

# Privacy Policy

This Privacy Policy (“**Policy**”) governs the terms and conditions under which Vividbooks s.r.o., with its registered office at Ostravská 623, Letňany, 199 00 Prague 9, registered in the Commercial Register maintained by the Municipal Court in Prague under file No. C 322085 (“**Vividbooks**”), processes personal data in connection with the activities and services concerning the operation of the mobile application Vividbooks, website vividbooks.com and other websites or social media profiles provided and run by Vividbooks (“**Products**”).

We are serious about protecting your personal data and want you to feel safe and comfortable while using our Products. We respect the confidentiality of your personal data and always proceed in accordance with the provisions of data protection legislation, in particular, Regulation (EU) 2016/679 of the European Parliament and of the Council (General Data Protection Regulation, “**GDPR**”), and follow this Policy.

With respect to the above, Vividbooks uses this Policy to inform you about how, for what purposes and to what extent Vividbooks uses your personal data and what information Vividbooks may process about you as a user of the Products.

## 1. Definitions

“**Personal data**” means any information relating to a data subject (e.g. you);

“**Controller**” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data;

“**Data subject**” means any identified or identifiable person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

“**Data processor**” means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

“**Processing**” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## **2. Basic information about personal data processing conducted by the Vividbooks**

We always process your personal data lawfully, fairly, in a transparent manner and for specified, explicit and legitimate purposes. We process personal data only to the minimum necessary extent and we keep them in a form which permits your identification for no longer than is necessary vis-à-vis the purpose of the processing.

We process your personal data in a manner that sufficiently ensures their integrity and confidentiality, i.e. by appropriate technical or organisational measures and appropriate protection against unauthorised or unlawful processing and against loss, destruction or damage. We respect the principle of refraining from personal data processing and the principle of data minimisation. We therefore only retain your personal data if it is necessary in order to achieve the purpose of the processing or for various retention periods specified by law. We have implemented adequate physical, electronic and procedural safeguards and use reliable IT service providers.

## **3. Legal ground, purpose and extent of the processing of your personal data**

Vividbooks may process your personal data for the following legal grounds and for the following purposes:

### **a. Provision and improvement of and support for our Products**

Vividbooks processes various information about your online activity, e.g. the time of access to our Products, the time spent on our Products, conversions (i.e. completed activity on our Products), etc., for the purposes of technical support and improvement of our Products as well as monitoring of functionalities thereof (for details regarding the extent of the data being processed see Article 4 (c) - d) of this Policy).

For this purpose of personal data processing, Vividbooks processes your personal data under the lawful ground of legitimate interest (operation of the Products, statistical purposes and data security).

### **b. Contact forms**

If you use the contact forms in our Products for your queries relating to Vividbooks's services, we process the personal data provided by you to the following extent: your name, e-mail address, IP address, customer ID, as well as any other personal data that inquirer states in the body of the contact form.

For these purposes of personal data processing, Vividbooks processes your personal data under the lawful ground of negotiation and performance of a contract (negotiation and performance of an agreement between Vividbooks and yourself

including customer support) and legitimate interest (general, sales and technical related communication between Vividbooks and yourself).

### **c. Order forms**

If you use order forms to order any Products, we process the personal data provided by you to the following extent: your company affiliation, name, address, zip code, city, phone number and e-mail address. If provided, Vividbooks also processes your company department, country.

For these purposes of personal data processing, Vividbooks processes your personal data under the lawful ground of negotiation and performance of a contract.

### **d. Processing of the personal data of Products users**

If you publish any personal data to our Products, Vividbooks may process such personal data to the extent published for the purpose of responding to your post. Usually, Vividbooks processes following personal data categories in our Products: your name, surname and any personal data which you upload to our Products or which we receive via personal messages.

For these purposes of personal data processing, Vividbooks processes the above mentioned personal data under lawful ground of negotiation and performance of a contract (customer and technical support) and legitimate interest (general communication).

### **e. Cookies**

Vividbooks uses various cookie files, which may contain your personal data (e.g. your IP address or the configuration of your browser and computer). Vividbooks uses cookies on the basis of your consent that you express via the cookies settings displayed to you in a banner during your first visit to our Products. This consent can be subsequently amended / withdrawn in our Cookie Settings or via your web browser settings (to the extent allowed by the respective browser).

### **f. Newsletter**

If you subscribe to our newsletter, Vividbooks processes your e-mail address in order to provide you with the respective news. Vividbooks processes your e-mail address for the newsletter purposes based on your consent, which you can withdraw at any time.

### **g. Mobile Application**

To provide you with the Vividbooks software application and to constantly improve our services including customer support, we process following personal data about you and your device: start of the software application, IP-address of the device,

statistical information about your computer (e.g. CPU-type, screen resolution), time and duration of software sessions.

We process the personal data acquired via the Vividbooks software under lawful grounds of performance of a contract (performance of Vividbooks software license agreement concluded between Vividbooks and yourself including customer support) and our legitimate interest (Vividbooks software development).

#### **4. What sources do we collect your personal data from?**

We collect your personal data from multiple sources. We primarily collect the personal data about you that you provide voluntarily yourself (e.g. in the consent to the personal data processing) or the data that we acquire in connection with your queries, comments, requests, etc. Vividbooks and the providers hosting our Products use databases to log data about access to servers where the Products are saved. The log files mainly contain information about:

- i. the type, version and preferred languages of the browser you are using;
- ii. the type and version of your operating system;
- iii. the website you have come to our Products from;
- iv. the website you leave our Products for;
- v. the IP address of your computer;
- vi. the date, time and success of finding our Products;
- vii. when you accessed the Products and how long you stayed on the Products;
- viii. the volume of data transmitted between the server and your computer;
- ix. the number of visits and average time spent on our website.

For security reasons, the data in the log files are kept for only as long as the purpose of the processing lasts. If the given purpose of retaining the log files no longer exists, the log files are deleted immediately. The data whose further retention is necessary on the grounds of providing evidence will not be deleted until the relevant case is closed.

#### **5. Recipients of your personal data**

Subject to the applicable legislation, Vividbooks transmits your personal data to third parties (recipients) for the purpose of further processing, which parties process the personal data under a data processing agreement.

In particular, the above-mentioned recipients of the personal data include the following categories of recipients:

- IT services providers and relay server operators;
- payment services providers;
- external legal counsel and debt collection agencies;

- social network operators;
- marketing software providers;
- law enforcement authorities, courts, administrative authorities where Vividbooks is so obliged by the legislation.

## **6. Personal data processing period**

We process personal data only for as long as the personal data are necessary for the achievement of the purpose of their processing. As soon as the purpose of the processing is achieved and there is no other purposes for which we would be authorised to process the personal data, we erase the personal data.

## **7. Your rights as a data subject**

As a data subject you have the following rights:

### **a. Right to be informed**

We will always use this Policy and other notice, if required, to inform you in a concise, transparent, intelligible and easily accessible manner about the processing of your personal data from the moment we obtain personal data from you.

### **b. Right of access to personal data**

You have the right to obtain from us confirmation as to whether or not personal data concerning you are being processed. If we process your personal data, we will provide you with the information that you request or that we are required to provide by the law.

### **c. Right to rectification**

You have the right to the rectification of any inaccurate personal data concerning you and, taking into account the purposes of the processing, to have incomplete personal data completed, including by means of providing a supplementary statement.

### **d. Right to erasure / right to be forgotten**

We will erase your personal data without undue delay subject to exemptions stipulated by law if:

- i. your personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- ii. you withdraw the consent on which the processing is based and there is no other legal ground for their processing;

- iii. you object to the processing of your personal data and there are no overriding legitimate grounds for the processing or you object to the processing of your personal data for the purposes of direct marketing;
- iv. your personal data have been unlawfully processed;
- v. your personal data have to be erased to comply with a legal obligation under European Union or Member State law to which Vividbooks is subjected; or
- vi. your personal data have been collected in relation to the offer of information society services to a child.

#### **e. Right to restriction of processing**

You have the right to restrict your personal data processing in the following cases:

- i. the accuracy of the personal data is contested by you; in this case, the processing is restricted for a period enabling us to verify the accuracy of the personal data;
- ii. the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;
- iii. we no longer need the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims; or
- iv. you have exercised your right to object to the processing of the personal data; in this case, the processing is restricted until we determine whether our legitimate grounds override your legitimate interests.

#### **f. Right to data portability**

You have the right to receive your personal data processed by us provided that one of the following conditions is met:

- i. the personal data are processed for a specific purpose on the basis of your consent;
- ii. the personal data is processed by automated means;
- iii. if the personal data are from a special category processed for one or more specified purposes on the basis of your explicit consent; or
- iv. the processing of the personal data is necessary for the performance of a contract to which you are a party or in order to execute precautions accepted at your request prior to entering into a contract.

#### **g. Right to object**

As regards the processing of personal data under the legal ground of legitimate interest of Vividbooks, you may object to the processing of your personal data on grounds relating to your particular situation described in the objection. You may object by using the contact details provided below. You have the right to object at any time to the processing of personal data for direct marketing purposes.

#### **h. Right not to be subject to a decision based solely on automated processing, including profiling**

We process your personal data with respect for your right not to be subject to a decision based solely on automated processing which significantly affects you, including profiling (i.e. any form of automated processing of personal data consisting of the use of personal data to analyse, predict or evaluate certain aspects concerning you – e.g. your economic situation, interests, etc.).

#### **i. Right to file a complaint**

If you disagree with the way we have handled your request, you may file a complaint with the Czech Office for Personal Data Protection ([www.uoou.cz](http://www.uoou.cz)).

### **9. Exercising your rights and Contact**

To exercise your rights or make any queries regarding this Policy or the processing of your personal data, use the following contact details:

*Postal address:* Adresa kanceláře

*Telephone:* +420 000000000

*E-mail:* [data@vividbooks.com](mailto:data@vividbooks.com)

**Vividbooks s.r.o.**