LEGAL / CONSUMER APPS & WEBSITE

Foursquare Privacy Policy

English | Korean (한국어)

Consumer Services

Last Updated: July 28, 2022

Foursquare's Privacy Policy for Consumer Services explains how Foursquare collects, uses and shares your personal data. This Privacy Policy applies globally to all applications, websites, and other online services offered by Foursquare and our affiliates (collectively "Consumer Services"). Please see our Developer & Enterprise Services Privacy Policy for details about our information practices related to our Developer & Enterprise Services.

The Basics

"How your "Personal Data" is defined is as important as how your data is treated."

When we say "**Consumer Services**", this includes our consumer apps such as City Guide, Swarm and Rewards by Foursquare, as well as our websites (www.foursquare.com and the City Guide website).

"**Personal Data**" means any information that directly or indirectly identifies you or could be used to identify you. Personal data includes data such as:

- your first and last name;
- profile picture;
- email address;
- unique online identifiers (e.g., cookie IDs);
- device identifiers (e.g., IDs for mobile advertising);
- location data (e.g., latitude and longitude); and
- contact information contained in device contact lists.

Foursquare is committed to handling your personal data with care and honoring your privacy rights, regardless of where you are located.

Data that does not contain any information that can be used to identify you or has otherwise been anonymized or aggregated is considered "**Non-Personal Data**."

About Location Data

"As pioneers in location technology, we believe it is our duty and responsibility to ensure that you understand how location data is collected, how you can control collection, and what steps we take to protect you from the misuse of your location data."

"Location Data" is a type of personal data that, when collected and used responsibly, can help you navigate and interact with the physical and digital worlds around you. Location data is collected using various technologies such as the location services of your operating system or browser, sensor data from your device, and other data that may help us understand your precise location. Ever type in a business name into Uber, or tag your location in a photo before sharing on Twitter? Or, have you ever received a notification for a coupon when you're passing by your favorite fast food joint? Foursquare powers these features as well as others that help people navigate, explore, and enjoy the world around them.

Most importantly, location data should only be collected when you say it is okay to do so, and you should be able to change your mind at any time. The collection of location data should also benefit you, the user. That's why we only allow partners to use our location technology if they can demonstrate that the use of our technology is necessary to offer benefits or provide value to consumers who opt-in to sharing their location data. You can visit Our Privacy Stance to learn more about our position on important privacy matters.

You can control the collection of location data at any time through your device settings. While the exact settings may differ depending on your device, typically, you will be given options that range from never sharing, to being asked to share each time you open an app, to only sharing while using an app, to always sharing. When location data settings are set to "always" (i.e., persistent background location is turned "on"), your device's location data will be shared with us even if you are not actively using our apps or other Consumer Services.

Commitment to Accountability

"As part of our commitment to accountability in the location data industry, we actively participate in organizations and programs that are designed to maintain and enforce high standards in the collection, use and transfer of data."

Foursquare participates in the following organizations and programs:

- **Digital Advertising Alliance ("DAA").** Foursquare designs our products to adhere to the DAA's Self-Regulatory Principles and participates in the DAA's Your AdChoices, which is an easy way to opt out of digital advertising.
- **Network Advertising Initiative ("NAI").** Foursquare is a member of the NAI and adheres to the NAI Code of Conduct.
- **EU/Swiss-US Privacy Shield.** Although not currently used for data transfers, Foursquare's privacy practices comply with the Privacy Shield Principles of Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; and Recourse, Enforcement and Liability. For more information relating to our participation in the EU/Swiss-US Privacy Shield, please read about our International Data Transfers.

Personal Data We Collect

"The data we collect depends on whether or not you choose to provide us with data, the nature of your interaction with us, and the products and services we offer. Most importantly, your privacy rights apply equally, regardless of the source of the data."

The nature of the data collected often depends on the Consumer Services you are using; however, there are three main types of personal data we collect:

- **Data You Choose to Provide.** We collect data when you create an account for our Consumer Services, when you consent or opt-in to providing data (e.g., geolocation data or device identifiers for advertising or contact information from people in your contact list to enable you to find friends when using our apps) via our mobile apps or websites, when you upload content using Consumer Services, or when you contact us for customer support.
- **Data Automatically Collected.** We automatically collect data about how you interact with our Consumer Services, such as when you choose to share your location, use our apps, or visit our websites (through cookies, pixels, and similar technologies). This data helps us better understand your use, interactions, and experiences with our Consumer Services. You can learn more about our use of these tools in our Cookies & Similar Technologies Policy.
- **Data From Third Parties.** We also receive data from third parties. Our third party data sources may vary over time but can include:
    - *Business Partners, Developers & Enterprise Customers* – This includes third parties who create and deliver experiences using our Developer & Enterprise Services, such as the incorporation of our location technology (i.e., SDK or APIs) into their apps and websites. In some cases, these third parties may license data to us.
    - *Data Suppliers/Brokers and Advertising Networks* – This includes third parties who provide us commercially available data, including demographic data, data about how you interact with a third party's websites, apps, smart TVs and streaming devices, device data (including mobile device and advertising identifiers, such as Apple IDFA or Google Advertising ID, and location data), and information from cookies, pixels and other similar technologies.
    - *Social Media* – Personal data may be collected when you access our apps through social media logins (i.e., logging in to our apps using your Facebook or other social media credentials). The basic details we receive may depend on your social network account privacy settings, but could include name, email address, date of birth, gender, hometown and/or friends.
    - *Foursquare Service Providers* – This includes third parties who specialize in providing enterprise data, analytics and software as a service. This data tends to be aggregated, pseudonymized or otherwise de-identified.

We also combine and bundle data collected from these different sources, as well as from Foursquare affiliates, and create inferences in order to deliver, maintain, and personalize our Consumer Services, and to operate our business.

You can learn more about Foursquare's data collection, including categories, examples and sources, in the chart below.

At A Glance - Foursquare's Data Collection - Consumer Services

Data Category	Data Examples	Data Source
Contact Data	Name, email address, phone number, date of birth, address, and other similar contact data, as well as contact information from people in your contact list for purposes of finding your friends.	You Choose to Provide
Security Credentials & Account Data	Account ID, user IDs, passwords, password hints, social media username (when account is created using third-party login credentials) and similar information required for authentication and access to Foursquare services.	You Choose to Provide
Demographic Data	Gender, age, country, preferred language, income brackets, occupation, educational status, marital status or other similar information about you.	You Choose To Provide Data From Third Parties
Geolocation Data	If you opt-in to sharing your precise or approximate location, we receive data about your location whenever you use our apps or visit our websites. If you opt-in to having background location on in our apps, we will receive location data when the apps are closed or not in use (as permitted by your device settings).	You Choose to Provide Automatically Collected

User-Generated Content Data	Content uploaded to mobile apps and websites (e.g., pictures, tips, feedback, check-ins, likes, votes, or follows), or usage of features to send messages, conduct searches, respond to surveys, or to share information.	You Choose to Provide
Online Activity Data	Internet and other electronic network activity data (e.g, IP address or browser type), data regarding your interaction with our apps, websites or advertisements (or those of third parties), search words, page views, date and time of interactions, or time spent on each page, viewing information from connected TVs. This data may come from cookies, pixels, web beacons, and other technologies. You can control certain types of cookies through your browser settings or other tools. When you access our apps through social media logins, depending on your social network account privacy settings, we may receive email address, date of birth, gender, hometown, and/or friends.	Automatically Collected Data From Third Parties
Device Data & Identifiers	Unique device identifiers (e.g., mobile device advertising identifiers (such as Apple IDFA or Google Advertising ID), or connected/smart TV or streaming device identifiers), device model, operating system and version, sensor data, language, and wireless network, device name, types of mobile apps installed, or other identifiers such as hashed email addresses.	Automatically Collected Data From Third Parties
Payment / Billing Data	Information necessary for processing payments and preventing fraud, including payment card information (e.g., credit/debit card numbers, expiration date, and security code) and other related transaction data.	You Choose to Provide

When we collect data, we rely on several legal bases, these include:

- **Contract Performance.** When the processing is necessary to perform our contract with you, such as our Terms of Service. This may include providing you with our Consumer Services or tailoring the Consumer Services to your preferences;
- **Legitimate Interests.** When the processing is necessary for our legitimate business interests (or those of our enterprise customers), including but not limited to, improving the Consumer Services or providing our Products;
- **Consent.** When you have given us your consent, including as described in this Privacy Policy. You may withdraw your consent to processing at any time using the settings on your device or in your account;
- **Legal Obligation.** When we have a legal obligation to do so, as described in this Privacy Policy.

How We Use Your Personal Data

“The data we collect powers our products and services which are used to help you explore the world around you. We believe that you should always benefit from having your location data collected, whether it be from the personalization of content , geo-features like tagging your location before sharing a photo on Twitter or receiving offers and discounts from retail stores to save you money.

We use your personal data for the following purposes:

- **Account & Registration.** We use your data to operate, support, and improve the Consumer Services you request, purchase, or engage with. This includes maintaining or servicing your accounts (including repairing errors that impair existing or intended functionality), providing customer service, processing transactions and payments, and verifying customer information.
- **Personalization.** We use data to personalize your experience with our Consumer Services. These features often use automated processes to tailor Consumer Services based on the data we have about you or inferences based on your interests, location and whether separate devices (e.g., mobile phones, tablets, and/or TVs) are owned by you or by members of your household. You may also choose to provide us with access to your contact list so that we can help you to find your friends when using our apps (information from your contact list is not stored, shared or sold).
- **Business Operations.** We use data to conduct ordinary business operations, verifying your identity, conducting business research, auditing, analytics, planning and strategy, corporate reporting, and management.
- **Communications.** We use data to communicate with you about our Consumer Services, such as responding to requests for support, sharing updates, and providing information required by law or applicable corporate updates related to mergers, acquisitions, or divestitures.

- **Marketing & Advertising.** We use data for different types of advertising, including the contextual customization of ads shown as part of your interaction with us. We also use data collected from your use of our Consumer Services and data from your engagement with apps and services provided by third parties to provide you with advertising about products and services tailored to your inferred interests, preferences, and locations.
- **Rewards, Contests and Sweepstakes.** We use data, including survey responses, administer rewards (i.e., give points for survey completion), contests, and sweepstakes. If you enter a sweepstakes, we will use data such as your name and email address to run the sweepstakes and fulfill prizes.
- **Events.** If you register for an event with us, we will add your contact information to our list of expected attendees.
- **Research & Innovation.** Innovation is at the core of what we do. We conduct data analytics and use automated processing, artificial intelligence and machine learning to support internal research, create new products and services, improve functionality of existing products and services, and develop new features such as those developed to enhance security and protect privacy.
- **Product & Service Development.** We use your data, along with inferences that we derive from your data, to offer products and services to developers, our partners and to our enterprise customers. These product and service offerings include the following:
    - *Visits* – When you opt-in to the collection and sharing of geolocation data from your mobile device, we use that data to create an inferred visit to a public location, which we call a "Visit." While Visits are associated with a mobile advertising identifier (or other identifier), to protect your privacy, we do not share your latitude and longitude coordinates, and we do not share inferred home and work locations.
    - *Audiences (Segments)* – Using our Visits, along with inferences about your interests, location and other demographics that we derive from the data we have about you, we create "Audiences." Audiences are then used to send you advertisements tailored to your interests. As members of the NAI, we are required to disclose audiences or "segments" based on health-, wellness-, or political-related interests and information used to deliver interest-based advertisements in the U.S. For a list of our standard health and political segments, please click here.
    - *Points of Interest (POI)* – POI data relates to physical places (restaurants, shops, airports, hotels, etc.) and is used to identify and provide context to points of interest worldwide. This data is typically Non-Personal Data.
- **Security.** We use data to detect security threats (e.g., malware or other malicious activities), troubleshoot performance issues and to protect the security and safety of our products, systems, and customers. Our security measures may include the use of automated systems.
- **Protect Our Rights & Property.** We use data to prevent fraud, identity theft, activities that violate our policies, terms of service, or the law, or to prevent other criminal activity that compromises our ability to protect our rights and property, secure our services, your data or the safety of our customers, employees and others.
- **Comply With Law & Industry Standards.** We process data to comply with applicable laws, regulations, court orders or legally-binding requests from law enforcement, and relevant industry standards. For example, we must process your contact information to help you exercise your privacy rights. We also process data to conduct appropriate due diligence for compliance purposes.

Sharing Your Personal Data

"We only make our technology available to partners that can demonstrate that the collection of location data will benefit users. Furthermore, before we share any location data, we incorporate a number of privacy protecting features to the identification of users or other misuse of the data."

We will only share your personal data as follows and, when applicable, only with the appropriate and equivalent protections (i.e., technical, organizational, and contractual) in place:

- **Sharing with Your Consent or at Your Direction.** We share your personal data with your consent or as necessary to complete any transaction or provide any product you have requested or authorized. For example, we share data with third parties when you instruct us to do so, such as when you authorize friends to see your data or make your data publicly available (e.g., profile photo, users you are following, or other information you post), when you communicate via our Consumer Services with your friends, or when you check-in to a store, restaurant or other point of interest. You can always control what you want visible to others, including your friends, in your "Settings."
- **Sharing with Affiliates.** We share data with other Foursquare affiliates for the purposes outlined in this Privacy Policy.
- **Sharing with Service Providers & for Business Purposes.** We share your data with service providers that perform services on our behalf, such as cloud storage, IT services, marketing, analytics and search engine and other software services. These service providers may be located in countries other than the country where the information originally was collected, such as the US and Canada. We do not authorize our service providers to retain, use or disclose the data except as necessary to perform services on our behalf or comply with legal requirements.
- **Sharing with Enterprise Customers.** We share data with Enterprise Customers that, for example, may use "Visits" combined with data that they collect to understand movement patterns to determine where to open a physical store, to conduct analytics, to serve targeted ads, and to determine whether an online or offline advertisement (including on unaffiliated apps, websites, and billboards) you were exposed to resulted in a visit to a physical store. Under certain privacy and data protection laws, this activity may be considered a "sale" of personal data.
- **Sharing with Advertising Partners.** We may share data such as your mobile advertising identifier with advertising partners (including the ad networks, ad-serving companies (e.g., social media companies) and other service providers they may use) so that they may recognize your devices and deliver interest based content and advertisements to you. Under certain privacy and data protection laws, this activity may be considered a "sale" of personal data.
- **Sharing to Comply with Law & Protect Our Rights.** We may share data (i) if we are required to do so by law or legal process (such as a court order or subpoena); (ii) in response to duly authorized requests from public authorities, including to meet national security, public interest or law enforcement requirements (iii) to establish, exercise or defend our legal rights; (iv) when we believe disclosure is necessary or appropriate to prevent physical or other harm or financial loss; (v) in connection with an investigation of suspected or actual illegal activity; (vi) to protect the rights, property, or safety of Foursquare and our products and services, our employees, or users and others; or (vii) to otherwise comply with legal obligation (i.e., conducting due diligence or screening for compliance purposes).
- **Sharing for Corporate Transactions.** We may also share data as part or in anticipation of a business sale, merger, consolidation, investment, change in control, transfer of substantial corporate assets, reorganization, liquidation, or similar business transaction or corporate event.

We acknowledge our potential liability for transfers of personal data among Foursquare entities or to third parties.

How We Secure And Retain Your Personal Data

Taking into account the risks involved in the processing and the nature of the personal data, we maintain reasonable and appropriate administrative, technical and physical safeguards designed to protect personal data we obtain through the Consumer Services against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use.

To the extent permitted by applicable law, we keep the personal data you provide for the purposes indicated in this Privacy Policy for the duration of our relationship, plus a period of up to three (3) years. Personal data that is not collected directly from you, such as data we receive from third parties, is kept for a period of up to three (3) years following collection. Foursquare may retain the information longer for our legitimate business purposes or to comply with the applicable statute of limitations periods and other applicable laws or legal considerations.

We update the database used to create Audiences on a bi-monthly basis to ensure that data older than 3 years is removed from the dataset we use to create our audiences for targeted advertising.

Data that we receive from partners and enterprise customers that is used to measure ad delivery and reporting is retained for a period of 14 months.

Children's Privacy

Our Consumer Services are intended for a general audience and are not directed at children. We do not knowingly collect personal data online from individuals under the age of 13 or such other age as may be directed by applicable law.

Cookies & Similar Technologies

We use cookies and similar technologies (i.e., web beacons or pixels on our website, in our emails, and identifiers supplied by app platform companies within our apps) to understand your use of our Consumer Services; improve your user experience and enable personalized features and content; optimize our advertisements and marketing; and to enable third-party advertising companies to assist us in serving ads specific to your interests across the internet. You can learn more about our use of these tools in our Cookies & Similar Technologies Policy.

Foursquare provides you with choices about the setting of cookies and similar technologies through our Privacy Preference Center.

Your Privacy Choices – Global

Foursquare seeks to give you control over your personal data and will honor your privacy choices and rights wherever you are located.

You can learn how to exercise your privacy rights and choices here. To summarize, your privacy rights and choices include:

- **Data Access, Copies or Transfer.** You have the right to request access to or copies of the data we have about you (including for transfer purposes), together with details about how we collect, use, disclose or sell your data. In some cases, we may only be required to provide access to the categories of data that we collect, use, disclose and sell.
- **Data Correction and Deletion.** You have the right to ask us to update or correct any inaccurate data or to delete any data that we may hold about you.
- **Opting Out of Sale.** You have the right to opt-out of the sale of your data.
- **Objection to Processing.** You have the right to object to or restrict the processing of your personal data that we process.
- **Withdrawal of Consent.** You have the right to withdraw your consent to our processing of your personal data at any time.
- **Unsubscribe from Marketing Emails & Text Messages.** You have the right to opt out of receiving marketing communications from us at any time.

In some instances, these rights may be limited, for example, if fulfilling your request would reveal personal data about another person or you ask us to delete information that we are required by law to keep or have compelling legitimate interests to keep.

We will not discriminate against you for exercising your rights and choices. If we are unable to resolve your concerns, you have the right to contact a data privacy supervisory authority in the country where you live or work, or where you consider that the data protection rules may have been breached or seek a remedy through the courts. For questions, concerns or complaints about our participation in the EU/Swiss-US Privacy Shield, please read about our International Data Transfers.

Your Privacy Choices – US Consumers

In the US, the Network Advertising Initiative ("NAI") and the Digital Advertising Alliance ("DAA") have established rules about interest-based advertising, including cross-device linking for such advertising. Interest-based advertising is digital advertising that is tailored to a consumer's inferred interests, preferences, and locations. Cross-device linking is the practice of associating different browsers and/or devices (such as mobile devices and televisions) based on information about the potential relationships among them.

You have the right to opt-out of seeing interest-based ads from us, or our Business Partners, Developers & Enterprise Customers that are delivered on various platforms.

To do so, please visit:

- Desktop/Mobile Web Browser – DAA WebChoices or NAI Consumer Opt-Out.
- Connected TVs/TV Streaming Devices – NAI Connected TV Choice.
- Mobile Apps – DAA AppChoices iOS, DAA AppChoices Android, DAA AppChoices Amazon.

You can learn more about how opting-out of interest-based advertising works by visiting our Cookies & Similar Technologies Policy.

California Residents

If you are a California consumer, please review our California Consumer Privacy Notices and Rights.

International Data Transfers

In order to provide you with our Consumer Services, it is possible that data you provide may be transferred to or accessed by Foursquare affiliates or third parties located in countries other than the country in which you reside. These countries may not have the same data protection laws as the country in which you reside. Foursquare will conduct any data transfers in accordance with this Privacy Policy and all applicable laws and permissible data transfer mechanisms. Where the international data transfer programs do not apply, when you download and use our Consumer Services, you consent to the transfer of your data.

Although not currently used for data transfers, Foursquare Labs, Inc. complies with the EU-US and Swiss-US Privacy Shield Frameworks, as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information transferred from the EU and/or Switzerland to the US.

Foursquare has certified to the Department of Commerce that we adhere to the Privacy Shield Principles. If there is any conflict between the terms in this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit https://www.privacyshield.gov/.

Foursquare commits to resolve complaints about our collection or use of your personal data in compliance with the Privacy Shield Principles. Therefore, EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield compliance should first contact us via the methods outlined in the Contact Us section.

Foursquare has further committed to refer any unresolved Privacy Shield complaints to the JAMS Privacy Shield Program, an alternative dispute resolution provider. If you do not receive timely acknowledgment of your complaint from us, or have not resolved your complaint, please visit the JAMS Privacy Shield Program (https://www.jamsadr.com/eu-us-privacy-shield) for more information or to file a complaint. The JAMS Privacy Shield Program services are provided at no cost to you.

If your complaint is not resolved through the above channels, under limited circumstances, you may be able to invoke binding arbitration before a Privacy Shield Panel. For more information, visit: https://www.privacyshield.gov/article?id=ANNEX-I-introduction.

The US Federal Trade Commission has jurisdiction over Foursquare's compliance with Privacy Shield.

Contact Us

For other inquiries, you can contact us in the following ways:

- General Inquiries. If you have any questions or concerns regarding this Privacy Policy, please send a detailed message to our Data Protection Officer or Foursquare Labs, Inc., 50 West 23rd Street, 8th Floor, New York, NY 10010. We will make every effort to resolve your concerns.
- EU Residents. VeraSafe has been appointed as Foursquare's representative in the EU for data protection matters. VeraSafe can be contacted, in addition to Foursquare, for matters related to the processing of your personal data only. You can submit your inquiry online to VeraSafe or by postal mail: VeraSafe Ireland Ltd., Unit 3D North Point House, North Point Business Park, New Mallow Road, Cork T23AT2P, Ireland.
- UK Residents. VeraSafe has been appointed as Foursquare's representative in the UK for data protection matters related to the processing of your personal data only. If you are in the UK, you can submit your inquiry online to VeraSafe or by postal mail: VeraSafe United Kingdom Ltd., 37 Albert Embankment, London SE1 7TL, United Kingdom.

Changes to This Privacy Policy

We may update this Privacy Policy to reflect updates to our practices, technologies, or legal requirements from time to time. We will post the revised Privacy Policy here and indicate when it was most recently updated. If we make material changes in the way we use your data, we will notify you by posting an announcement on our sites or apps, or by sending you an email (to the last email address you provided us).

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