



Privacy Policy for Apps by Arcade Boulderling UG (haftungsbeschränkt)

With this data protection declaration, we can inform you about the way and for what purposes we process your personal data. Personal data are all data that can be directly or indirectly assigned to you (or another natural person). We take the protection of your personal data very seriously and we will treat it confidentially and in accordance with the statutory data protection regulations. Such statutory provisions are in particular Regulation (EU) 2016/679 (General Data Protection Regulation) ("**GDPR**"), the German Federal Data Protection Act ("**BDSG**") and laws for the implementation of Directive 2002/58 / EC (Data Protection Directive for Electronic Communication) ("**E-Privacy Directive**").

This data protection declaration is not part of the user agreement, but serves to provide you with information in accordance with Articles 13 and 14 GDPR.

Table of contents

2. PROCESSING OF YOUR PERSONAL DATA	2
2.1. USE OF APPS.....	2
2.2. VISITS TO OUR WEBSITE.....	4
2.3. CONTACT BY EMAIL, PHONE OR POST	5
2.4. NEWSLETTER.....	6
3. PASSING ON YOUR PERSONAL DATA.....	6
3.1. CATEGORIES OF RECIPIENTS	6
3.2. THIRD COUNTRIES.....	7
3.3. PUBLICATION OF USER CONTENT	7
4. YOUR RIGHTS	7
4.1. RIGHT TO INFORMATION.....	7
4.2. RIGHT TO RECTIFICATION	8
4.3. RIGHT TO CANCELLATION.....	8
4.4. RIGHT TO RESTRICTION OF PROCESSING (BLOCKING)	8
4.5. RIGHTS IN RELATION TO AUTOMATED DECISIONS	8
4.6. REVOCATION OF YOUR CONSENT.....	8
4.7. OBJECTION TO PROCESSING TO PROTECT LEGITIMATE INTERESTS	8
4.8. OBJECTION TO DIRECT MAIL.....	9
4.9. RIGHT OF APPEAL	9
5. CHANGES.....	9

1. Details of the person responsible

25. **Address:** Arcade Boulderling UG (haftungsbeschränkt)
Viehofer Platz 11
45127 Essen
Deutschland
26. **Phone:**+49 1573 7521785
27. **E-Mail:**support@arcadeboulderling.com

2. Processing of your personal data

2.1. Use of apps

2.1.1. Registration for an account

When registering for a user account ("**Account**") and logging in, we collect your email address and a password you have assigned as master data. We only use this data to enable you to use the app and, in particular, to clearly assign you the usage data linked to your account, as well as to send you important contract-related messages and declarations. Further use will only take place with your express consent.

In addition, we collect further information when you log in for the first time in order to create a user profile ("**profile**") that is visible to other users on the platform. With the exception of the username you can select, the details are optional.

The legal basis for processing is the performance of a contract with you (Article 6 (1) (b) GDPR); in the case of optional information, your consent (Article 6 (1) (a) GDPR).

The data will be stored until your account is deleted and then until the end of the third calendar year after the deletion (regular limitation period).

2.1.2. Registration through third party providers

If you wish, you can also identify yourself with the app via third-party providers such as Facebook, Google or Apple. You can use these third-party providers both for registration and for logging into the app later.

If you register via a third party provider, we will receive your email address (which may be pseudonymised by the third party provider) and a unique identifier. We use these as described in section 2.1.1.

When identifying via third-party providers, the respective third-party provider can see that you are using the app and when you log in to it. The legal basis for processing by us is your consent (Article 6 (1) (a) GDPR), which you give by clicking the button to register with the respective third party provider.

2.1.3. Use of the apps

When using the app, you have the option of entering further information, such as which gyms (climbing halls) are your favorites or which defined boulders you have already climbed ("**logs**"), or other user content. Which data we collect in detail and assign it to your user account or profile is always shown transparently in the app.

The app also enables you to share your profile, including the logs and any other user content, with other users. This is also presented to you in the app in a transparent manner.

The legal basis for processing is the performance of a contract with you (Article 6 (1) (b) GDPR); your consent when releasing it to other users (Article 6 Paragraph 1 Letter a GDPR).

The data in your account will be stored until your account is deleted and also until the end of the third calendar year after the deletion (regular limitation period). However, any user content you have uploaded remains visible as long as you do not revoke your consent.

2.1.4. Map services

When using the app, you also have the option of displaying nearby gyms (climbing halls) on a map. The app loads the map content directly from Google LLC ("**Google**") as the provider of the Google Maps map service. If you allow the app to access your location data, it will be transferred to Google to improve the search and map display. Furthermore, as the provider of the map service, Google can collect further personal data directly from you. Further information on the processing of your personal data by Google can be found at <https://policies.google.com/privacy?hl=de>

2.1.5. User content of other users

User content from other users may in individual cases also contain data that refer to you (for example, a mention in user comments).

In this respect, the processing is based on our legitimate interest (Art. 6 Paragraph 1 Letter f GDPR) to offer our users a forum in the app for exchanging information about gyms (climbing halls) and boulders.

2.1.6. Links to social media and websites

The user profiles, presentations of gyms (climbing halls) and other user content may contain links to the websites of the respective users or gyms and their profiles on social networks and other platforms. The app also contains links to our own profiles on social networks and other platforms. The data protection declaration there applies to these.

2.1.7. Statistical data to improve the app.

With your consent (Article 6 (1) (a) GDPR; Article 5 (3) E-Privacy Directive) we also collect statistical data on the use of the app in order to improve user guidance and functionality. The data is immediately anonymized so that there is no longer any personal reference.

2.2. Visits to our website

2.2.1. General

When you visit the website, your computer automatically sends information to the website server, in particular the IP address of your computer / Internet connection, browser type and version, etc. This information is generally only used to provide the website and is not stored.

The legal basis is the legitimate interest (Article 6 Paragraph 1 Letter f GDPR) to be able to provide you with information on the Internet.

We also save the visits to our website in log files for statistical purposes. Your IP address is anonymized in these log files in such a way that it cannot be traced back to your person or your Internet connection. The legal basis for the anonymization of the data is our legitimate interest (Article 6 Paragraph 1 Letter f GDPR) to optimize our website in a way that is user-friendly and needs-based.

For the processing of log files by our web host, Strato AG, we refer to <https://www.strato.de/datenschutz/>.

If you do not want your IP address to be processed by the website, you can use an anonymization service or VPN service.

2.2.2. Orders

When ordering premium codes for the app or possibly other products on our website, we also collect your name, billing address, email address, telephone number and the description of the products you have purchased.

Payment processing is carried out by the third-party providers specified on the website. To do this, we transmit the invoice amount and a unique identifier for your order to the respective third party provider, and receive a confirmation of your payment from them.

The legal basis for processing is the initiation and implementation of a contract with you (Article 6 (1) (b) GDPR). The data will be stored until the expiry of the statute of limitations under civil law (currently 3 years to the end of the calendar year); In addition, we store data relevant for bookkeeping and taxation within the framework of the statutory retention requirements (currently 10 years).

To prevent fraud, we also collect your IP address and transfer your data to third-party providers who automatically assess the risk for the respective transaction.

The legal basis for this is our legitimate interest (Article 6 Paragraph 1 Letter f GDPR) in avoiding payment defaults. The data will be deleted after the order has been processed.

2.2.3. Cookies

Cookies are brief pieces of information that are automatically saved by your browser on your device when you visit our website.

We use cookies on our website that are absolutely necessary in order to provide you with the website and its functionality (for example shopping cart or language switching).

The legal basis is also our legitimate interest (Article 6 Paragraph 1 Letter f GDPR) in being able to provide you with information on the Internet. The cookies are stored on your computer. As a rule, the cookies are automatically deleted when the respective expiry date is reached; this is a maximum of 2 years after the last visit to the website. You can also manually delete cookies prematurely.

2.2.4. Third party content (plugins)

For certain content, we include content from third parties on our website (so-called plugins). The respective third parties are responsible for providing the plugins. Which plug-in provider is involved is shown to you on our website in direct connection with the respective content.

When using such plugins, the respective providers can recognize that you have accessed our website. We will therefore only activate such content with your consent (two-click solution). The legal basis for processing by us is your consent (Article 6 (1) (a) GDPR), which you give by activating the content or a category of content.

2.2.5. Links to social media

Our website contains links to our own profiles on social networks and other platforms. The data protection declaration there applies to these.

2.3. Contact by email, phone or post

If you contact us by email, telephone or post, your contact information (name, email address, address, etc.) will be collected and used to respond to your request. The same applies if you provide us with your data in a personal contact.

The legal basis is the legitimate interest (Article 6 Paragraph 1 Letter f GDPR) in being able to respond to your inquiries. If you contact us in connection with your participation in the event, or if you are a supplier or service provider of ours, the legal basis is the fact that the processing is necessary to initiate or execute a contract with you (Ar-

Article 6 Paragraph 1 Letter b GDPR). If you are a contact person for a supplier or service provider, the legal basis is our legitimate interest (Article 6 Paragraph 1 Letter f GDPR) to be able to communicate with contractual partners.

In the case of inquiries relating to the assertion of claims or the exercise of rights, they will be stored for up to six months after the statutory limitation period has expired; Otherwise, the data will be stored for a period of one year after your last request. Insofar as statutory retention requirements exist, storage will also take place until it expires.

2.4. Newsletter

If you would like to receive the newsletter offered in the app, your data (especially your e-mail address) will also be used to send the newsletter.

The legal basis for processing is your consent (Article 6 (1) (a) GDPR; Article 13 (1) E-Privacy Directive), which you can revoke at any time with effect for the future. Your data will be saved until you unsubscribe from the newsletter.

3. Passing on your personal data

3.1. Categories of recipients

We generally only pass on your data to a limited extent to the following categories of recipients:

- Processors (Article 28 GDPR) who provide technical services and process personal data on our behalf and under our responsibility, in particular web hosters and e-mail providers.
- Employees who need access to the data for their work for us and who process them under our responsibility.
- Third party providers that you use to identify you when you sign in to your account.
- Third party providers who provide plugins on our website, provided you have activated them.
- Payment service providers that we use to process payments on our website.
- Post and telecommunications service providers whose services are used to communicate with you.
- Authorities and entrusted to whom we are committed due to a legal obligation or a binding decision to hand over.
- Lawyers, tax consultants and other consultants whose services we use.

3.2. Third countries

In connection with the use of contract processors, data can be transferred to third countries outside the European Economic Area. The same applies if you activate plug-ins on our homepage.

A transfer to third countries also takes place if you use a third-party provider in such a country to log into your account or if you select a payment service provider in such a country for payment on our website.

Countries to which a transfer takes place are in particular the United States of America.

In all cases mentioned, we will ensure that the processor or third-party provider is located in a country in which there is an adequate level of data protection or provide suitable guarantees to protect your personal data (especially in the case of transfers to the United States). You can request a copy of these guarantees from us at any time.

If, in individual cases, a transfer to third countries is necessary (e.g. because you live outside the European Economic Area or have your e-mail account with a provider outside the European Economic Area), this will only be done in accordance with Article 49 GDPR Cases.

3.3. Publication of user content

If you release or publish user content in the app, the respective data is also visible to all users. We expressly point out that published data can also be accessed abroad or outside the European Economic Area and that there may not be equivalent protection of your personal data there.

4. Your rights

4.1. Right to information

You have the right to information at any time as to whether we save personal data about you and, if this is the case, about the saved data and about (a) the purposes of processing; (b) the categories of personal data being processed; (c) the recipients or categories of recipients to whom the personal data has been or will be disclosed, in particular to recipients in third countries or to international organizations; (d) the planned duration for which the personal data will be stored or the criteria for determining this duration; (e) the existence of the right to rectification, erasure, restriction of processing by the person responsible or a right to object to this processing; (f) the right to lodge a complaint with a supervisory authority; (g) all available information on the origin of the data; and (h) any automated decision-making (including profiling)

and meaningful information about the logic involved and the scope and intended effects for you.

4.2. Right to rectification

You also have the right to correct incorrect personal data - taking into account the purposes of the processing, the completion of incomplete personal data also by means of a supplementary declaration.

4.3. Right to cancellation

You also have the right to have your personal data deleted if (a) it is no longer required for the purposes for which it was collected or processed; (b) you withdraw your consent and there is no other legal basis for the processing; (c) you are exercising your right to object to processing to protect legitimate interests (see below) and there are no overriding legitimate reasons for processing; or (d) processed unlawfully.

4.4. Right to restriction of processing (blocking)

You also have the right to restriction of processing (blocking) if (a) you dispute the accuracy of the personal data for a period that enables us to check the accuracy of the personal data; (b) the processing is unlawful and you request restriction of use instead of deletion; (c) the data are no longer required for the purposes of processing, but you need them to assert, exercise or defend legal claims; or (d) you exercise your right to object to processing to safeguard legitimate interests (see below) until it is certain whether the legitimate reasons outweigh yours.

4.5. Rights in relation to automated decisions

With regard to the use of automated decision-making for fraud prevention (section 2.2.2), you have the right to request a review or intervention by a person on our side, to express your own point of view and to contest the decision.

4.6. Revocation of your consent

In the event of voluntary information, when using it to send the newsletter or if we have asked you for your consent in another way, you have the right to revoke this at any time with effect for the future.

You can do this easily by using the corresponding function of the app or by using the "unsubscribe" link in the newsletter.

4.7. **Objection to processing to protect legitimate interests**

You also have the right to object to processing to protect legitimate interests for reasons that arise from your particular situation. However, we can also continue processing in this case if there are compelling reasons worthy of protection that

outweigh your interests, rights and freedoms, or if this serves to assert, exercise or defend legal claims.

4.8. Objection to direct mail

You can also object to the use of your data for direct mail at any time.

4.9. Right of appeal

If you have any questions or complaints about the processing of your personal data, you can contact us at any time. You also have the right to lodge a complaint with the competent supervisory authority.

5. Changes

We can adapt this data protection declaration from time to time. If you have registered for an account in the app, we will notify you of any significant changes by email. If data that has already been collected is to be processed for a new purpose, we will in any case observe the statutory provisions for this and ensure that the new purpose is compatible with the original purpose - or obtain your express consent.

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This document has been translated to our best knowledge from the German original:

<https://www.arcadebouldering.com.de/l/privacy>

in the event of misunderstandings, the German version applies.