

Appella.ai Personal Shopper Privacy Notice

Last modified: [17th December 2024]

Thank you for taking the time to read our privacy notice. This explains what personal data we collect, and how we use it, when you use our personal shopper chatbot (“Personal Shopper”) as either a Shopify store owner or a consumer.

It is important that you read this privacy notice carefully. It includes explanations for some of the specialised terms we use (like “personal data” and “processing”), as well as information which is relevant to you and the information you are providing to us. If you have any questions you can contact us on the details given below.

CONSUMERS PLEASE NOTE: Retailers that use Personal Shopper may also have integrated it with other third party applications which process your personal data, such as marketing tools. You will need to carefully read the privacy notice of the relevant retailer to understand if this is the case and how your personal data may be used by any such third parties as we are not responsible for their activities.

Personal Shopper is not intended for use by children and we do not knowingly collect data relating to children.

1. IMPORTANT INFORMATION AND WHO WE ARE

Appella AI Limited is the controller of any personal data that you provide to us, which means that we are responsible for that personal data, including what it is used for and how it is used and protected. In this document we explain what decisions we have taken about how we use your personal data, and what rights you have as a result.

We have appointed someone to be specifically responsible for how personal data is used within the business. At the moment, that is our CEO and co-founder, James Drayson. If you have any questions about this privacy notice or our data protection practices, please contact James using the details below.

CONTACT DETAILS

Email address: james.drayson@appella.ai

Postal address: Appella AI Limited, Scale Space White City Imperial College Campus, 58 Wood Lane, London, W12 7RZ

If you are unhappy with how we process your personal data, we ask that you contact us first using the details above so that we have the chance to put it right. However, you also have the right to make a complaint to the Information Commissioner’s Office, the UK supervisory authority for data protection issues (www.ico.org.uk), at any time.

2. THE DATA WE COLLECT ABOUT YOU

If we have access to information which would allow us to identify you (either on its own, or when combined with other information) or which tells us anything about your individual activities or characteristics, that is “personal data”. Personal data does not include data which cannot be connected to an identifiable individual (anonymous data).

There are different types of personal data about you which we might collect, use, store or transfer. We have grouped these together as follows, and provided some illustrations of the type of personal data which might fall into each grouping:

- **Identity Data** could include your name, username or similar identifier, title, date of birth or gender.
- **Contact Data** could include your address, email address, telephone numbers or another unique identifier for use with electronic communications.
- **Financial Data** could include bank account and payment card details
- **Transaction Data** could include details about payments to and from you and other details of products and services you sell (if you are a store owner) and details of products and services you have purchased from a

Shopify retailer (if you are a consumer).

- **Technical Data** could include your internet protocol (IP) address (and other location data such as city, region, country, time zone and coordinates), your login data, internet service provider name, browser type and version, browser plug-in types and versions, operating system and platform, and information about other technology on the devices you use to access Personal Shopper.
- **Profile Data** could include your username and password or other personal data that you provide when accessing Personal Shopper as an admin (if you are a store owner) or accessing it as a consumer.
- **Usage Data** could include information about how you use Personal Shopper.
- **Marketing Data** could include details of our other services, if you are a store owner, or product suggestions based on location-based personalisation if you are a consumer.

We may also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not generally considered personal data in law as this data will **not** directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will only be used in accordance with this privacy notice.

We do not knowingly collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences. We will not use the personal data that we do collect about you to make inferences about any of those special categories of personal data. Please do not provide us with any Special Categories of Personal Data when using Personal Shopper.

IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to onboard you and provide you with Personal Shopper if you are a store owner), or we may not be able to comply with one of our legal obligations. If this is the case, we will notify you at the time, if we can. If you are a consumer, your use of Personal Shopper may be limited if you are unable to provide the relevant personal data we need in order for Personal Shopper to work as intended. For example, if you have a query about a transaction you placed but are unable to provide the relevant details, it is unlikely that Personal Shopper will be able to assist you without that data.

3. HOW WE COLLECT YOUR PERSONAL DATA

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact, Transaction, Profile and Financial Data by using Personal Shopper or contacting us.
- **Automated technologies or interactions.** As you interact with Personal Shopper, we might automatically collect Technical Data and Usage Data about your actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
- **Generated Data.** We may generate Transaction and Usage about you, by way of records of the direct and automated interactions that you have with us or Personal Shopper.
- **Third parties.** We may receive personal data about you from various third parties as set out below:
 - (a) Shopify (if you are a store owner);
 - (b) Retailers that offer Personal Shopper in their online stores (if you are a consumer).

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data for the purpose for which we collected it which include the following:

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
For store owners:		
To onboard your store to enable use of Personal Shopper	(a) Identity (b) Contact	Performance of a contract with you
To provide Personal Shopper for use in your Shopify store	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Technical (f) Usage (g) Profile	(a) Performance of a contract with you (b) Necessary for our legitimate interests to provide efficient services, improve our services, maintain records and study how our services are used
To manage our relationship with you which will include: (a) Notifying you about updates to Personal Shopper (b) Providing support	(a) Identity (b) Contact (c) Profile	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep Personal Shopper up to date)
To administer and protect our business (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To use data analytics to improve Personal Shopper	(a) Technical (b) Usage	Necessary for our legitimate interests (to keep Personal Shopper updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about other	(a) Identity	Necessary for our legitimate interests (to develop our products/services and grow our business)

services we provide that may be of interest to you	(b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing	
For consumers:		
To enable you to use Personal Shopper	(a) Identity (b) Profile (c) Transaction (d) Technical (e) Usage (f) Marketing	(a) Performance of our contract with the store owner whose shop you access Personal Shopper from (b) Necessary for our legitimate interests to provide efficient services, improve our services, maintain records and study how our services used
To store owners to enable them to analyse customer patterns	(a) Technical	(a) Performance of our contract with the store owner whose shop you access Personal Shopper from (b) Necessary for our legitimate interests to provide efficient services and the legitimate interests of the store owners to maintain records and study how their services are used

5. HOW WE SHARE YOUR PERSONAL DATA

We may share your personal data with the parties set out below for the purposes set out in the table above.

- External Third Parties, including Microsoft Azure, who provide us with hosting services and associated databases that we use to analyse Personal Shopper.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.
- For consumers, we also share your location data with store owners so that they can analyse where their customers are based (how store owners use your personal data will be covered in their own privacy notice, so please read it carefully on the relevant store's website).

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. INTERNATIONAL TRANSFERS

We do not currently intend to transfer, store and process your personal data outside the United Kingdom. It may be, from time to time, that it is necessary for us to make a transfer of your personal data to a recipient in another country. We will ensure that this is:

- either a country in relation to which the relevant UK Secretary of State (for the purposes of the UK GDPR and the Data Protection Act 2018) has made a finding of adequacy which is either unconditional, or conditional on other factors which we are satisfied have been complied with (such as, in the case of transfers to a recipient in

the United States, the recipient's confirmation of their compliance with the US-UK data bridge requirements), in connection with its data protection regime; or

- where no finding of adequacy has been made in relation to that country, we will ensure that adequate safeguards are in place which will be documented in a data sharing agreement using the model clauses approved by the UK Government and the Information Commissioner's Office in relation to such international data transfers.

Some of our third party processors or sub-processors may be located outside of the UK, and if so, we will enter into agreements with them to ensure that their handling of your personal data is undertaken in a compliant manner, consistently with the commitments given above.

7. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. DATA RETENTION

We will only keep your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data including the right to receive a copy of the personal data we hold about you. These rights include the right to:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may

demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **Rights in respect of automated processing** of your personal data. We do not use automated technologies, such as Personal Shopper, to make any decisions which might impact you. The technologies are, however, used to provide you with product recommendations and support human-led decision making about, for example, issues you have with a recent order (if you are a consumer). If you consider that the automated component of this processing has caused you any prejudice as a result of your personal circumstances or other individual characteristics, please contact us so that we can investigate this further and address this.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - If you want us to establish the data's accuracy.
 - Where our use of the data is unlawful but you do not want us to erase it.
 - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
 - You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

NO FEE USUALLY REQUIRED: You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

WHAT WE MAY NEED FROM YOU: We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

TIME LIMIT TO RESPOND: We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.