

GDPR, Privacy & Cookies Policy

OVERVIEW OF MARVINET'S ROLE

Your privacy is of paramount importance to Marvinet Limited, incorporated and registered in Ireland with company number 622994, whose registered office is at 16, Fitzwilliam Place Dublin 2, IRELAND, (hereinafter referred to as "**Marvinet**", "**we**", "**us**" or "**our**", which terms shall also include our Affiliates. "**Affiliates**" means any entity that directly or indirectly controls, is controlled by, or is under common control with us. "**Control**" for purposes of this definition, means direct or indirect ownership or control of more than 50% of the voting interests of the subject entity. This privacy and cookies policy ("**Privacy Policy**") applies to the Site as described in our Terms of Service (the "**Site**") and the website, applications and services related thereto (the "**Service**").

In this Privacy Policy, the term "**Personal Data**" means data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, our possession, and includes personal data as described in Data Protection Legislation (as defined below).

Please read the following carefully. Registering for a Site account ("**Your Account**") on the Site or any related mobile application, use of Your Account or accepting the terms of this Privacy Policy (by way of ticking a tick box or similar function on the Site) indicates that you have reviewed this Privacy Policy and have agreed to be bound by it. You will be required to expressly accept this Privacy Policy before providing any of your Personal Data to us, and any users who use Your Account will also be required to expressly accept this Privacy Policy before first accessing (or before continuing to access) our Service through Your Account. If you do not agree to these terms you must leave our website immediately. If you choose to accept this Privacy Policy, we will keep a record of your acceptance in this regard.

We will handle your Personal Data in accordance with Data Protection Legislation. "**Data Protection Legislation**" means the Data Protection Acts 1988 to 2018, the General Data Protection Regulation (EU) 2016/679 ("**GDPR**"), and any other applicable law or regulation relating to the processing of Personal Data and to privacy (including the E-Privacy Directive and the European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) Regulations 2011 ("**E-Privacy Regulations**"), as such legislation shall be supplemented, amended, revised or replaced from time to time.

When you register for Your Account, the registration process may ask for a full name, company you work for, title/position, password, postal address, email address, phone number, IP address, VAT/tax registration details, zip code and credit card details. When you log into the Service, our servers automatically record information that your browser sends whenever you visit a website. These server logs may include information such as your web request, Internet Protocol address, browser type and settings, browser language, location data, the address of the web page visited before using the Service, the date and time the Service was used, information about browser configuration and plugins, language preferences and one or more cookies that may uniquely identify your browser. When you send email or other communication to Marvinet (other than in respect of User Uploaded Data (defined below) included in support requests), we may retain those communications in order to process your inquiries, respond to your requests and improve our Service (any Personal Data that we collect from you for these purposes is hereinafter referred to together as "**Your Data**"). Marvinet is a Controller (as defined in Data Protection Legislation) in respect of Your Data.

Your Data is separate from and should be distinguished from User Uploaded Data. "**User Uploaded Data**" is Personal Data uploaded by you or others through your Account/your

use of the Service, and may be any information, data or materials provided or utilized by you or others in connection with the Service, including, without limitation, any data contained in your or others' websites, applications and/or any Personal Data provided by you during a support request. Marvinet is a Processor (as defined in Data Protection Legislation) and you are either the Data Subject (as defined in Data Protection Legislation) or the Controller in respect of User Uploaded Data. This Policy deals with our processing of Your Data (not User Uploaded Data) on your behalf. The data Processing Terms in Appendix 4 of the Terms set out details of our Processor obligations in respect of User Uploaded Data.

This Privacy Policy sets out the basis on which Your Data will be processed by us. We may use Your Data on any one or more of the following legal bases: (i) to perform a contract with you; (ii) for the establishment, exercise or defence of legal claims or proceedings; (iii) to comply with legal and regulatory obligations; (iv) for legitimate business purposes in providing the Service to you (in which case, our legitimate interests will not override your fundamental privacy rights); and/or (v) where you have given us your express consent.

When you are a Controller in respect of the Personal Data of other Data Subjects, then you must comply with all of your Controller obligations under Data Protection Legislation. When you are a Controller, we and you act as independent (and not joint Controllers in respect of Your Data).

INFORMATION WE GATHER FROM YOU

We fully respect your right to privacy in relation to your interactions with the Service and endeavour to be transparent in our dealings with you as to what information we will collect and how we will use your information. Also, we only collect and use individual's information where we are legally entitled to do so. Information in relation to Personal Data collected by Irish entities is available on www.dataprotection.ie, the website of the Irish Data Protection Commissioner ("**DPC**").

We endeavour to keep Your Data accurate and up-to-date. As such, you must tell us about any changes to such information that you are aware of as soon as possible. You can change your stated interests in respect of whether or not you wish to receive direct marketing from us by clicking 'unsubscribe' on any direct marketing electronic communication which you receive from us.

If you are aged 18 or under, please get your parent/guardian's permission before you provide Your Data to us/use the Service.

WHY WE COLLECT/HAVE ACCESS TO YOU INFORMATION

We may collect information from you as necessary in the course of providing our Service. We may collect your personal information while monitoring our technology tools and services, including our website and email communications sent to and from us. We gather information about you when you provide it to us, or interact with us directly. We may collect or receive information about you from other sources, such as keeping the contact details we already hold for you accurate and up to date and verifying Your Account details using publically available sources. We use that information: (i) to provide and improve our website, including auditing and monitoring its use; (ii) to provide and improve our Service to you and other users; (iii) to provide information requested by you; (iv) to send you update, publications and details of events; (v) to manage and administer our relationship with you; and (vi) to fulfil our legal, regulatory and risk management obligations.

Where we wish to use Your Data in any other way, we will ensure that we notify you and get your consent first. You will be given the opportunity to withhold or withdraw your consent for the use of Your Data for purposes other than those listed in this Privacy Policy.

COOKIES

A cookie is a small text file that is placed on your device by a web server which enables a website and/or mobile app to recognise repeat users, facilitate the user's ongoing access to and use of a website and/or mobile app and allows the website and/or mobile app to track usage behaviour and compile aggregate data that will allow content improvements and targeted advertising. We may collate information in relation to the Service which is represented in aggregate format through cookies. They help us to improve our Service and to deliver many of the functions that make your browser experience more user friendly.

By using the Service and accepting the terms of this Privacy Policy you are consenting/acknowledging our legitimate interest in respect of the use of cookies as described in this Privacy Policy (i.e. you are agreeing to the placement of cookies on your device unless you specifically choose not to receive cookies). You will be given the opportunity to object to the use of cookies on the website by way of a 'pop-up or similar function'. You acknowledge that we may also have a legitimate interest in respect of our use of cookies to process your Personal Data where this does not over-ride your privacy rights.

The 'Help Menu' on the menu bar of most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie and how to disable cookies altogether. You can also disable or delete similar data used by browser add-ons, such as flash cookies, by changing the add-on's settings or visiting the website of its manufacturer.

For more information about cookies and managing them including how to turn them off, please visit www.cookiecentral.com. However, because cookies allow you to take advantage of some of our Service's essential features, we recommend you leave them turned on as otherwise you may not be able to fully experience the interactive features of our Service or other related websites/applications which you visit/use.

We may use third parties such as Google Analytics to collect user information, including through the use of cookies (flash and non-flash) and web beacons. They help us to improve our Service and to deliver many of the functions that make your browser experience more user friendly.

You can find a list of cookies we use and the purposes for which we use them in the tables below.

First party cookies

Cookie	Purpose	Expires

Third party cookies

Cookie	Purpose	Expires

You should also be aware that there are cookies which are found in other companies' internet tools which we may use to enhance the Service. You may see 'social buttons' during your use of the website, including but not limited to Twitter, YouTube and Facebook, which enable you to share or bookmark certain web pages. These websites and social platforms have their own cookies and privacy practices, which are controlled by them.

ARE THERE CASES WHERE WE MAY USE YOUR INFORMATION TO CONTACT YOU

We may contact you:

- for administration reasons related to the Service (e.g. to provide you with password reminders or to notify you that a particular service, activity or online content has been suspended for maintenance, or in response to a question that you ask us);
- to provide you with information about our Service, activities or online content, including sending e-newsletters or similar correspondence and updates or responding to any contact you have made with us, e.g. on our website, by email or via the 'How To Contact Us' facility referred to below;
- to invite you to participate in surveys about our services (participation is always voluntary).

WHAT RIGHTS DO YOU HAVE

As a data subject, you have the following rights under Data Protection Legislation and we, as controller in respect of Your Data, will comply with such rights in respect of Your Data:

- the right of access to Personal Data relating to you;
- the right to correct any mistakes in your Personal Data;
- the right to ask us to stop contacting you with direct marketing;
- rights in relation to automated decision taking;
- the right to restrict or prevent your Personal Data being processed;
- the right to have your Personal Data ported to another data controller;
- the right to erasure; and
- the right to complain to the DPC if you believe we have not handled your Personal Data in accordance with Data Protection Legislation.

These rights are explained in more detail below, but if you have any comments, concerns or complaints about our use of your Personal Data, please contact us (see 'How To Contact Us' below). We will respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex or cumbersome, in which case we will respond within three months (we will inform you within the first month if it will take longer than one month for us to respond). Where a response is required from us within a particular time period pursuant to Data Protection Legislation, we will respond within that time period.

Right of access to Personal Data relating to you

You may ask to see what Personal Data we hold about you and be provided with:

- a summary of such Personal Data and the categories of Personal Data held (see Sections 2 and 3 above);
- details of the purpose for which it is being or is to be processed (see Section 3 above);
- details of the recipients or classes of recipients to whom it is or may be disclosed, including if they are overseas and what protections are used for those overseas transfers (see Section 8 below);
- details of the period for which it is held or the criteria we use to determine how long it is held (see Section 13 below);
- details of your rights, including the rights to rectification, erasure, restriction or objection to the processing (set out in this Section 6);
- any information available about the source of that data (see Section 2 above);
- whether we carry out automated decision-making, or profiling, and where we do, information about the logic involved and the envisaged outcome or consequences of that decision making or profiling; and

- where your Personal Data are transferred out of the EEA, what safeguards are in place (see Section 8 below).

Details in respect of the above points are all set out in this Privacy Policy; however, if you need further clarification, please contact us (see 'How To Contact Us' below).

Requests for your Personal Data must be made to us (see 'How To Contact Us' below) specifying what Personal Data you need access to, and a copy of such request may be kept by us for our legitimate purposes in managing the Service. To help us find the information easily, please give us as much information as possible about the type of information you would like to see. If, to comply with your request, we would have to disclose information relating to or identifying another person, we may need to obtain the consent of that person, if possible. If we cannot obtain consent, we may need to withhold that information or edit the data to remove the identity of that person, if possible.

There are certain types of data which we are not obliged to disclose to you, which include Personal Data which records our intentions in relation to any negotiations with you where disclosure would be likely to prejudice those negotiations. We are also entitled to refuse a data access request from you where (i) such request is manifestly unfounded or excessive, in particular because of its repetitive character (in this case, if we decide to provide you with the Personal Data requested, we may charge you a reasonable fee to account for administrative costs of doing so), or (ii) we are entitled to do so pursuant to Data Protection Legislation.

Right to update your Personal Data or correct any mistakes in your Personal Data

You can require us to correct any mistakes in your Personal Data which we hold free of charge. If you would like to do this, please:

- email or write to us (see 'How can you contact us' below);
- let us have enough information to identify you (e.g. name, registration details); and
- let us know the information that is incorrect and what it should be replaced with.

If we are required to update your Personal Data, we will inform recipients to whom that Personal Data have been disclosed (if any), unless this proves impossible or has a disproportionate effort.

It is your responsibility that all of the Personal Data provided to us is accurate and complete. If any information you have given us changes, please let us know as soon as possible (see 'How To Contact Us' below).

Right to ask us to stop contacting you with direct marketing

We have a legitimate interest to send you electronic communications in connection with the Service and related matters (which may include but shall not be limited to newsletters, announcement of new features etc.). We may also ask you for your consent to send you direct marketing from time to time. We may also ask you different questions for different services, including competitions. We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them.

You can ask us to stop contacting you for direct marketing purposes. If you would like to do this, please:

- email or write to us (see 'How can you contact us' below). You can also click on the 'unsubscribe' button at the bottom of the electronic communication. It may take up to 15 days for this to take place; and

- let us know what method of contact you are not happy with if you are unhappy with certain ways of contacting you only (for example, you may be happy for us to contact you by email but not by telephone).

We will provide you with information on action taken on a request to stop direct marketing - this may be in the form of a response email confirming that you have 'unsubscribed'. Unsubscribing from direct marketing does not unsubscribe you from essential electronic communications in respect of the administration of Your Account.

Rights in relation to automated decision taking

You may ask us to ensure that, if we are evaluating you, we don't base any decisions solely on an automated process and have any decision reviewed by a member of staff. Profiling may occur in relation to your Personal Data for the purposes of targeted advertising and de-targeting you from specified advertising. This allows us to tailor our advertising to the appropriate customers and helps to minimise the risk of you receiving unwanted advertising. These rights will not apply in all circumstances, for example where the decision is (i) authorised or required by law, (ii) necessary for the performance of a contract between you and us, or (iii) is based on your explicit consent. In all cases, we will endeavour that steps have been taken to safeguard your interests.

Right to restrict or prevent processing of Personal Data

In accordance with Data Processing Legislation, you may request that we stop processing your Personal Data temporarily if:

- you do not think that your Personal Data is accurate (but we will start processing again once we have checked and confirmed that it is accurate);
- the processing is unlawful but you do not want us to erase your Personal Data;
- we no longer need the Personal Data for our processing; or
- you have objected to processing because you believe that your interests should override the basis upon which we process your Personal Data.

If you exercise your right to restrict us from processing your Personal Data, we will continue to process the Personal Data if:

- you consent to such processing;
- the processing is necessary for the exercise or defence of legal claims;
- the processing is necessary for the protection of the rights of other individuals or legal persons; or
- the processing is necessary for public interest reasons.

Right to data portability

In accordance with Data Protection Legislation, you may ask for an electronic copy of your Personal Data that you have provided to us and which we hold electronically, or for us to provide this directly to another party. This right only applies to Personal Data that you have provided to us - it does not extend to data generated by us. In addition, the right to data portability also only applies where:

- the processing is based on your consent or for the performance of a contract; and
- the processing is carried out by automated means.

Right to erasure

In accordance with Data Protection Legislation, you can ask us (please see 'How To Contact Us' below) to erase your Personal Data where:

- you do not believe that we need your Personal Data in order to process it for the purposes set out in this Privacy Policy;
- if you had given us consent to process your Personal Data, you withdraw that consent and we cannot otherwise legally process your Personal Data;
- you object to our processing and we do not have any legal basis for continuing to process your Personal Data;
- your Personal Data has been processed unlawfully or have not been erased when it should have been; or
- the Personal Data have to be erased to comply with law.

We may continue to process your Personal Data in certain circumstances in accordance with Data Protection Legislation (i.e. where we have a legal justification to continue to hold such Personal Data, such as it being within our legitimate business interest to do so (e.g. retaining evidence of billing information etc.). Where you have requested the erasure of your Personal Data, we will inform recipients to whom that Personal Data have been disclosed, unless this proves impossible or involves disproportionate effort. We will also inform you about those recipients if you request it.

Right to complain to the DPC

If you do not think that we have processed your Personal Data in accordance with this Privacy Policy, please contact us in the first instance. If you are not satisfied, you can complain to the DPC or exercise any of your other rights pursuant to Data Protection Legislation. Information about how to do this is available on the DPC website at <https://www.dataprotection.ie>

WITHDRAWAL OF CONSENT

If you no longer consent to our processing of Your Data (in respect of any matter referred to in this Privacy Policy as requiring your consent), you may request that we cease such processing by contacting us via the 'How To Contact Us' facility referred to below. Please note that if you withdraw your consent to such processing, it may not be possible for us to provide all/part of the Service to you.

WHO WE SHARE YOUR INFORMATION WITH

Marvinet will not share Your Data without your consent or unless required by law (except as set out in this Privacy Policy). If Marvinet becomes involved in a merger, acquisition, or any form of sale of some of all of its assets, Your Data will not be transferred to any third party unless there are adequate safeguards in place with the recipient in respect of the security of Your Data.

We restrict access to Your Data to employees, contractors, and agents who need such access in order to operate, develop, or improve our Service. These individuals are bound by confidentiality obligations and may be subject to discipline, including termination, civil litigation and/or criminal prosecution, if they fail to meet these obligations. We may also share Your Data with our third party suppliers who assist us in the provision of the Service (including but not limited to suppliers who provide services to us in respect of the certification/verification of Your Account details and/or any products/services in respect of which information is exchanged via the Site.

You acknowledge that, by using the Service, any Personal Data uploaded by you to the Site can be accessed/viewed by other users of the Service.

Your Data may be transferred to, stored at, or accessed from a destination outside the European Economic Area ("**EEA**") for the purposes of us providing the Service. It may also be processed by staff operating outside the EEA who work for us, another corporate entity within our group, or any of our suppliers. By submitting Your Data, you explicitly consent

to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that Your Data is treated securely and in accordance with this Privacy Policy. The safeguards in place with regard to the transfer of Your Data outside of the EEA to third parties shall include (but shall not be limited to) the entry by us into appropriate contracts with all transferees of such data.

All information you provide to us is stored on our (or contracted third party) secure servers. Where we have given you (or where you have chosen) a password which enables you to access any part of our Service, you are responsible for keeping this password confidential. We ask you not to share a password with any person not authorised to use the Service.

THIRD PARTY WEBSITES

This Privacy Policy applies to websites and services that are owned and operated by Marvinet. We do not exercise control over the sites/applications that may be linked from the Service. These other sites/applications may place their own cookies or other files on your computer, collect data or solicit personal information from you. You acknowledge that the Service that we provide may enable or assist you to access the website content of, correspond with, and purchase goods and services from, third parties via third-party websites and that you do so solely at your own risk. We make no representation or commitment and shall have no liability or obligation whatsoever in relation to the content or use of, or correspondence with, any such third-party website, or any transactions completed, and any contract entered into by you, with any such third party and the use by any such third-party of your Personal Data. We do not endorse or approve any third-party website nor the content of any of the third-party website made available via the Service. We encourage you to carefully familiarize yourself with the terms of use and privacy policies applicable to any websites and/or services operated by third parties. Please be aware that we are not responsible for the privacy practices of any third parties.

OFFENSIVE CONTENT

If Your Data contains any material which may reasonably be deemed to be offensive, inappropriate or objectionable or otherwise engage in any disruptive behaviour in relation to the Service, we may remove such content and/or suspend the use of Your Account. We may also remove any such material from any of our social media pages.

Where we reasonably believe that you are or may be in breach of any applicable laws, for example on hate speech, we may disclose your personal information to relevant third parties, including to law enforcement agencies or your internet provider. We would only do so in circumstances where such disclosure is permitted under applicable laws, including Data Protection Legislation.

HOW DO WE PROTECT YOUR PERSONAL INFORMATION

We do our utmost to protect user privacy through the appropriate use of security technology. We restrict access to Your Data to employees, contractors and agents who need to know Your Data in order to operate, develop or improve the services that we provide. We ensure that we have appropriate physical and technological security measures to protect your information; and we ensure that when we outsource any processes that the service provider has appropriate security measures in place. However, our Service may contain hyperlinks to websites owned and operated by third parties. These third party websites have their own privacy policies, including cookies. We do not accept any responsibility or liability for the privacy practices of such third party websites and your use of such websites is at your own risk.

We will implement appropriate technical and organisational measures to ensure a level of security appropriate to the risks that are presented by the processing of Your Data. In

particular, we will consider the risks presented by accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to Your Data transmitted, stored or otherwise processed.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect Your Data, we cannot guarantee the security of any data transmitted to us and any such transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. To the extent permitted by law, we are not responsible for any delays, delivery failures, or any other loss or damage resulting from (i) the transfer of data over communications networks and facilities, including the internet, or (ii) any delay or delivery failure on the part of any other service provider not contracted by us, and you acknowledge that our Service may be subject to limitations, delays and other problems inherent in the use of such communications facilities. You will appreciate that we cannot guarantee the absolute prevention of cyber-attacks such as hacking, spyware and viruses. Accordingly, you will not hold us liable for any unauthorized disclosure, loss or destruction of Your Data arising from such risks.

BREACH REPORTING

We will notify serious data breaches in respect of Your Data to the DPC without undue delay, and where feasible, not later than 72 hours after having become aware of same. If notification is not made after 72 hours, we will record a reasoned justification for the delay; however, it is not necessary to notify the DPC where the Personal Data breach is unlikely to result in a risk to the rights and freedoms of natural persons. A Personal Data breach in this context means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise processed.

We will keep a record of any data breaches, including their effects and the remedial action taken, and will notify you of any data breach affecting your Personal Data (which poses a high risk to you) when we are required to do so under Data Protection Legislation. We will not be required to notify you of a data breach where:

- we have implemented appropriate technical and organisational measures that render the Personal Data unintelligible to anyone not authorised to access it, such as encryption; or
- we have taken subsequent measures which ensure that the high risk to data subjects is not likely to materialise; or
- it would involve disproportionate effort, in which case we may make a public communication instead.

RETENTION OF PERSONAL DATA

Your Data will be kept and stored for such period of time as we deem necessary taking into account the purpose for which it was collected in the first instance. This may include retaining Your Data as necessary to administer Your Account, comply with our legal obligations, to resolve disputes, to enforce our agreements (including for the 6 year limitation period in Ireland for contractual claims, plus a reasonable period thereafter), to support business operations, and to continue to develop and improve our Service.

Where we retain information for Service improvement and development, we take steps to eliminate information that directly identifies you, and we only use the information to uncover collective insights about the use of our Service, not to specifically analyze personal characteristics about you.

AMENDMENTS TO PRIVACY POLICY

Marvinet may change its Privacy Policy from time to time and at Marvinet's sole discretion. The date of the most recent revisions will appear on the top of this Privacy Policy. If you do not agree to these changes, please do not continue to use the Service to submit Your Data. If material changes are made to the Privacy Policy, we will notify you by placing a prominent notice on our Service or by sending you a notification in relation to this. We will not process Your Data in a manner not contemplated by this Privacy Policy without your consent.

HOW TO CONTACT US

If you need to contact us with regard to any of your rights as set out in this Policy, all such requests should be made in writing by email to privacy@marvinet.com.

