

Live Photo

PRIVACY POLICY

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Thank you for being part of our Live Photo community at Bosger LLC. Live Photo and content available via the App, our websites (including <https://livephotoapp.com>) or our emails ("Content") are distributed by Bosger LLC, EIN 85-1742439, 700 North Fairfax St, Ste 614, Alexandria, VA 22314, USA, as stated in an app store ("we," "us," "our" or the "Company"). We are committed to protecting your personal information and your right to privacy. If you have any questions or concerns about this policy or our practices with regard to your personal information, please contact us at support@livephoto.zendesk.com.

When you use our Live Photo mobile application, our websites, and our services, you trust us with your information. We take your privacy very seriously. In this privacy notice, we seek to explain in the clearest way possible what information we collect, how we use it, and what rights you have in relation to it. If there are any terms in this privacy policy that you do not agree with, please discontinue use of our App and our services.

This privacy policy applies to all information collected through our Live Photo mobile application ("App"), our websites, and/or any related services, sales, marketing or events (collectively, the "Services").

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1. WHAT INFORMATION DO WE COLLECT?

1.1. Information you provide to us

In Short: We collect content you provide when using AI-based features, such as photos, images and text prompts, as well as information you provide when contacting us or purchasing a subscription.

- **AI Input Content.** When you use AI-based features of the App (such as “Effects,” “Photoshoots,” “Restore,” or “AI Photo”), we collect the content that you voluntarily provide for processing, such as photos, images and text prompts (collectively, “Input Content”). Photos and images you upload may contain visual information that includes a person’s face (“Face Data”). How we process Input Content and Face Data is described in Section 3.
- **Billing and payment information.** In order to purchase a subscription, you may need to provide details such as an email address and payment instrument details. Payments are processed by app stores or third-party payment processors; we do not store full payment card numbers on our systems.
- **Communications and submissions.** You may choose to provide information when you communicate with us (e.g., via email or customer support), respond to surveys, or provide feedback.

1.2. Information automatically collected

In Short: Some information — such as device characteristics, operating system and usage information — is collected automatically when you use our App or visit our websites.

We automatically collect certain information when you visit, use or navigate the App or our websites. This information does not reveal your specific identity (like your name or contact information) but may include device and usage information, such as your device identifiers, model and manufacturer, browser and device characteristics, operating system and version, language preferences, referring URLs, country, approximate location (derived from your IP address), information about how and when you use our App, diagnostic information about the requests made to our servers, and other technical information. This information is primarily needed to maintain the security and operation of our App, and for our internal analytics and reporting purposes.

- **Mobile Device Access.** We may request access or permission to certain features of your mobile device, including the camera and photo library (to allow you to select or capture photos for AI processing) and other features. You may change our access or permissions in your device’s settings at any time.
- **Push Notifications.** We may request to send you push notifications regarding your account or the App. You may opt out in your device’s settings.

1.3. Information collected from other sources

We may obtain limited information about you from other sources, such as public databases, joint marketing partners and other third parties. Examples include marketing leads, search results and links, including paid listings (such as sponsored links). Certain types of data described above may be used in connection with AI-based features of the App and may be shared with third-party AI service providers as described in Section 5.

2. HOW DO WE USE YOUR INFORMATION?

In Short: We process your information to provide the Services (including AI content generation), based on legitimate business interests, the fulfillment of our contract with you, compliance with our legal obligations, and/or your consent.

We use the information we collect or receive:

- **To provide the core functionality of the App.** We process your Input Content (including photos and Face Data) solely to generate the AI-based content you request, as described in detail in Section 3. This processing is necessary to perform our contract with you and occurs only with your explicit consent given within the App.
- **To provide, maintain, troubleshoot and support our Services,** including using usage, device and diagnostic information to ensure the proper functioning of the Services.
- **For billing and payment purposes,** to perform billing administration activities and process payments.

- **To deliver targeted advertising to you.** We may use non-content information (such as device and usage information) to develop and display advertising tailored to your interests and to measure its effectiveness. We never use your photos, Face Data or generated content for advertising or marketing purposes.
- **To request feedback** and to contact you about your use of our App.
- **To enforce our terms, conditions and policies.**
- **To respond to legal requests and prevent harm.** If we receive a subpoena or other legal request, we may need to inspect the data we hold to determine how to respond.
- **For other business purposes**, such as data analysis, identifying usage trends, determining the effectiveness of our promotional campaigns and evaluating and improving our App, products, services and marketing. Such analysis is performed on usage and device information, not on your photos or generated content.

3. HOW DO WE PROCESS YOUR PHOTOS, INPUT CONTENT AND FACE DATA?

In Short: Your photos and prompts are used solely to generate the content you request. They are not used for any other purpose and are deleted shortly after processing — typically within 24 hours.

When you request the generation of AI-based content, the photos, images or text prompts you upload (which may contain facial features, referred to as “Photos”, including “Face Data”) are securely transmitted to our backend servers via encrypted connections to enable processing.

Face Data refers to any visual information contained in photos or images that may include a person's face. This data is processed strictly and solely for the purpose of generating the AI-based features requested by you (such as “Effects,” “Photoshoots,” “Restore,” or “AI Photo”). Face Data is not used for:

- identification of individuals;
- biometric recognition or authentication;
- profiling or behavioral analysis;
- tracking users across apps, services or websites;
- advertising or marketing purposes;
- training AI models.

Face Data processed by the App is not used to identify a specific individual and is not treated as biometric identification data. All processing occurs only after you provide explicit consent within the App.

To provide the requested functionality, your Input Content (including Photos and Face Data) may be temporarily processed and stored on secure servers and cloud infrastructure. Such data is retained only for as long as necessary to generate the requested content, in accordance with Section 7 (How Long Do We Keep Your Information?). In most cases, this data is deleted shortly after processing — typically within 24 hours — unless a longer retention period is required for technical, legal or security reasons. We do not store Face Data indefinitely. Once the requested content is generated, the original input files are deleted in accordance with our retention policies. The generated content (“Output Content”) may remain available within the App for a limited period or until you delete it.

We do not use Photos, Face Data or generated content for any purposes beyond what is necessary to provide the requested AI-based functionality. We do not sell, rent or trade your Photos, Face Data or other Input Content. Where necessary, Input Content (including Face Data) may be shared with trusted third-party AI service providers strictly for the purpose of generating the requested content, as described in Section 5.

4. WILL YOUR INFORMATION BE SHARED WITH ANYONE?

In Short: We only share information with your consent, to comply with laws, to protect your rights, or to fulfill business obligations.

We may process or share data based on the following legal bases:

- **Consent:** We may process your data if you have given us specific consent to use your personal information for a specific purpose (this is the basis for processing your Photos and Face Data).
- **Performance of a contract:** Where processing is necessary to provide the Services you have requested.
- **Legitimate interests:** We may process your data when it is reasonably necessary to achieve our legitimate business interests.
- **Legal obligations:** We may disclose your information where we are legally required to do so in order to comply with applicable law, governmental requests, a judicial proceeding, court order or legal process (including in response to public authorities to meet national security or law enforcement requirements). If we share your information for these purposes, we limit the information shared to what is legally necessary.
- **Vital interests:** We may disclose your information where we believe it is necessary to investigate, prevent or take action regarding potential violations of our policies, suspected fraud, situations involving potential threats to the safety of any person and illegal activities, or as evidence in litigation in which we are involved.

More specifically, we may need to share your personal information in the following situations:

- **Vendors, consultants and other third-party service providers.** We may share your data with third-party vendors, service providers, contractors or agents who perform services for us or on our behalf and require access to such information to do that work. Examples include: AI content generation (see Section 5), cloud infrastructure, payment processing, data analysis, customer service and marketing efforts. To protect your data, we enter into appropriate confidentiality and data processing terms with these third parties, review their security practices, and limit information sharing to the scope of what they are helping us with.
- **Business partners.** We may share limited non-content information with our business partners to offer you certain products, services or promotions.
- **Aggregated or de-identified data.** We may use and share aggregated data and data that is de-identified such that it no longer reveals the identity of an individual user, for regulatory compliance, research and analysis, our own marketing and other legitimate business purposes.

Unless described in this policy, we do not share, sell, rent or trade any of your information with third parties for their promotional purposes. A purpose of data collection may not be changed without your further consent unless explicitly permitted by law. Our App does not build a user profile based on collected data and does not identify anonymous users or reconstruct user profiles based on data collected from Apple-provided APIs or any data collected in an “anonymized,” “aggregated,” or otherwise non-identifiable way. We do not use information from Contacts, Photos or other APIs that access user data to build a contact database, and we do not collect information about which other apps are installed on your device for the purposes of analytics or advertising.

5. DATA TRANSFER TO THIRD-PARTY AI SERVICE PROVIDERS

In Short: When you use AI features, your photos and prompts may be securely transferred to Nano Banana (Google LLC) and/or PixVerse (MOTIVAI PRIVATE LIMITED) solely to generate the content you requested.

By voluntarily submitting any Input Content and/or utilizing the AI-based features within the App, you explicitly consent to the transfer of your data to the third-party AI service providers listed below. This data transfer is executed solely for the purpose of generating AI-created content (“Output Content”). The transfer of data is strictly regulated and limited to the following conditions:

- **Photos and Images (Input Content):** May be transferred to Nano Banana (Google LLC) and/or PixVerse (MOTIVAI PRIVATE LIMITED) when you select AI-based features such as “Effects,” “Photoshoots,” “Restore,” or “AI Photo.”
- **Text (Input Content):** May be transferred to Nano Banana (Google LLC) and/or PixVerse (MOTIVAI PRIVATE LIMITED) when you select AI-based features such as “Effects,” “Restore,” or “AI Photo.”
- **Output Content:** Output Content is generated either by our own systems or, where applicable, by the third-party AI service providers named above, and is then returned to the App.

5.1. Automatic provider selection

By using the AI features in our App, you acknowledge and agree that your Input Content will be automatically routed to one of the AI service providers detailed above. The App independently selects the most suitable provider for each request to ensure the highest possible quality and relevance of the Output Content. Data is transferred only when you actively use AI-based features and submit Input Content.

5.2. Necessity of processing and opt-out

This data processing is strictly necessary for the core functionality of the App — specifically, the generation of AI content. If you do not agree to share your data with these third-party AI providers, please manage your Data Sharing Consent in the App settings; please note that AI-based features will not be available without such processing.

5.3. Data security guarantees

We confirm that all third-party AI content providers apply the same or an equivalent level of data protection as described in this policy. Input Content you provide is processed solely to generate the requested Output Content. We do not use the photos or the resulting Output Content for any other purposes. In particular, we do not use this data for user identification or authentication, advertising or marketing, profiling for tracking or advertising, or analysis of facial characteristics. We do not sell, rent or trade your photos or other Input Content. Your photos and Input Content are not shared with third parties except when strictly necessary to provide the service or when required by law.

To generate the requested Output Content, the selected photo or other Input Content is securely transmitted to our servers via encrypted connections. In some cases, we use trusted cloud service providers to assist with content generation. These providers are contractually required to process the data securely, use it only for the services they provide to us, and are prohibited from using it for any other purpose.

5.4. Face Data and third-party AI processing

Where user-uploaded content contains Face Data, such data may be transferred to trusted third-party AI service providers (such as Nano Banana (Google LLC) and/or PixVerse (MOTIVAI PRIVATE LIMITED)) solely for the purpose of generating AI-based content requested by you. Such data sharing occurs only after you provide explicit consent within the App. We share only the minimum amount of data necessary to perform the requested functionality.

We require and ensure that such third-party providers:

- process Face Data strictly on our behalf and in accordance with our instructions;
- do not use Face Data for their own purposes, including training AI models;
- implement appropriate technical and organizational measures to protect such data;
- retain Face Data only for as long as necessary to provide the requested service and delete it thereafter in accordance with their privacy policies.

These providers process Face Data only to deliver the requested functionality and are contractually restricted from any other use. However, once data is transferred to a third-party provider, we cannot fully guarantee the security of such data and are not responsible for any unauthorized access or incidents caused by such third parties.

6. LIST OF THIRD-PARTY SERVICE PROVIDERS

We may engage the following third-party service providers to provide us with necessary infrastructure for the delivery, improvement and performance of our Services, including AI-generated content processing. We select providers that commit to implementing appropriate technical and organizational measures to protect users' personal data. However, we cannot fully guarantee the security of information once it is transmitted to a third party.

Entity name	Services performed	Location	Privacy Policy
Google LLC (Nano Banana)	AI-generated content provider	U.S.A.	policies.google.com/privacy
PixVerse (MOTIVAI PRIVATE LIMITED)	AI-generated content provider	Singapore	docs.pixverse.ai/privacy
Google LLC (Google Cloud / Google Analytics)	Cloud storage / analytics service provider	U.S.A.	policies.google.com/privacy
Amazon.com, Inc. (AWS)	Cloud storage provider	U.S.A.	aws.amazon.com/compliance/data-privacy-faq
Firebase / Crashlytics (Google LLC)	Authentication, analytics and marketing service provider	U.S.A.	firebase.google.com/support/privacy
AppsFlyer Inc.	Analytics service provider	U.S.A.	appsflyer.com/legal/services-privacy-policy
Amplitude Inc.	Analytics service provider	U.S.A.	amplitude.com/privacy
Meta Platforms, Inc. (Facebook Analytics / Ads)	Analytics / ad management service provider	U.S.A.	facebook.com/privacy/explanation
RevenueCat, Inc.	Subscription management provider	U.S.A.	revenuecat.com/privacy
Smartlook.com, s.r.o.	Analytics service provider	EU (Czech Republic)	smartlook.com/privacy

If you want to learn more about these services and their privacy options (including opt-out mechanisms), please consult the corresponding privacy policies linked above. If we have processed your data based on your consent and you wish to revoke your consent, please contact us.

7. HOW LONG DO WE KEEP YOUR INFORMATION?

In Short: Photos and prompts are deleted shortly after processing (typically within 24 hours). Generated content is stored for up to 365 days or until you delete it. Other personal information is kept no longer than 1 year unless required by law.

- **Input Content (photos, images, text prompts).** Retained only for as long as necessary to generate the AI content requested by you. In most cases, such data is deleted shortly after processing — typically within 24 hours — unless retention is required for technical, legal or security reasons. We do not store Face Data indefinitely.
- **Output Content (AI-generated content).** May be stored within the App for a limited period (up to 365 days) or until you choose to delete it.
- **Other personal information.** We will only keep your personal information for as long as it is necessary for the purposes set out in this privacy policy, unless a longer retention period is required or permitted by law (such as tax, accounting or other legal requirements). No purpose in this policy will require us to keep your personal information for longer than 1 year.
- **Backups.** Residual copies of personal data may be stored in backup systems for a limited period as part of our security and disaster recovery processes.

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize it, or, if this is not possible (for example, because your personal information has been stored in backup

archives), we will securely store your personal information and isolate it from any further processing until deletion is possible.

8. HOW DO WE KEEP YOUR INFORMATION SAFE?

In Short: We aim to protect your personal information through a system of organizational and technical security measures.

We have implemented appropriate technical and organizational security measures designed to protect the security of any personal information we process, including encryption in transit, access controls and secure infrastructure. We also require third-party service providers, including AI service providers and cloud infrastructure providers, to implement appropriate technical and organizational security measures to protect your personal data and to process it only for the purposes specified by us. However, no method of transmission over the Internet or method of electronic storage is completely secure, and we cannot guarantee absolute security.

9. INTERNATIONAL DATA TRANSFERS

In Short: Your data may be transferred to and processed in countries other than your own, including the United States and Singapore, with appropriate safeguards where required by law.

We may transfer your personal data to countries other than the one in which you reside, including transfers to third-party AI service providers and cloud infrastructure providers located in countries such as the United States and Singapore. Laws in these countries may differ from those in your jurisdiction. Where required by applicable law, we implement appropriate safeguards to ensure that your personal data receives an adequate level of protection, such as standard contractual clauses or other legally recognized transfer mechanisms.

10. DO WE COLLECT INFORMATION FROM MINORS?

In Short: We do not knowingly collect data from or market to children under 13 (or the applicable age of digital consent).

The Services are not directed to children. We do not knowingly solicit data from or market to children under 13 years of age (or a higher age where required by applicable law, such as under 16 in certain jurisdictions). By using the Services, you represent that you are at least 18, or that you are the parent or guardian of a minor and consent to the minor's use of the Services. If we learn that personal information from users under the applicable age has been collected, we will take reasonable measures to promptly delete such data from our records. If you become aware of any data we may have collected from children, please contact us at support@livephoto.zendesk.com.

11. WHAT ARE YOUR PRIVACY RIGHTS?

In Short: Depending on your country of residence, you may review, change, delete or restrict the processing of your personal data, including uploaded photos and AI-generated content.

Depending on your country of residence, and subject to applicable law, you may have the following rights in relation to your personal data:

- the right to access and receive a copy of your personal data;
- the right to correct inaccurate or incomplete personal data;
- the right to request deletion of your personal data;
- the right to restrict or object to the processing of your personal data;
- the right to data portability;

- the right to withdraw consent at any time where processing is based on consent (without affecting the lawfulness of processing before withdrawal);
- the right to lodge a complaint with a data protection authority.

You may also have the right to request information about the categories of personal data we collect, the sources of such data, the purposes for which it is used, and the categories of third parties with whom we share it.

11.1. AI-related rights

Where applicable, you may request the deletion of: (a) content you have uploaded (such as photos, images or text prompts), and (b) AI-generated content created based on your input. Please note that in some cases deletion may be subject to technical limitations (for example, temporary storage or backup systems) or legal obligations.

11.2. Exercising your rights

You may be able to exercise some of your rights directly within the App (for example, by deleting content or managing your Data Sharing Consent in the App settings). To exercise any of your rights, you may contact us using the details provided in the “How Can You Contact Us” section of this policy. We may need to verify your identity before processing your request, as permitted by law. You may also opt out of receiving marketing communications at any time by using the “unsubscribe” link included in such communications or by adjusting your device settings for push notifications.

12. DO CALIFORNIA RESIDENTS HAVE SPECIFIC PRIVACY RIGHTS?

In Short: Yes, residents of California are granted specific rights regarding access to and deletion of their personal information.

California Civil Code Section 1798.83, also known as the “Shine the Light” law, permits our users who are California residents to request and obtain from us, once a year and free of charge, information about categories of personal information (if any) we disclosed to third parties for direct marketing purposes and the names and addresses of all third parties with which we shared personal information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to us using the contact information provided below.

In addition, under the California Consumer Privacy Act (CCPA), as amended by the California Privacy Rights Act (CPRA), California residents may have the right to know what personal information we collect, the right to request deletion or correction of personal information, the right to opt out of the “sale” or “sharing” of personal information, and the right not to receive discriminatory treatment for exercising these rights. We do not sell your personal information, and we do not sell or share your Photos, Face Data or generated content.

13. DO WE MAKE UPDATES TO THIS POLICY?

In Short: Yes, we will update this policy as necessary to stay compliant with relevant laws.

We may update this privacy policy from time to time. The updated version will be indicated by an updated “Last updated” date and will be effective as soon as it is accessible. If we make material changes to this privacy policy, we may notify you either by prominently posting a notice of such changes or by directly sending you a notification. We encourage you to review this privacy policy frequently to be informed of how we are protecting your information.

14. HOW CAN YOU CONTACT US ABOUT THIS POLICY?

If you have questions or comments about this policy, or wish to exercise your rights, you may contact us at:

Bosger LLC
700 North Fairfax St, Ste 614

Alexandria, VA 22314, USA
Email: support@livephoto.zendesk.com