

## **PrivMX Privacy Policy**

If you use the PrivMX application or visit our website, we process your personal data.

If this policy refers to the term Client, it means a person who has registered within the PrivMX App and has created a Client account as an entrepreneur or other organization that is not a consumer. If we refer to the term of User, it applies to all persons who possess an account as part of the App. If you register as a Client or use the PrivMX App as a User, we process your personal data provided during the registration or later, during using the App.

In each of the cases described above, we, PrivMX BV with its registered office in Amsterdam, The Netherlands, address: Beethovenstraat 170, 1077JX Amsterdam, entered into Netherlands Chamber of Commerce under KVK number 76690830, RSIN number: 860751570, VAT EU number: NL860751570B01, are the data controller of your personal data.

You can contact us by sending us a letter to the address indicated above or by writing to us at the email address: [contact@privmx.com](mailto:contact@privmx.com)

What are the legal basis of processing your personal data?

In the case of processing your personal data in connection with:

- a. our use of cookies within the website or as part of the PrivMX application used via a web browser,
- b. storing data about visits to the website (logs) such as IP address and data concerning the device you are using.

the legal basis for processing this data is the provision of article 6.1.f) of Regulation (EU) 2016/679 of the European Parliament and of The Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, hereinafter: GDPR) stating that we may process personal data if it is necessary for the purposes of the legitimate interests pursued by the controller.

Our legitimate interest is related to the requirement of controlling the traffic within our website, our forum and as part of the PrivMX App, to prevent errors and technical defects, to ensure the safety of the website and the App, as well as to prevent abuse and violations of the law within the App.

During your first visit on our website, we will inform you about our use of cookies and we will ask for your consent in this regard. Expressing consent to the use of cookies may also be made by changing the appropriate browser settings.

If you use the contact form or chat on our website and send us a message or contact us by phone or via e-mail, and you use the contact details provided on the website, we process your personal data (entered to the form, messages - mail or presented to us during a telephone conversation) in order to answer your question and maintain a contact with you. The necessity to process data in order to answer your question and to maintain contact with you is our legitimate interest, and the legal basis for data processing in this regard is the provision of article 6.1.f) of the GDPR.

If you are a Client or a User of the PrivMX App, we process your personal data in order to:

- a. in order to conclude and to perform the contract for the provision of electronic services, in accordance with the provisions of these Terms of Service, including in order to maintain communication with Clients in connection with the performance of the contract - the legal basis for data processing in this regard is the necessity of processing for performance of the contract to which the data subject is a party or to take action at the request of the data subject before the conclusion of the contract, in accordance with the provisions of Article 6.1.b) of the GDPR,
- b. in order to enable the use of the App for Users whose accounts are created by a Client - the legal basis for processing Users' data is the need to process them in order to execute the legitimate interest of the data controller, which is the obligation to provide the service for a Client, in accordance with the provisions of these Terms of Service. The legal basis for processing personal data in this regard is the provision of Article 6.1.f) of the GDPR, which indicates the possibility of processing personal data when it is necessary to achieve the objectives of legitimate interests pursued by the data controller or by a third party,
- c. in order to respond and fix errors, defects and problems regarding services reported by Clients or Users, in accordance with the provisions of these Terms of Service – what constitutes the legitimate interest of the data controller, and the legal basis for data processing in this respect is the provision of article. 6.1.f) of the GDPR, which indicates the possibility of processing personal data when it is necessary to achieve the objectives of legitimate interests pursued by the data controller or by a third party,
- d. in order to comply with obligations imposed on the Service Provider by a legal provisions, including in particular tax law - the legal basis for data processing in this regard is the need for processing the data to fulfil the legal obligation to which data controller is subject, in accordance with the provisions of article 6.1.c) of the GDPR,
- e. in order to monitor the way in which Clients and Users use the App for statistical purposes, purposes related to the prevention of errors and bugs within the App, to ensure an appropriate level of security, create updates and possible fixes as well as in order to prevent actions of Users or Customers which are not in accordance with these Terms of Services or generally applicable law – what constitutes the legitimate interest of the data controller, and the legal basis for data processing in this regard is the provision of article 6.1.f) of the GDPR, which indicates the possibility of processing personal data when it is necessary to achieve the objectives of legitimate interests pursued by the data controller or by a third party,
- f. in order to perform marketing activities concerning our products, services and our company, including marketing through electronic communication services, e.g. social media or electronic messaging, what constitutes the legitimate interest of the data controller, and the legal basis for data processing in this respect is the provision of article. 6.1.f) of the GDPR, which indicates the possibility of processing personal data when it is necessary to achieve the objectives of legitimate interests pursued by the data controller or by a third party. If a separate legal provisions require us to obtain your explicit consent in order to send your marketing content, we will ask you for a consent before sending such a marketing messages to you.

### **Who can receive your personal data?**

We do not sell or disclose to third parties any personal data connected with providing services by us. We protect the data of our Clients and Users, as well as people who visit our website. However, in order to provide services by us we may use services of another entities that process personal data. Consequently the personal data provided to us may be transferred to an entity providing hosting services for us: OVH Sp. z o.o. with its registered office in Wrocław, Poland. We also use services of an entity enabling us to send e-mails to our users and subscribers of our newsletter and we may transfer your data to them - Woodpecker.co sp. z o.o. with its registered office in Wrocław, Poland.

### **Time of processing personal data**

We are doing our best in order to store your personal data only as long as we actually need them and then we delete it. Therefore, we can inform you that:

- 1) if you are a person who entered our website, we process your personal data as long as you use the website and for up to 3 months after entering it for the last time
- 2) if you are the person who wrote to us by the contact form on our website or contacted us in any other way - we process your personal data as long as the contact between us and you is carried out. After the talks are finished we store your personal data for additional 3 months, and then we delete them,
- 3) if you are a person who has concluded with us a contract for the provision of electronic services, i.e. has registered as a Client of the PrivMX App, we process your data for the duration of the contract, concluded between us and you and after its termination - for the period until the expiry of the limitation periods for any potential claims, including tax claims.

### **Your rights**

As we are processing your personal data, you are entitled to:

- a. request from the Service Provider access to personal data that are concerning them,
  - b. request rectification of their personal data,
  - c. request erasing their personal data,
  - d. request to restrict the processing of their personal data,
  - e. request the transfer their personal data to other service providers,
  - f. file a complaint about the unlawful processing of their personal data to the competent data protection authority.
7. To the extent that the processing of personal data of the User or a Client takes place on the basis of the legitimate interest of the data administrator, a User or a Client have the right to object to the processing of their personal data.
8. Providing personal data may be required to conclude a contract for the provision of electronic services or to create a User's account.

We do not process your personal data in a way that includes automated individual decision-making or profiling according to the GDPR.

### **Cookies**

Due to the fact that you are visiting our website or using our PrivMX App, the cookies we use may be stored on your device. Cookies mean small files that enable or facilitate the use of certain functions of the website. They can be saved on your device directly by us or by third parties with whom we cooperate. As part of the use of cookies, we may process your personal data, especially your IP address, history of your activities within the application or website, or information about the device or software that you use.

On our website we also use other technologies similar to cookies that optimize how the website work. That also may be connected with processing personal data. If we refer to cookies in this policy, it also means technologies similar to cookies. Cookies are used to control the traffic within our website, create statistics of the use of the website by its users, to conduct marketing activities, to prevent errors and technical defects, to ensure the safety of the website or to prevent abuse and violations of the law.

Session cookies: they are stored on your device during the time you use our website (they are deleted when you close your browser). Session cookies enable the correct use of our website. Blocking them may result in errors or prevent the use of our website or application.

Persistent cookies: they are stored on your device until they are deleted. They are used to analyze the traffic on our website and to associate your visit on the website with the social networks you use. We do our best to use only the services of such entities that guarantee the security of your device, software and your data. This also applies to cookies used by these entities.

You have the option of limiting or disabling cookies on your device. Settings regarding the use of cookies can be found in the settings of your web browser. Web browsers allow you to disable all cookies or certain types of cookies (e.g. from third parties). If you disable cookies in part, some necessary cookies may still be saved on your device by our website, enabling the website to work properly. In this case, however, the cookies of the third parties with whom we cooperate will not be saved.

Remember that if you limit the use of cookies, the use of specific services provided by us may be limited, and in some cases may not be possible.