
PRIVACY AND PERSONAL DATA PROTECTION POLICY
as of 20th May 2020
(hereinafter referred to as the “**Policy**”)

WHEREAS

- (A) The DuPonti s.r.o. Company, with its address at Kaprova 42/14, Staré Město, 110 00 Prague 1, the Czech Republic, ID 02809931, registered in the business registry at the Municipal Court in Prague, under the file number C 224082 (hereafter also as the “Provider”) and the User are aware of the importance of protecting personal data and privacy of users of the Service made available to Users on the Website;
- (B) In collection, storage and processing of Users’ personal data, the Provider proceeds in accordance with legal regulations of the European Community;
- (C) The Policy aims at meeting the obligation to inform people (personal data subjects) arising from the European Parliament and Commission (EU) Regulation 2016/676 from 27th April 2016 on the protection of physical persons with regard to processing personal data and on free movement of the data and on terminating Regulation 95/46/ES (General Data Protection Regulation, hereafter also as the “GDPR”) as amended.

THE FOLLOWING PRIVACY PROTECTION POLICY IS HEREBY PUBLISHED:

1. CONTROLLER, CONTROLLER’S CONTACT AND PERSON AUTHORISED WITH DATA PROTECTION

- 1.1. The provider has the position of the personal data controller (hereafter as the “Controller”) with regard to the User.
- 1.2. If necessary, the Controller may be contacted by means of HelpDesk on the Website (the support email address).
- 1.3. The person appointed with data protection may be contacted by means of the following email address: gdpr@duponti.com.

2. TERMS

- 2.1. Capitalised terms bear the same meaning as specified in the Contractual Arrangements, i.e. the Terms of Use of the Service, unless stated otherwise in the Policy.
- 2.2. The User is an identified physical person and therefore in the position of the personal data subject (hereafter as the “Subject”).

3. PROCESSING INFORMATION

- 3.1. The Controller is bound to inform the Subject on various information on processing, mainly the purpose of processing, the legal grounds for processing and the period of personal data storage. This obligation is fulfilled by means of the following URL (hereafter as the “GDPR URL”): <https://www.duponti.com/gdpr/>
- 3.2. The Controller uses external company services that receive or process personal data provided by the Controller within its activities. The specification of the external companies as well as the personal data provided or processed is available on the [GDPR URL](#).
- 3.3. All persons involved by the Controller in personal data processing meet the requirements by virtue of GDPR.
- 3.4. All Controller’s staff shall maintain confidentiality in terms of all personal data processed while working for the Controller.

4. PERSONAL DATA PROCESSING

- 4.1. The Controller is entitled to process a User’s personal data for purposes of direct marketing based on the Controller’s legitimate interest. A User may object against this processing (see Art.6.2.f))

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- 4.2. The Controller is entitled to anonymize a User' personal data for statistical and analytical purposes. Processing such anonymized data no longer represents personal data processing.
 - 4.3. The User acknowledges that the User is not obligated to provide any personal data or to consent to processing of such data. However, some personal data are necessary for the sole purpose of the use of the Service. Therefore, it is not possible to use the Software without such data. Processing of such necessary data is not based on a User's consent and therefore, the consent is unrevokable.
 - 4.4. A User's personal data shall not be made available to third parties in the form of a publically accessible list.

5. SUBMITTING PERSONAL DATA TO THIRD COUNTRIES AND INTERNATIONAL ORGANIZATIONS

- 5.1. Personal data are submitted to Digital Ocean, Inc., with its address at 101 Avenue of the Americas, 10th Floor, New York, NY 10013, the USA. The submission is based on the Commission Implementing Decision (EU) 2016/1250 from 12th July 2016 in line with the EU Regulation 95/46/ES on the appropriate protection level provided by the EU-USA privacy shield.
- 5.2. Personal data shall be submitted to Online Payments Group AG, with its address at Sihleggstrasse 23, 8832 Wollerau, Switzerland. The submission is based on the Commission Decision from 26th July 2000 by virtue of the EU Regulation 95/46/ES on appropriate personal data protection in Switzerland.
- 5.3. Personal data shall be submitted to Facebook, Inc., with its address at Willow Road, Menlo Park, CA 94025, the USA. The submission is basaed on the Commission Implementing Decision (EU) 2016/1250 from 12th July 2016 in line with the EU Regulation 95/46/ES on the appropriate protection level provided by the EU-USA privacy shield.
- 5.4. Personal data shall be submitted to Google LLC, with its address at 1600 Ampitheatre Parkway, Mountain View, CA 94043, the USA. The submission is basaed on the Commission Implementing Decision (EU) 2016/1250 from 12th July 2016 in line with the EU Regulation 95/46/ES on the appropriate protection level provided by the EU-USA privacy shield.
- 5.5. Personal data shall be submitted to Wildbit LLC, with its address at 225 Chestnut St, Philadelphia, PA 19106, the USA. The submission is basaed on the Commission Implementing Decision (EU) 2016/1250 from 12th July 2016 in line with the EU Regulation 95/46/ES on the appropriate protection level provided by the EU-USA privacy shield.

6. SUBJECTS' RIGHTS

- 6.1. A Subject is entitled to claim the following rights against the Controller in the extent and under conditions specified in Chapter III of the GDPR.
- 6.2. A Subject has the following rights:
 - a) The right to be forgotten (also referred to as the right to erasure) consisting in an obligation of the controller to erase, without undue delay, personal data relating to the data subject under the conditions set forth in the GDPR.
 - b) The right to data portability consisting in the right of the data subject to receive, free of charge, the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided.
 - c) The right of access to personal data grants data subjects the right to obtain a confirmation from the controller whether the controller has the subject's personal data. If the result is positive, data subjects are entitled to request access to such data and the related information.

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- d) The right to rectification is an implementation of the principle of accuracy. Where controllers find that the personal data processed by them are inaccurate, incomplete or outdated, they are obliged, without undue delay, to rectify or supplement the personal data or, if not possible, to block or dispose of them.
 - e) The right to restriction of processing consisting in the right of the data subject to restrict the controller's processing of personal data. It will apply mainly in cases where it will not be possible to require erasure of personal data or where the data subject does not want such an erasure.
 - f) The right to object consisting in an obligation of the controller to discontinue, after an objection has been raised, the processing the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims. The objection is important particularly for the area of direct marketing, where controllers are not allowed to continue to process personal data after an objection has been raised (currently, the same goal can be achieved by withdrawing consent to processing of personal data).
 - g) Automated individual decision-making, including profiling. The Subject has the right not to be subjected to decisions based solely on automated processing, including profiling with legal effects on the User or with other significant effect on the User. The right shall not be applied in all cases, e.g. when such a decision is necessary for concluding an agreement between the User and the Controller.

7. CONSENT AND THE RIGHT TO REVOKE

- 7.1. If processing is based on a User's consent, the User may revoke the consent at any time. The [GDPR URL](#) shows what data are processed by virtue of your consent.
- 7.2. Granting or revoking one's consent is an act of free will and the Controller may not force a User to grant a consent or penalize a User for not granting it. Revoking a consent, however, bears no effect on the legitimacy of processing before the revoke, i.e. the revoke is not retroactive.
- 7.3. The consent with processing of personal data may be revoked by means of HelpDesk (support email or widget). A User may also apply for deletion or deactivation of the Account.

8. COMPLAINTS

- 8.1. A User has the right to file a complaint with regard to processing of one's personal data to the person appointed with the personal data protection, as specified in 1.3.
- 8.2. A User has the right to file a complaint with regard to processing of one's personal data to the supervising authority, i.e. - for the Controller – the Office for Personal Data Protection, Pplk. Sochora 27, 170 00, Prague 7, the Czech Republic.

9. PROVIDING PERSONAL DATA

- 9.1. Providing personal data is a legal obligation for the User in some cases. The obligation to provide some personal data also arises by virtue of the Contract concluded between the User and Controller. If providing personal data is obligatory and the User fails to provide the data, consequences may be applied according to the relevant legal regulation or Contract.

10. SENDING OF EMAILS, SMS, MMS AND COMMERCIAL COMMUNICATIONS

- 10.1. The Controller is entitled to send emails to the User's Email Address and mail and marketing materials to the User's address, related to any activities, events or facts related to the Controller's activity with regard to the Subject.
- 10.2. The Controller is entitled to use the contact details specified in 10.1 for sending marketing materials not directly connected to the contractual relationship with the Controller but relevant to the Controller's other product or service. The authorisation only arises if

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- the User has not declined such an act;
 - the User has granted consent to sending marketing materials.

The User can decline sending of the marketing materials later, however.

11. COOKIES

11.1. Details of the use of cookies are specified on the Website if the website uses cookies.