

LOCKY
PRIVACY POLICY & COOKIE POLICY

This Privacy Policy contains information on processing of personal data by Locky Sp. z o.o. [limited liability company] with registered seat in Jasionka, address: Jasionka 954E, 36-002 Jasionka, entered into the register of entrepreneurs of the National Court Register, held by the District Court in Rzeszow, 12nd Economic Division of the National Court Register, under the number KRS 0000656473, REGON [Statistical no.]: 366211822, NIP [Tax ID no.]: 5170378970 (hereinafter: the **'Administrator'** or **'Locky'**). For matters related to processing of personal data, please contact us by regular mail using the address provided above, or by sending an e-mail to hello@getlocky.io.

This document specifies types of personal data we process; it explains how and why we collect and use your personal data, as well as when and why we shall share the data with other entities; it also explains your rights and choices concerning your personal data.

We want you to fully understand whether or not this Policy applies to rules of processing of your personal data. This Policy shall apply if:

- you are a User of the Portal <http://getlocky.io/>, as well as if you contact us using the Contact Form;
- you are a User of the *GetLocky* App;
- you are a customer of Locky or its representative, i.e. you purchase our products or services;
- you are Locky's contractor or representative, i.e. you supply products or services we offer;
- you are our marketing receiver, i.e. we address our marketing activities to you;
- you have subscribed to our Newsletter;
- you are a candidate applying for work or cooperation, i.e. you are contacting us because you are interested in becoming our employee or establish some form of cooperation with Locky.

Your personal data shall be processed in accordance with applicable law, including the requirements of the Regulation of the European Parliament and the Council (EU) 2016/679 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 ('GDPR') and other applicable regulations, complementing and/or implementing the GDPR, as well as with the Act of 18 July 2002 on provision of services by electronic means.

Definitions provided in §2 of the Terms and Conditions of Locky apply to our Privacy Policy accordingly.

Which data do we process? What are their sources?

If you are:

- 1) An App User**, we collect your data saved when using the App – such as first and last name, e-mail, login, location, and in some cases, also your personal image (if you have a profile picture in your social media and you use your social media account to log in to the App);
- 2) A customer of Locky or its representative**, we process the following data: your first and last name, e-mail, login, bank account number, and in the case of payment by credit card, also the first and last name of credit card owner and credit card data (card number, expiry date, CVC

code); however, credit card data is processed directly by the Payment Operator – Locky does not store data of its Customers' credit cards;

if you are a business owner, Locky also processes the following data: company name, tax ID number, and address of the company's registered seat;

we also collect data during placement of your orders, conclusion of agreements and their implementation, as well as during our calls; we receive data directly from you or from the entity you represent;

- 3) Locky's contractor or representative**, we process the following data: first and last name, your business e-mail and telephone number;

if you are a business owner, Locky also processes the following data: company name, tax ID number, and address of the company's registered seat;

we also collect data during placement of your orders, conclusion of agreements and their implementation, as well as during our calls; we receive data directly from you or from the entity you represent;

- 4) A Newsletter subscriber**, we process your e-mail address provided during the subscription process;

- 5) Our marketing receiver**, we may process the following data: your first and last name, e-mail and phone number, provided by you during conclusion of agreements and their implementation, as well as during our calls;

- 6) Using our Contact Form**, we process the following data: first and last name or company name, e-mail, and phone number provided by you when submitting the message using the Contact Form;

- 7) A Portal User**, Locky automatically collect network server logs using the device on which the Portal is installed (so-called 'network server'). The network server automatically recognizes certain information, such as User IP, date and location in which the Portal has been visited, website the User used to access the Portal, Internet browser used by the User, User's operating system, as well as domain name and address of the operator of the User's Internet service. Locky may also collect information on your IP address. IP addresses are used as part of the information contained in the abovementioned network server logs as well as for technical purposes;

- 8) A candidate applying for work or cooperation:** we process data provided in your CV and other documents sent by you, as well as information provided during our calls and meetings, and in our e-mail correspondence. We shall process, in particular, your first and last name, other identification and contact data, as well as information concerning your education and professional experience.

What is the purpose of processing of your data?

Your personal data is processed by Locky for the following purposes:

- 1)** during registration and use of the User Account – to conclude and implement an agreement on provision of the 'User Account' Electronic Service;
- 2)** during conclusion of a sales agreement or a service provision agreement – in order to conclude and implement the agreement (including for the purposes of redress or protection against claims relating to the payment);
- 3)** when making payment – for the purposes of verification and execution of payment;
- 4)** when using the Contact Form – in order to answer your query sent via the Contact Form;

- 5) when subscribing to the Newsletter – for the purposes of provision of the ‘Newsletter’ Electronic Service, i.e. in order to send commercial information on Locky products, services, events, and promotional campaigns;
- 6) for technical purposes, in order for the Portal and the App to load correctly and work in a stable manner that is safe to Users;
- 7) for the purposes of direct marketing of Locky products, events, and services.

If Locky gains knowledge of the User using the Portal or the App in an unlawful manner or in a way that is inconsistent with the Terms and Conditions or this Privacy Policy, Locky may process User’s personal data for the purposes and to the extent necessary to determine the liability of the User and to protect its justified rights and claims.

What are the legal grounds for data processing?

Users’ personal data are processed solely based on the applicable legal basis. In the case of conclusion and implementation of the agreement, the legal basis for data processing is the premise of necessity in order to implement the agreement, such as the sales agreement or the service provision agreement, including agreement on provision of electronic services (User Account, Contact Form) – in accordance with Art. 6(1)(b) of the GDPR. If you are a representative of the Customer or the Contractor, the legal basis for processing of your personal data is safeguarding of Locky’s legitimate interests (Art. 6(1)(f) of the GDPR) related to conclusion and performance of the agreement with the entity you represent, maintaining of business relations and ongoing contact, conducting of marketing activities, as well as redress or protection against possible claims.

In the case of the ‘Newsletter’ Electronic Service, the legal basis for data processing is the consent to personal data processing given by you for the purposes of sending of commercial information (Art. 6(1)(a) of the GDPR).

Locky may also undertake actions relating to direct marketing of its products and services based on the premise of the Administrator’s legitimate interests, in accordance with Art. 6(1)(f) of the GDPR – if you are our Customer, Contractor, or Representative thereof. In other cases, to the extent to which Locky uses your e-mail and phone number for that purpose – based on your prior consent (Art. 6(1)(a) of the GDPR). Locky may process your personal data in accordance with Art. 6(1)(f) of the GDPR also for the purposes of maintaining business relations, ongoing contact, conducting of marketing activities, as well as redress or protection against possible claims.

Personal data may also be processed when it is necessary for compliance with a legal obligation of Locky (Art. 6(1)(c) of the GDPR), e.g. if and when access to personal data is requested by a competent national authority.

If you are a candidate applying for employment or cooperation, we process your data pursuant to Art. 22¹ §1 of the Labor Code – to the extent provided for therein, and otherwise, based on your consent (Art. 6(1)(a) of the GDPR), for the purposes of the recruitment process and in order to take your application into account in further recruitment processes (should you give additional consent thereto), as well as based on Art. 6(1)(f) of the GDPR in order to safeguard our legitimate interests, manage recruitment processes, and for the purposes of protection against possible claims.

Is provision of personal data obligatory?

Provision of your personal data is voluntary, but refusal to provide them may prevent Locky's implementation of sales agreements, provision of services, responding to queries sent through the Contact Form, delivery of commercial information by means of the Newsletter, as well as completion of the recruitment process.

What is the period and method of data processing?

Personal data processed by Locky for the purposes of conclusion and implementation of the agreement shall, generally, continue to be processed throughout the duration of the agreement. However, data may be processed following the expiry of the agreement if justified by applicable regulations (e.g. for tax or accounting reasons); and to the necessary extent, they may also be processed until all claims arising from the agreement are satisfied.

Personal data processed in relation to use of Contact form by the User shall be processed until the Administrator replies to your query sent via the Contact Form. Personal data processed when using the User Account shall continue to be processed until the account is deleted. Personal data processing based on your consent (e.g. in the case of the Newsletter) shall continue until you withdraw your consent to their processing.

Most personal data is processed by Locky in electronic form on servers owned by Locky and on servers leased to Locky by third parties, as well as on company computers, external discs, and mobile devices. Some personal data may be processed in printed form.

Will my personal data be communicated to third parties?

Communication of data to third parties shall always take place in accordance with the law, based on the concluded agreement indicating all the purposes for which Locky processes the data. In each case, we shall ensure that only the minimal amount of data, necessary to implement the objective of personal data processing, is communicated.

Recipients of Users' personal data may also be entities with which Locky cooperates in order to implement the agreement concluded with you. They may be providers of external systems supporting the activity of the Administrator, including providers of IT tools, as well as the entity providing accounting and consulting services to.

Will my data be used for profiling?

Your personal data shall not be used for automated decision-making, including profiling. Locky does not use IT systems that would automatically make decisions concerning your personal data. Decisions and actions are undertaken solely by Locky's employees.

What is the duration of processing of your data?

If you are a User of the Portal or the App, we store your personal data as long as necessary to manage the Portal or the App.

If you are a customer, contractor, or representative thereof, we process your data throughout the term of the agreement concluded with you or the entity you represent. Upon expiry of that period, we store your data, to the necessary extent, for the period resulting from legal requirements (e.g. from the obligation to store financial documentation), regulations concerning limitation of claims, or

to the extent necessary to achieve the remaining objectives of data processing provided for in this document.

If you are a marketing receiver, we store your data throughout the period of their utility for fulfillment of the purpose for which they have been collected, and, if they are processed based on your consent – until it is withdrawn.

If you are a candidate applying for work or cooperation, we store your data until the recruitment process is complete. If we have your consent to having your data processed for the purposes of completion of further recruitment processes, your data shall be stored throughout the period of their utility for fulfillment of that purpose, but not longer than one year. If we conclude an employment contract or a civil law contract with you, your data will be processed throughout the term of that contract.

If the processing of your data is based on your consent, we shall store the data not longer than until withdrawal of that consent.

What are my rights?

Regardless of the legal basis for processing, you are entitled to access your data and acquire a copy of the data; you also have the right to have it corrected, and in some cases, removed, or demand restriction of its processing.

If processing of personal data is based on the premise of necessity resulting from Locky's legitimate interests (Art. 6(1)(f) of the GDPR), you also have the right to object to having your personal data processed.

In the case in which personal data processing is based on prior consent (Art. 6(1)(a) of the GDPR), you are entitled to withdraw that consent at any moment, without affecting the legality of the processing carried out before the consent was withdrawn.

If, however, your data is processed based on your consent (Art. 6(1)(a) of the GDPR) or in relation to an agreement requiring personal data processing to be implemented (Art. 6(1)(b) of the GDPR), or if processing is carried out in an automated manner, you also have the right to transfer the data.

If you suspect that your personal data is processed in violation of the GDPR, you are entitled to file a complaint to the supervisory authority (in Poland, the Data Protection Commissioner) concerning unlawful processing of personal data.

In order to exercise any of the abovementioned rights, contact us by e-mail or by regular mail.

Cookie files

Definition: cookie files are information sent by Internet services to the Internet browser, which are sent back by the browser to the Internet service when it is re-entered. Thanks to the use of cookie files, the user is not required to re-enter data they have previously entered in the Internet service,

and the service recognizes the device, which allows it to display its contents in accordance with Users' individual needs and previously chosen settings.

Are cookie files considered personal data? Generally, cookie files are not personal data; however, certain information stored in cookie files, combined with other information concerning the User, may constitute personal data. Nevertheless, such data is not disclosed by Locky to unauthorized persons, and its processing takes place solely for the purposes of provision of specific services to the User.

Cookie file types: Our Portal uses two types of cookies: 'session cookies' and 'persistent cookies'. Session cookies are temporary files stored in the User's end device until they log out, leave the Portal or close the browser. Persistent cookies are stored in the User's end device for the time specified in cookie file parameters or until the User deletes them.

Use of cookies: Cookie files are used to store information on Users' sessions (e.g. IP address used by the User to connect to the Portal, connection duration, and other technical parameters of the connection). Information generated by cookies, including the IP address, may be communicated to Google and other third parties by the Administrator. In particular, the Portal uses cookies to:

- 1) adjust the contents of the Portal to Users' individual preferences;
- 2) maintain the Portal User's session (after logging in to the User Account), thanks to which the User does not have to re-enter their login or their password;
- 3) creating statistics allowing to understand how Users use the Portal which will allow to improve its structure and content. An analysis of those statistics is anonymous and allows to adjust the content and layout of the service; statistics are also used to evaluate the popularity of the Portal;
- 4) determine the profile of the User in order to display advertising material adjusted to their preferences, in particular, material of the Google network. The portal uses the remarketing tool and the list of similar recipients, shared by Google.

Cookie opt-out: Users may change their cookie preferences or opt out of cookie files by choosing appropriate settings in their browsers. However, the Portal may not function properly if cookie files are not accepted.

Personal data protection

The place of storage of your personal data is protected with appropriate physical, IT, and organizational measures, whose objective is to protect your data properly. However, Locky has no control over the security of messages sent by you by electronic means from the moment you send them until they are delivered to Locky.

Moreover, the Portal is equipped with SSL protocol, allowing to encrypt data sent between your device and the server in an efficient and secure manner. Pages with personal data forms are automatically switched to https protocol.

Final provisions

Locky uses all the reasonable efforts to ensure high level of security of your data. Any suspicious activity that may endanger the transfer of information and data should be reported to hello@getlocky.io.

For further information concerning processing of your personal data, contact us at: hello@getlocky.io.

We reserve the right to introduce changes to this Privacy Policy.