

# GDPR PRIVACY POLICY - INFORMATION CONCERNING PERSONAL DATA PROCESSING

## I. Introduction

### Dear Clients

We run the MyBox.pl Internet Service, which is used to provide by Us electronically, for Our Clients, E-Service, consisting in providing an intelligent platform using BIG DATA for the automatic diagnosis and repair of Websites (hereinafter: "E-Service").

In this document, we would like to familiarize you with the most important information and rules regarding the processing of personal data in connection with the Regulation on the Protection of Personal Data (GDPR).

Regulation of the European Parliament and Council 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and the repeal of Directive 95/46 / EC (known as the GDPR) is in force from 25 May 2018 on the territory of the European Union.

In accordance with the applicable provisions on the protection of personal data, in particular the general Regulation, in order to ensure proper protection of personal data, the data subject must first of all provide information regarding the processing of personal data set out in Article 13 or 14 RODO - depending on whether they were obtained directly from the data subject or from other sources. The required information is provided below, including, in particular, the principles of protection and processing of Users' Personal Data by the Personal Data Administrator.

## II. Who is the Personal Data Administrator (the Controller)

The Administrator, that is the entity deciding how your personal data will be used, is: **mybox.pl spółka z o.o.** (LTD)) with registered office in Lublin, Dobrzańskiego 1, 20-262 Lublin, entered into the Register of Entrepreneurs of the National Court Register operated by the District Court Lublin-Wschod in Lublin with its registered office in Świdnik, 6th Commercial Department of the National Court Register under KRS Number: 0000652187 with share capital in the amount of PLN 5000, NIP (Tax

Identification Number): 7123324927, REGON: 366060850, hereinafter referred to as: "MyBox"

### **III. How to contact us for more information on the processing of your personal data?**

All correspondence regarding matters related to the processing of your personal data, please send in writing to the address of the administrator with the note "Personal data" or to the e-mail address kontakt@mybox.pl also with the inscription "Personal data". The administrator does not appoint an inspector of personal data protection, as there is no obligation to do so. In particular, the following should be reported to this address:

- all events affecting the security of information transfer;
- possible suspected personal data breach;
- suspicion of sharing files containing viruses and other files of similar nature.

### **IV. How do we collect your data?**

We collect the personal data of our Users through the E-Services websites, from themselves - they provide personal data when completing the registration form.

### **V. Requirement to provide personal data**

1. Providing any personal data is voluntary and depends on your decision.
2. However, providing personal data is necessary to use the E-Service - it is not possible to register on the MyBox.pl website in an anonymous manner or to use the E-Service without making a Registration. If, for some reason, you do not provide the required personal data, unfortunately you will not be able to register and use the E-Service.
3. Your personal data is stored in the system used by the Administrator to manage contacts with current and potential E-Services client.
4. **To use the E-Service you have to register.** Making a Registration requires providing the following data:
  - a. Name and surname and business name (if the uses the E-Service for the purpose directly related to business or professional activity);
  - b. E-mail address;
  - c. Password from 5 to 8 characters, only small or capital letters, number and special characters are allowed. The password must be repeated by entering it in the field "Repeat password".
  - d. in case of Freelancer – additionally the following data is necessary:
    - i. Information whether he is running business activity, if so information, whether he is a VAT payer, tax identification number;
    - ii. Bank account number or PayPal account details for making withdrawals.

5. As a result of providing data mentioned above, a person, who wants to be a Customer, receives message to e-mail address provided by him with a request for registration confirmation (verification letter). To confirm registration he must click on the link in e-mail content. At the moment of confirmation the registration is done.
6. As a result of completing the Registration, the Service Provider creates for the Customer the Account. The Customer has access to the Account after signing in.
7. Logging in to the Account requires entering the e-mail address and password entered during registration. Remember not to share your password with anyone with an e-mail address and to protect them from unauthorized access. We kindly inform you that we are not liable for unauthorized use of the Account, in particular, obtaining your personal data, using them to make a purchase, resulting from your failure to comply with the above security measures.

## **VI. Automated decision making and profiling**

We kindly inform you that we do not make automated decision-making, including on the basis of profiling.

## **VII. What is the purpose of MyBox processing your personal data?**

1. **For the purpose of using E-Services, in particular enabling you to use the Website functions**, including adding a Website to MyBox, backing up the Website content (BackUpów), monitoring the Website, generating Reports containing information about the problems found on the Website as a result of Monitoring , Autofix (Automatic Repair) - attempt to automatically repair Problems found on the Website as a result of Monitoring, as well as Market Place, in addition to: communication with you in matters related to E-Service, handling payments and possible complaints;
2. **For the purposes of enabling you to have an account in MyBox** - for this purpose, you only need to sign in, you do not need to provide personal data each time);
3. **For conducting marketing activities (sending commercial information)** - if you consent to it;

4. **In order to fulfill the obligations arising from the law** (tax and accounting purposes)
5. **Based on the legitimate interest of the Administrator**, which is:
  - a. investigation or securing of claims (including defense against claims claimed by users);
  - b. storage of data for archiving purposes;
  - c. ensuring accountability (showing compliance with our obligations under the law);
  - d. ensuring the security of the services we provide, including enforcing compliance with the E-Services internal rules and preventing fraud and abuse, and ensuring traffic safety;
  - e. handling your requests forwarded in particular to the customer service department and through the contact form in a situation where they are not directly related to the performance of the contract;
  - f. organization of loyalty programs, competitions and promotional campaigns in which you can take part;
  - g. debt collection; conducting court, arbitration and mediation proceedings

#### **VIII. What is the legal basis for the processing of my personal data?**

The legal basis for the processing of your data will be:

- a) Consent granted;
- b) The necessity to perform the contract or take action on your request before the conclusion of the contract;
- c) The necessity to fulfill the legal obligation imposed on the administrator;
- d) Necessity arising from legitimate interests pursued by the administrator, such as answering your letters and requests.

#### **IX. What personal information do we collect?**

1. For the purpose of using E-Services
  - a. Name;
  - b. Surname
  - c. Company name/Business name;
  - d. E-mail address
  - e. Address of residence;

- f. Business address of the company or your business address;
  - g. Correspondence address;
  - h. Telephone number;
  - i. Information on possible business operations
  - j. VAT-NIP number;
  - k. Bank account number
  - l. Pay-Pal account number
2. For the purposes of registering an Account - data as in point 1.
  3. For purposes of marketing activities by us (sending commercial information); - e-mail address
  4. in order to fulfill the obligations arising from the law - as in point 1;
  5. on the basis of the legally justified interest of the Administrator - as in item 1

In addition, we also collect operating data that characterizes both the way you use the E-Service, in particular: IP address (both static and dynamic), digital logs, information about your use of E-Service, browser type, domain name and the type of operating system.

If required by law, we may require you to provide other data necessary, for example, for accounting or tax reasons

## X. Cookies Policy

1. On the E-Services website we use the so-called cookies, i.e. short text information, saved on a computer, phone, tablet or other user device. They can be read by our system as well as by systems belonging to other entities whose services we use.
2. Cookies meet a lot of functions on the website, most often useful, which we will try to describe below (if the information is insufficient, please contact us):
  1. **for ensuring security** - cookies are used to authenticate users and prevent unauthorized use of the client's panel. They are therefore used to protect the user's personal data against unauthorized access;
  2. **about the impact on the processes and efficiency of using the website** - cookies are used to make the website work efficiently and to use the features available on it, which is possible, among other things, by remembering the settings between subsequent visits on the website. Thanks to them, you can efficiently navigate the website and individual subpages;
  3. **about the state of the session** - cookies often contain information about how visitors use the website, for example which pages are most often displayed. They also enable identification of errors displayed on some subpages. Cookies used

to save the so-called "Session state" therefore helps to improve services and increase the comfort of browsing;

4. **for maintaining session status** - if the client logs in to his panel, cookies allow the session to be sustained. This means that after changing to another subpage, you do not have to enter your login and password again, which contributes to the comfort of using the website;
  5. **about creating statistics** - cookies are used to analyze how users use the website (how many websites are open, how long they stay on that website, which content arouses the most interest, etc.). Thanks to this, you can constantly improve the website and adapt its operation to the preferences of users.
  6. **for the use of social functions** - on the website we have so-called Facebook pixel, which allows you to like our fanpage on this site while using the site. However, to make this possible, we need to use the cookies provided by Facebook.
3. Your internet browser allows for the use of cookies in your device by default, therefore, at the first visit, please agree to the use of cookies. However, if you do not wish to use cookies while browsing the website, you can change the settings in the web browser - completely block the automatic handling of cookies or request notification whenever cookies are placed on the device. Settings can be changed at any time.
  4. While respecting the autonomy of all persons using the website, we feel, however, that we must notify you that disabling or limiting the use of cookies may cause quite serious difficulties in using the website, eg in the form of having to log in to any subpage, longer charging period websites, restrictions on the use of functionality, limitations in liking a page on Facebook etc.

## **XI. The period of processing and storage of personal data**

1. In accordance with applicable law, we do not process your personal information perpetually but for the time that is needed to achieve the purpose of processing. After this period, your personal data will be irretrievably deleted or destroyed.
2. The period of storage of personal data:
  - a. **For the purposes of using the E-Service** - for the time necessary to use the E-Service and up to 3 months from the day of deregistration and if the complaint procedure was initiated within 3 months from the day the complaint procedure was completed;
  - b. **For the purpose of allowing you to have an account in MyBox** - until you close your Account, subject to letter a);
  - c. **For the purpose of marketing activities** (sending commercial information) - until you cancel your consent to the processing of personal data by us for marketing purposes, including the sending of commercial information;
  - d. **In order to fulfill the obligations under the law** (tax purposes, accounting) and on the basis of the legitimate interest of the Administrator, which is - the period of data storage is:

1. 3 years or 10 years + 1 year - in relation to personal data processed in order to establish, assert or defend claims (the length of the period depends on whether both parties are entrepreneurs or not);
  2. 5 years from the end of the tax year, following the tax year, in which 180 days have elapsed from the date of providing the data - in relation to personal data related to the fulfillment of obligations under tax law;
  3. Until the consent is withdrawn or the purpose of processing has been withdrawn, however not longer than 5 years - in relation to personal data processed on the basis of the legitimate interest of the Personal Data Administrator or for marketing purposes;
  4. Until obsolescence however, not longer than 3 years - in relation to personal data processed mainly for analytical purposes, the use of cookies and administration of the website.
3. We count the periods in years from the end of the year in which we started processing personal data to improve the process of removing or destroying personal data. Separate counting of the deadline for each contract would entail significant organizational and technical difficulties, as well as significant financial outlay, therefore establishing one date of removing or destroying personal data allows us to manage this process more efficiently. Of course, if you use the right to be forgotten, such situations are considered individually.
  4. An additional year associated with the processing of personal data collected for the purposes of the contract is needed in that you can hypothetically claim a moment before the expiration of the limitation period, the request may be delivered with a significant delay or you may incorrectly specify the limitation period claim.
  5. In the case of archiving personal data (ie when we do not need to perform other operations on your personal data than storing them, eg when we store data for defenses against claims), until permanent removal or destruction, we can also secure them by pseudonymisation. Pseudonymisation is based on such encryption of personal data, or personal data file, that without an additional key it is impossible to read them, and thus such information becomes completely useless to an unauthorized person.

## **XII. Your rights**

1. Your basic rights are as follows:
  - a. Access your personal data;

- b. Correction of personal data;
  - c. Removal of personal data;
  - d. Update your data;
  - e. Restrictions on the processing of personal data;
  - f. Oppose the processing of personal data;
  - g. Transfer of personal data.
  - h. Withdrawing consent to the processing of personal data
  - i. To file a complaint regarding the processing of personal data by us.
2. We indicate that these rights are not absolute, and therefore we may legally refuse you to comply in some cases. However, if we refuse to accept the request, then only after careful consideration and only if the refusal to consider the request is necessary.
3. The rights referred to in point 1 you carry out:
- a. by e-mail to [] or
  - b. in writing to the address of the Data Administrator,
  - c. You can access your personal data, correct or update them using the Account function. You can also delete them using the "delete Account" option.

In order to verify your application, the Administrator may ask for additional information or for sending documents necessary to confirm the identity of the applicant; in the absence of providing this information or sending documents, the Administrator reserves the right to leave the application without recognition. If the application is correct, the Administrator executes it within 7 days from the day of the submission of the correct application (this deadline is due to technical issues). In exceptional cases, this period may be longer, about which the Administrator will notify the User.

4. A request to **delete (remove) personal data** takes place when:
- a. Your data will no longer be necessary for the purposes for which it was collected by the Administrator;
  - b. You withdraw your consent to the processing of personal data;
  - c. You will object to the processing of your data;
  - d. Your data will be processed illegally;
  - e. The data should be deleted in order to fulfill the obligation arising from the law; or
  - f. The data was collected in connection with the provision of electronic services offered to the child;

Removal of personal data from our database means that it will not be processed in it and will not be shared with other entities. However, it does not mean the cessation of data processing by entities to whom the Data was previously made available (eg the fact that your personal data will be removed from our database does not mean that the entity that previously provided your personal data from us will not send you e- e-

mail. Any complaints in this regard and requests to delete personal data should be directed to the Sender.

5. The right to **request limitation of data processing shall be** due if:
  - a. You will notice that your data is incorrect - you can then request to limit the processing of your data for a period of time that allows us to check the correctness of this data or
  - b. Your data will be processed unlawfully, but you will not want to be removed;
  - c. Your data will no longer be needed but may be needed to defend or enforce claims; or
  - d. You will object to the processing of the data pending the determination of whether the legitimate grounds on our side are superior to the grounds of objection.
6. **The right to oppose further processing** shall apply if:
  - a. The processing of your personal data is based on a legitimate interest or for statistical purposes, and the opposition is justified by the specific situation in which you have found yourself. However, according to the law, we may refuse to take into account the objection if we show that:
    - i. There are legitimate grounds for processing which override your interests, rights and freedoms (such as tax law, accountancy law, obligation to prove accountability)
    - ii. There are grounds for establishing, pursuing or defending claims.
  - b. The processing of your personal data takes place for marketing purposes (sending commercial information to you) - in this situation, after receiving the objection, we will stop processing for this purpose. (see point XVI - commercial information)
7. **The right to lodge a complaint in relation to the processing** of your personal data by us - you do so by submitting it to the supervisory body, which is the Urząd Ochrony Danych Osobowych ul. Stawki 2, 00-193 Warsaw.
8. If the processing of personal data takes place on the basis of consent, you may withdraw your consent at any time - at its sole discretion.
9. If you would like to withdraw your consent to the processing of personal data, simply send an e-mail to the following address: kontakt@mybox.pl
10. If the processing of your personal data took place on the basis of consent, its withdrawal does not mean that the processing of personal data up to this point was illegal. In other words, until the withdrawal of consent, we have the right to process your personal data and its revocation does not affect the legality of the current processing.

## **XII. Who do we share your personal information with?**

1. Our subcontractors (processors), such as:

1. Accounting firm servicing the Administrator;
  2. Legal and IT companies, contractors of services at the request of the Administrator;
  3. Companies providing OHS training;
  4. Polish Agency for Enterprise Development - under a grant agreement;
  5. Lease server
  6. Our employees and people cooperating with us;
  7. Entities providing software and e-internet service platform.
2. Entities or bodies entitled under the law;

**XIV. Will your personal data be transferred outside the European Economic Area?**

No.

**XV. How am I identified in the Administrator system?**

The system assigns the user and the order to the appropriate ID (identifier), while in the case of registered users his data is stored in the database of registered users and each Registered User is also assigned a specific ID (identifier).

**XVI. Using the E-Service, can I express my consent for receiving commercial communication and marketing materials?**

1. Yes, you may express your consent for processing your personal data for marketing purposes, in particular for receiving from Us and other individuals or entities cooperating with him commercial communication or marketing materials, e.g. electronic bulletin (Newsletter), information about promotions, exhibitions, goods or services offered by the Website or individuals or entities cooperating with the Website, other internet websites conducted by the Service Provider or individuals or entities cooperating with him. Information/materials will be send to e-mail address of the User indicated by the Registration process or – in case of unregistered User – to e-mail address indicated by the User.
2. The abovementioned consent is independent and separate from general consent for using E-Service. You are not obliged to express this consent to use E-Service.
3. The abovementioned consent may be revoked in any time by sending to the Service Provider an e-mail or in settings of the Account or by clicking to the link attached to the e-mail received from the Website.
4. Revocation of the consent for receiving commercial communication does not equal to revocation of general consent for personal data processing.

## **XVII. Responsibility for securing and processing personal data**

1. The company providing the server is also responsible for the proper protection of Personal Data
2. The Administrator is responsible for the processing of Personal Data in accordance with the law.
3. The Administrator is not responsible for the effects of providing Personal Data to a public authority if the obligation to disclose results from the law or from the request of such authority; all claims in this respect should be addressed to that public authority.

## **XVIII. Final provisions**

1. In matters not covered by this Privacy Policy, the regulations on the protection of personal data apply.
2. Any amendments to this Privacy Policy will be notified to you by e-mail. The provisions of amendment of T&C shall apply accordingly
3. This Privacy Policy is effective from April 1, 2019.