

## **CONDITIONS FOR PROCESSING OF PERSONAL DATA**

Dear partner/representative of the partner,

Thank you for your interest in the affiliate platform Leadmatica. In connection with our cooperation carried out in accordance with the Cooperation Agreement, it will be necessary to process the personal data of contact persons through whom you communicate with our company using the Leadmatica platform.

The information contained in these Terms and Conditions of Personal Data Processing is therefore intended for such persons who communicate with us on behalf of the partner.

We treat the issue of the protection of personal data with due care and always ensure that your personal data is protected. We apply appropriate technical and organizational measures to ensure the protection of the personal data processed so that unauthorized or accidental access to personal data, their alteration, destruction or loss, unauthorized transfer, other unauthorized processing or other misuse cannot occur. We set this protection of personal data taking into account the nature, extent, context, and purposes of the processing and the various likely and serious risks to the rights and freedoms of natural persons. To this end, we use electronic means of data protection as well as physical protection of personal data.

With regard to the processing of personal data, we operate in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council 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 repealing Directive 95/46/EC (general data protection regulation) by Act No. 18/2018 Coll. on the protection of personal data and on amendments to certain acts in their up-to-date version and other generally binding legal regulations.

In accordance with Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council 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 repealing Directive 95/46/EC (General data protection Regulation), we provide information to help you better understand our privacy policy.

### **I. Who are we?**

Your personal data are processed by **Hyperia s.r.o.**, registered office Na bráne 8665/4, 010 01 Žilina, Slovak Republic, Company ID: 47 136 961, registered in the commercial register of District of Žilina, section: Sro, insert No.: 59029/L. From the point of view of the general data protection regulation, we have the status of Controller.

### **II. What kind of data do we process?**

We primarily process data about you that are necessary for the provision of our services, namely: first name, last name, e-mail address, or other data entered into your user account, technical information about your computer, mobile phone, and other devices used, and their settings (so-called online identifiers), e.g. IP address and cookies. We rely on their accuracy and up-to-dateness during processing. The data we process about you come directly from you.

### **III. Why do we process your personal data, what is the legal basis for our processing of personal data and for how long do we process the data?**

In order to be able to process your personal data lawfully, we need to have the legitimate purpose of processing set out in advance; there must always be a legal basis for the processing in question. Within our activities, your personal data is processed for the following purposes:

#### **a) for the purpose of concluding and performing the Cooperation agreement**

We process your personal data primarily for the purpose of concluding and fulfilling the Cooperation agreement that you conclude with us by agreeing with the general terms and conditions for the commission program - Leadmatica platform.

It is a legitimate interest of the controller to process the contact details of the employees and the statutory body of the Partner for the purpose of fulfilling the cooperation agreement. In relation to the purpose of concluding and fulfilling the Cooperation Agreement, personal data are processed mainly in our mutual communication in the context of the Cooperation agreement.

If we process the personal data of the contact person of the Partner for the purpose of concluding and performing the Cooperation agreement, then the legal basis for such processing is the legitimate interest of the Controller within the meaning of Article 6(1)(f) of the General data protection regulation. We process personal data for this purpose, and they are processed for the duration of the contractual relationship with the Partner.

#### **b) for marketing communication**

Your personal data are also processed for marketing purposes.

If we process your personal data for the purpose of marketing communication, the legal basis for such processing is our legitimate interest as the Controller within the meaning of Article 6(1)(f) of the General data protection regulation.

As the controller, we want to be able to address our partners for the purpose of marketing activities by sending information about new offers of services and advantageous offers in order to promote our products, support and develop sales of our services, for testing and developing new products and services, as well as to care for the needs and interests of the controller's partners, i.e., with a view to comprehensively support the controller's business activity. We process personal data for this purpose for the duration of the contractual relationship, and for 3 years after the contractual relationship with us has ended.

#### **c) for the purpose of carrying out accounting and tax obligations**

Like any legal entity, we are required to comply with generally binding legal regulations applicable to our business. The legal order of the Slovak Republic, as well as legally binding acts of the European Union, impose on us various obligations for the purpose of which it is necessary to process your personal data. For example, under tax and accounting legislation, we are obliged to keep accounting records (invoices, contracts, etc.).

If we process personal data for the purpose of keeping accounts and fulfilling other obligations in the tax and accounting area, the legal basis for such processing is the fulfillment of legal obligations within the meaning of Article 6(1)(c) of the General data protection regulation (in particular obligations under the accounting act, the income tax act, etc.). We process personal data for a period of 10 years following the accounting year to which they relate.

#### **d) for the purpose of processing your requests of the data subjects**

If you contact us with a request concerning the exercise of your data subject's rights, we must process your personal data (e.g. e-mail address, the content of the request) in order to properly process such a request.

If we process personal data for the purpose of processing your requests of the data subject, the legal basis for such processing shall be our legitimate interest within the meaning of Article 6(1)(f) of the General data protection regulation. Personal data processed for this purpose are processed for a period of 5 years following the date in which the request of the data subject was processed and delivered to the data subject.

#### **e) for the purpose of demonstrating, exercising, or defending our legal claims and legitimate interests**

It is a legal agenda. For this purpose, the processing of personal data presupposes our legitimate need to prove, enforce or defend our legal claims by legal means or out-of-court settlement.

If we process personal data for the purpose of proving, enforcing, or defending our legal claims and legitimate interests, the legal basis for such processing shall be our legitimate interest within the meaning of Article 6(1)(f) of the General data protection regulation. Personal data processed for this purpose are processed during the limitation periods laid down by the legislation for a specific claim.

#### **IV. Who do we provide or make available your personal data?**

From the point of view of the general data protection regulation, we have the status of the controller, which means that we are the ones who determine the purposes of the processing of your personal data. In connection with our activities, your personal data can be provided or made available to other entities - the recipients.

As the controller, we ensure that those to whom your personal data are provided adhere to a high standard of data protection.

Personal data may be provided to the following recipients: computer programming providers, cloud solution providers, external consultants in the area of accounting services, and external legal advisers.

If such an obligation results from generally binding legislation or if it is necessary to assert our claims or to protect our rights, your personal data will also be provided to public authorities (such as the Office for the Protection of Personal Data of the Slovak Republic, law enforcement authorities, tax authorities, courts).

#### **V. To which countries do we transfer your personal data?**

When processing personal data, we carry out the transfer of personal data within the framework of cloud solution service to European Union countries.

#### **VI. What are your rights?**

Control over your own personal data is important. Our company respects your rights, which are recognized by the General data protection regulation. In this section, we would therefore like to inform you of your rights.

##### **You have the right to:**

- a) ask us to access your data.** At your request, we will inform you about the purpose of the processing, the category of personal data concerned, the recipients or the category of recipients to whom your personal data have been or will be provided, how long we keep your personal data, about your right to file a complaint to the supervisory authority, about whether we are making automated decisions, including profiling. The purpose of this information is to ensure that your right to access data is exercised. Moreover, this right of access for you also means the possibility to obtain personal data that we are processing about you. We will provide you with a copy of your personal data that we process about you. However, if you repeatedly request to provide your personal data, we may ask you to pay a due fee to cover the costs associated with ensuring the exercise of your right.
- b) ask us to correct the data we already have.** If you find out that we are processing incorrect or incomplete information about you, you can ask us to correct such data.

- c) **ask us to delete your personal data.** To the extent that your data will no longer be needed for the purposes for which we processed it, as we informed you above, or if we no longer have the legal authority to process it, it will be deleted.
- d) **ask us to limit your data processing.** In certain cases, you may ask us to temporarily suspend the data processing or to keep it for longer than necessary if you need it.
- e) **withdraw your consent to the processing of personal data.** If we process your personal data on the legal basis of the consent of the data subject, you have the right to withdraw the consent at any time, even before the expiry of the period to which the consent was granted.
- f) **request transfer of your personal data.** When our authorization to process your data is based on your consent or legal basis upon fulfillment of the contract, you can ask us for the portability of your personal data. This means that you will have the right to obtain the personal data that you provided us, in a structured, commonly used, and machine-readable format, so that you can directly transfer them to another entity, whenever technically possible.
- g) **to require the ineffectiveness of automated individual decision-making, including profiling.** Under the General Data Protection Regulation, you have the right to request that automated individual decisions, including profiling, are ineffective against you. However, our company does not carry out these operations.
- h) **submit a complaint to the Supervisory Authority regarding the protection of your personal data,** in the Slovak Republic represented by Úrad na ochranu osobných údajov SR (the Office for the Protection of Personal Data of the Slovak Republic.)

#### **RIGHT TO OBJECT**

If we process your personal data on a legal basis – a legitimate interest, the General data protection regulation gives you a special right – to object to such processing.

However, if our legitimate interest in processing personal data exceeds your personal interest, we can continue to process your data, despite your objection to processing. We are also entitled to continue processing your data, if necessary for proving, enforcing, or defending our legal claims.

You have the right to object to the processing of your personal data for marketing communication. If you object to marketing communication, we will stop processing your personal data for this purpose.

### **VII. Do we make automated decisions pursuant to Article 22 of the General data protection regulation?**

Article 22 of the General data protection regulation lays down specific rules for automated processing of data which gives rise to significant legal effects for the data subject. While our services are automated, there is no automated individual decision-making on our part under Article 22 of the General data protection regulation.

### **VIII. How can you get in touch with us?**

If you have any questions about the processing of your personal data, you can contact us in writing at: Hyperia s.r.o., Na bráne 8665/4, 010 01 Žilina, Slovak Republic or by e-mail: support@leadmatica.com.

The supervisory authority in the area of personal data protection is in the Slovak Republic: Úrad na ochranu osobných údajov Slovenskej republiky (The Office for the Protection of Personal Data of the Slovak Republic.) Information about the Supervisory body of the Slovak Republic and the procedure for submitting complaints can be found on its official website: [www.data.protection.gov.sk](http://www.data.protection.gov.sk).