly not included in the scope of this Policy and is not the type of Individual Information described throughout this Policy. Please review any applicable privacy notices in the job-application process for information about which information is collected and how it is used in that process.

### ***Information from Third Parties***

We may also receive Individual Information about you from third parties. For example, we may obtain information about you from commercially available sources such as data aggregators and public databases. This information may include your name, demographic information, interests and publicly observed data (such as from social media and shopping behavior).

### ***Tracking Technologies***

The Site uses web tracking technologies such as cookies to recognize visitors to the Site and to analyze general user traffic patterns.

A cookie is a small file placed on your device when you visit a website that can be understood by the website that issued the cookie. We use cookies and other technologies, including device identifiers, to collect information and support certain features on the Site. For example, we may use these technologies to:

- collect information about how visitors use the Site (for example, which pages they visit, which links they use, and how long they stay on each page);
- support the features and functionality of a Site (for example, to save a visitor the trouble of re-entering information already in our database or to prompt the settings they established on previous visits);
- personalize a visitor's experience when they use the Site; and
- improve our marketing efforts, including targeted advertising.

We may use both session cookies and persistent cookies. For more information about the cookies used on our Site, please see our Cookies Policy.

If you do not wish to receive cookies, you may set your browser to reject cookies or to alert you when a cookie is placed on your computer. Although you are not required to accept cookies when you visit our Sites, you may be unable to use all of the functionality of our Site if your browser rejects our cookies.

### ***Combining Information***

We may combine the information we collect through our Site with information we collect through other sites or online services. We may also combine information collected through our Site with information collected offline or obtained by our partners and other third parties. We use this consolidated information to help us improve our Website, products and services, communicate information to you, enhance our marketing and research activities, and engage in any other legitimate business activities described in this Policy.

### III. Use of Information

We may use the information we collect from and about you (or your device) for any of the following purposes:

- To provide you with pricing information regarding our products and services.
- To create, maintain, customize, and secure your account with us.
- To personalize your experience and to allow us to deliver the type of content and product offerings in which you are most interested including customized content, targeted offers and advertising through our Site, other sites, and via email or text message.
- To improve our Website, products, and services.
- To allow us to better service you in responding to your customer service requests.
- To verify and supplement your application information.
- To process your transactions, including your application to obtain or endorse an insurance policy.
- To process payments and prevent transactional fraud.
- To send emails or other communications regarding our products and services.
- To protect the security and integrity of our online services and our business.
- To respond to governmental requests and as required by applicable law, court order, and governmental regulations.
- As otherwise described to you at the point of data collection and in this privacy policy.

### *Optional Use of User Content*

You may also choose to set your recordings and other content (“**User Content**”) to “public,” or otherwise share it with members of your organization via an “assignment”. If you choose to, your recordings will be accessible to other users of the Website and the services provided by us, and other users of the Website and the services may comment on your User Content.

### IV. Disclosure of Information

We do not sell, trade, or otherwise transfer to outside parties your Individual Information unless we provide you with advance notice or as otherwise described in this Policy. This does not include our financial partners, affiliates, website hosting partners, and other parties who assist us in operating our Website, conducting our business, or servicing you, so long as those parties agree to keep this information confidential. We may also release your information when we believe release is appropriate to comply with the law, enforce our Site policies, or protect ours or others' rights, property, or safety. If you are a California resident, please see the California Privacy Rights section later in this Policy for additional information about our interaction with outside parties relevant to your rights as a Californian.

In addition, during the normal course of our business, we may sell or purchase assets. If another entity acquires us or any of our assets, information we collect from and about you (and your

device) may be transferred to such entity. In addition, if any bankruptcy or reorganization proceeding is brought by or against us, such information may be considered an asset of ours and may be sold or transferred to third parties.

However, indirectly identifying, aggregated, or de-identified information may be provided to other parties for marketing, advertising, or other uses.

### ***Aggregated and Non-Identified Data***

We may maintain aggregate data or other non-identified information about you, such as usage statistics, online traffic patterns and user feedback. In addition to using this aggregated and/or de-identified information for the purposes discussed in this Policy, we may disclose this information to third parties without restriction. Additionally, we may also combine your information with data we collect or obtain from third party sources, such as credit reporting agencies, analytics providers, etc.

### **V. Analytics and Advertising Services Provided by Others**

We may allow others to provide audience measurement and analytics services for us, to serve advertisements on our behalf on our online services and across the internet, and to track and report on the performance of those advertisements. These entities may use cookies, pixel tags, SDKs, and other technologies to identify your device when you use our online services and interact with our electronic communications and ads, as well as when you visit other websites and services. Data collected and maintained by such third-party ad providers will be subject to the terms of use and privacy policies of those providers. For more information about these technologies and service providers, please see our Cookies Policy.

### **VI. “Do Not Track” Mechanisms**

At this time, there is no worldwide uniform or consistent industry standard or definition for responding to, processing, or communicating Do Not Track signals. Thus, like many other websites and online services, we do not currently respond to any Do Not Track browser requests.

### **VII. California Privacy Rights**

California residents have additional privacy rights under California law. The following provisions in this Section VII of the Policy apply only to California residents.

Specific Definitions. The following definitions apply only to this section of the Policy.

“Personal Information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. It does not include publicly available information or de-identified or aggregated information.

“Sale” or “sell” means selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a consumer’s personal information by the business to another business or a third party for monetary or other valuable consideration.

Personal Information We Collect and Disclose. The chart below shows the categories of Personal Information we collect, why we collect it, and to whom we share it. We disclose certain Personal Information to third parties for a business purpose. We also sell, as the term is broadly defined in California law (which includes use of third-party cookies on our website), certain Personal Information to third parties. We do not sell the Personal Information of minors under 16 years old without affirmative authorization. This information covers the past 12 months.

<b>Categories of Personal Information</b>	<b>Examples:</b>	<b>Types of Sources from which this Category of Personal Information Is Collected</b>	<b>Business Purpose(s) for Collection</b>	<b>Types of Third Parties with Whom this Category of Personal Information Is Disclosed, Shared or Sold</b>
<b>Unique identifiers</b>	Name, email, account name, IP address	<ul style="list-style-type: none"> <li>- Directly from you via our website, interacting with us on social media, over the phone.</li> <li>- Cookies and tracking technologies</li> </ul>	<ul style="list-style-type: none"> <li>- Properly address you by name</li> <li>- Provide you with goods and services</li> <li>- Send you information about your account</li> <li>- Send marketing correspondence</li> <li>- Verify location to prevent license abuse</li> <li>- Effectively target ads via our site or other platforms</li> </ul>	<ul style="list-style-type: none"> <li>- Payment processor</li> <li>- IP lookup service</li> <li>- Advertisers</li> <li>- Analytics providers</li> <li>- Social networks</li> <li>- Email communications provider</li> <li>- Customer satisfaction survey provider</li> </ul>
<b>Physical description</b>	Physical characteristics or description	<ul style="list-style-type: none"> <li>- Directly from you</li> </ul>	<ul style="list-style-type: none"> <li>- Personalize your in-app avatar</li> </ul>	<ul style="list-style-type: none"> <li>- Avatar creation from photo service</li> </ul>
<b>Financial information</b>	Bank account number, credit card number, debit card number, or any other financial information	<ul style="list-style-type: none"> <li>- Directly from you</li> </ul>	<ul style="list-style-type: none"> <li>- To pay for services</li> <li>- Establishing, printing, or sending an invoice for services</li> <li>- Confirm your identity</li> </ul>	<ul style="list-style-type: none"> <li>- Payment processor</li> </ul>

<b>Protected class data</b>	Characteristics of protected classifications under California or federal law, including race, ancestry, national origin, age (40 years or older), marital status, sex, sexual orientation, medical condition, disability, genetics, and veteran or military status	<ul style="list-style-type: none"> <li>- Directly from you</li> </ul>	<ul style="list-style-type: none"> <li>- Personalize your in-app avatar</li> </ul>	<ul style="list-style-type: none"> <li>- None</li> </ul>
<b>Purchase history</b>	Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies	<ul style="list-style-type: none"> <li>- Directly from you through our website</li> <li>- Analytics provider</li> <li>- Social Media</li> <li>- Business partners</li> </ul>	<ul style="list-style-type: none"> <li>- Offering goods or services that might be of interest to you</li> <li>- Establishing, printing, or sending an invoice for your service</li> </ul>	<ul style="list-style-type: none"> <li>- Payment Processor</li> </ul>
<b>Biometric data</b> (Collected only when Ovation is used with hardware that supports such features)	Cognitive load, heart rate, gaze, voice recordings, movement patterns or rhythms	<ul style="list-style-type: none"> <li>- VR headset</li> <li>- VR motion controllers</li> <li>- Eye tracking sensors</li> <li>- Heart rate sensor</li> <li>- Microphone</li> </ul>	<ul style="list-style-type: none"> <li>- Collected and displayed to you in order to help you evaluate your public speaking delivery skills</li> <li>- Help Ovation improve training features</li> </ul>	<ul style="list-style-type: none"> <li>- Speech-To-Text transcription service</li> <li>- Audio analysis (fluency, complexity, emotion, animation) service.</li> </ul>
<b>Internet activity</b>	Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement	<ul style="list-style-type: none"> <li>- From our analytics service provider</li> <li>- Directly from you via our website and app.</li> <li>- Social media</li> <li>- Business partners</li> </ul>	<ul style="list-style-type: none"> <li>- Provide our site and services to you</li> <li>- Remember your preferences</li> <li>- Marketing communications</li> <li>- Provide improved goods and services</li> </ul>	<ul style="list-style-type: none"> <li>- Analytics providers</li> <li>- Advertisers</li> </ul>

<b>Geolocation data</b>	Geolocation data	<ul style="list-style-type: none"> <li>- Your use of our website or application</li> <li>- information you provide</li> </ul>	<ul style="list-style-type: none"> <li>- Verify location to prevent license abuse</li> <li>- Payment processing purposes</li> </ul>	<ul style="list-style-type: none"> <li>- Payment processor</li> </ul>
<b>Audio, visual, olfactory information</b>	Audio, visual, gaze information	<ul style="list-style-type: none"> <li>- VR headset</li> <li>- Microphone</li> </ul>	<ul style="list-style-type: none"> <li>- Enable recording and playback of speeches in Ovation</li> <li>- audio analysis for user-provided analytics</li> <li>- speech setup features</li> </ul>	<ul style="list-style-type: none"> <li>- Speech-To-Text transcription service</li> <li>- AI inference service</li> <li>- Audio analysis (fluency, complexity, animation) service</li> </ul>
<b>Inferences</b>	Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes	<ul style="list-style-type: none"> <li>- VR headset</li> <li>- VR motion controllers</li> <li>- Recorded audio</li> </ul>	<ul style="list-style-type: none"> <li>- Provide improved goods and services</li> </ul>	<ul style="list-style-type: none"> <li>- None</li> </ul>

We will not collect a category of Personal Information not listed above, or use any Personal Information collected in any of the above categories for a business purpose not listed above, without first providing you with notice.

Californians' Right to Submit Requests. You have the right to submit certain requests about the Personal Information we have collected about you, including the right to request the information collected, the right to request that we delete your Personal Information, and the right to opt out of the sale of your Personal Information. Please note that there are circumstances in which we may not be able to comply with your request pursuant to California law, including when we cannot verify your request and/or when there is a conflict with our own obligations to comply with other legal or regulatory requirements. We will notify you following submission of your request if that is the case.

To submit any of the requests referenced below, please email us at [contact@ovationvr.com](mailto:contact@ovationvr.com) with the subject "California Information Request" and the type of request you wish to

submit.

*Californians' Right to Request Information.* You have the right to request certain information regarding the Personal Information we have collected about you in the preceding 12 months. You may make such a request up to twice in a 12-month span.

You may submit a request for the following pieces of information:

- (1) The specific pieces and categories of Personal Information collected about you;
- (2) the categories of sources providing the Personal Information;
- (3) the categories of third parties with whom we have shared the Personal Information; and
- (4) the business purpose for collecting the Personal Information.

*Californians' Right to Request Deletion.* You have the right to request that we delete certain Personal Information that we have collected.

*Californians' Right to Opt Out of the Sale of Personal Information.* You have the right to request that we do not sell Personal Information that we have collected. If you exercise that right, please note that pursuant to the CCPA we may have to subsequently inform you that you need to opt-in if the sale of your Personal Information is required to complete a transaction you have initiated. If opting-in is required, we will provide you with the necessary instructions.

If you use an authorized agent (see below) to submit your opt-out request, we will request that the agent provide us with proof that he, she, or it has been authorized by you to act on your behalf. California law requires you to provide the authorized agent written permission to exercise your rights.

If you opt-out of the sale of your Personal Information, we will wait at least 12 months before asking you if we may sell your Personal Information.

Verification Process. In order to authenticate your identity for a data-related request, at a minimum, three pieces of identifying information will be required to be provided, for example, username, postal zipcode, email address or phone number. This information will be included with your request or we may contact you after we receive your request and ask for additional information.

Authorized Agents. You may designate an authorized agent to exercise your rights under California law on your behalf. You may designate an authorized agent to exercise your California privacy rights in the following ways:

- (1) By providing an authorized agent with power of attorney; or
- (2) By providing the authorized agent with signed permission to submit requests on your behalf and, if we request such additional information, verifying their identity and confirming to us directly that you designated the certain individual or entity as an authorized agent.



Additional California Privacy Rights. California residents have the right to request in writing from businesses with whom they have an established business relationship, (a) a list of the categories of personal information that a business has disclosed to third parties (including affiliates that are separate legal entities) during the immediately preceding calendar year for the third parties' direct marketing purposes and (b) the name and address of all such third parties.

#### **VIII. Information Security**

We use physical, technical and administrative security measures, consistent with industry practice, and we expect our third-party providers to do the same. Such measures are reasonably designed to protect information we collect from and about you (and your mobile device) from loss, unauthorized access, disclosure, alteration or destruction. However, any information you provide to us is at your own risk. We cannot guarantee that such information will not be lost, accessed without authorization, disclosed, altered, or destroyed.

#### **IX. Children's Privacy**

Our online services are not intended for or designed to attract children under the age of 13 ("**children**" or "**child**"). We do not knowingly allow children to order our products, communicate with us, or use any of our online services. If you are a parent and become aware that your child has provided us with information, please contact us using one of the methods specified herein, and we will work with you to address this issue.

#### **X. Your Choices**

You can do the following at any time by contacting us via the email address or phone number identified at the end of this Policy:

- See what Individual Information we have about you, if any
- Change/correct any Individual Information we have about you
- Have us delete any Individual Information we have about you
- Request that your Individual Information be provided to you in a commonly used electronic format so that you can share it with other organizations
- Express any concern you have about our use of your Individual Information

You may also "opt-out" of receiving marketing e-mails and other marketing communications from us by using the unsubscribe feature included in the e-mails we send.

We do not control how third parties use your information, but you can opt out of certain third-party activities at the links below.

To opt out of Google Analytics, please visit: <https://tools.google.com/dlpage/gaoptout>.

To opt out of certain ad functions, please visit: <https://youradchoices.com/control>.

Please refer to our Cookies Policy for more information about your choices regarding cookies and similar technologies.

## **XI. Notice for Persons Residing in the EU or Switzerland**

Our legal basis for processing your Personal Information that it is necessary for the purposes of our legitimate interests in operating our business (including engaging in marketing and advertising), improving our products and services, and providing you with the products and services you request. If you are under the age of 16, we rely on the consent of your parent or other holder of parental responsibility over you being given. As noted in section IX above, our online services are not intended for people under the age of 13.

The types of Personal Information that we collect are described in section II. The purposes for which we collect and use personal information are described in section III.

We may transmit your recorded audio to third-party audio evaluator cloud service providers (“audio evaluators”) in order to obtain the data necessary to help you improve your speaking skills. We will: (i) transfer your recorded audio only for limited and specified purposes; (ii) ascertain that the audio evaluator is obligated to provide at least the same level of privacy protection as we are; (iii) take reasonable and appropriate steps to ensure that the audio evaluator effectively processes the personal information transferred in a manner consistent our processing; (iv) require the audio evaluator to notify us if it makes a determination that it can no longer meet its obligation to provide the same level of protection as we require; and (v) upon notice, including under (iv), take reasonable and appropriate steps to stop and remediate unauthorized processing. You may limit the use and disclosure of Personal Information in the ways described in section XI.

VRSpeaking will offer EEA and Swiss individuals whose personal information has been transferred to us the opportunity to choose whether the personal information it has received is to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual. An individual may opt-out of such uses of their personal information by contacting us at: [contact@ovationvr.com](mailto:contact@ovationvr.com).

As set forth in Section III above, we may disclose Personal Information in order to respond to governmental requests and as required by applicable law, court order, and governmental regulations.

## **General Data Protection Regulation (GDPR) – European Representative**

Pursuant to Article 27 of the General Data Protection Regulation (GDPR), VRSpeaking LLC has appointed European Data Protection Office (EDPO) as its GDPR Representative in the EU. You can contact EDPO regarding matters pertaining to the GDPR:

- *by using EDPO’s online request form: <https://edpo.com/gdpr-data-request/>*
- *by writing to EDPO at Ground Floor, 71 Lower Baggot Street, Dublin, D02 P593, Ireland*

### [Changes to this Privacy Policy](#)

We may change this Policy from time to time. The most current version of this Policy will be posted on this page. When this Policy changes, we will update the “Last updated” date at the top of the page. Your continued use of our website or services after such notice constitutes acceptance of this Policy and any changes made from prior versions of the Policy. We encourage you to periodically review this privacy policy for the latest information on our privacy practices.

### [Contact Us](#)

If you have any questions about this Policy, please contact us via email at [contact@ovationvr.com](mailto:contact@ovationvr.com), by phone at 908-864-7654, or at the following address:

39 Division Street, Box 140, Somerville, NJ 08876