

## **PRIVACY POLICY**

*We attach great importance to the protection of your personal data and privacy rights on the Internet. Please read our privacy policy. We aim to clarify how we handle your personal data, what information we store and how we use it.*

### **1. INFORMATION ON PROCESSING AND PROTECTION OF PERSONAL DATA**

- 1.1 Protecting your personal data is very important to us, so we always proceed in compliance with applicable laws and international standards.
- 1.2 In connection with the adoption of Regulation (EU) 2016/679 of the European Parliament and of the Council 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), which, with effect as of 25 May 2018, applies to the processing of your personal data by our company, TISCALI MEDIA, a.s., Company ID No.: 28516117, with its registered office at Václavské nám. 813/57, Prague 1 110 00 (hereinafter "**TISCALI MEDIA**" or "**we**", "**us**"), the operator of the SendElephant.com service, we provide below a summary of basic information about the processing and protection of your personal data by SendElephant.com.

### **2. WHAT PERSONAL DATA WE PROCESS AND HOW WE OBTAIN THEM**

- 2.1 The personal data we process about you and their scope differ, in particular, according to the purpose and the services provided:
  - 2.1.1 For the purpose of performing data sending and collection services
    - (a) Contact details (e-mail address)
    - (b) IP address
    - (c) Recipients' e-mail addresses
    - (d) Files sent
    - (e) Number of downloads of individual files including the IP addresses from where they were downloaded
  - 2.1.2 For the purpose of performing the data sending and collection service of SendElephant Plus
    - (a) Identification data (first name, surname, address)
    - (b) Contact details (e-mail address, phone number)
    - (c) Company name, Company ID No., Tax ID No., registered office
  - 2.1.3 For the purpose of web server security
    - (a) Information about visiting our website (IP address)
  - 2.1.4 In order to improve our services and offer
    - (b) Information about visiting our website (cookies, IP address)
  - 2.1.5 For marketing purposes including sending business messages and personalising ads

- (a) Information about visiting our website (cookies, IP address)
- (b) Contact details (e-mail address)

2.2 We collect personal data directly from senders (when using the service), from registered users upon registration, and based on your visits to our website (see the cookies section below).

### **3. HOW WE USE YOUR PERSONAL DATA**

3.1 We use your personal data, in particular, for the following purposes:

- (a) Performing the selected service;
- (b) Communicating with you and managing our contractual relationship;
- (c) Addressing your complaints;
- (d) Compliance with our statutory obligations; and
- (e) Keeping you informed about changes and news in the products and services provided and our personalised offers.

3.2 If it is necessary for the conclusion and performance of the contract or for the protection of our legitimate interests related to the conclusion or performance of the contract, we use technology mainly to create your customer profiles for the above purposes based on your consent or if permitted by the law that also protects your rights.

3.3 We only retain your personal data for as long as any of the aforementioned purposes of processing last(s) and, after that, only for the period and under the terms in compliance with applicable laws and regulations.

3.4 In case you grant consent for marketing purposes (including possible profiling for the purpose of offering suitable goods and services and processing of cookies), we retain your personal data for 1 year after the consent was granted or from the last use of our services. In all other cases, the processing period follows from the purpose of processing or is laid down by law.

### **4. LEGAL BASIS FOR PERSONAL DATA PROCESSING**

4.1 The legal basis that allows us to process your personal data depends on the purpose for which we process the personal data. Therefore, we may process your personal data without your consent in a specific case because:

- (a) It is necessary for the purpose of concluding or performing the contract with you;
- (b) It is necessary to fulfil our statutory obligations (e.g. in the area of accounting and taxation);
- (c) It is necessary to protect our legitimate interests (e.g. in connection with the exercise of claims under concluded contracts or in connection with the analysis and improvement of our services);

4.2 We may process your personal data for direct marketing purposes, i.e. offering our products, reporting on news or other relevant business communications by sending them to your e-mail address. You may revoke your consent to such use of your personal data at any time by sending a notice of revocation to our e-mail address or clicking the link in the footer of any e-mail sent by us.

### **5. TO WHOM WE PROVIDE YOUR PERSONAL DATA**

- 5.1 We may provide your personal data to:
- (a) Service providers who provide us with services related to our activities, especially payment intermediaries, hosting companies and companies administering technology and providing technical support;
  - (b) Other persons in accordance with applicable law (e.g. notifications to tax authorities in cases specified by law, the police in criminal investigation etc.).
- 5.2 Your personal data may be transferred and stored within the countries of the European Economic Area (the “EEA”), which are considered as having a comparable level of personal data protection to that of the Czech Republic.

## **6. WHAT ARE COOKIES AND HOW WE USE THEM**

- 6.1 Cookies are small data files that are necessary for the website to function properly, which we thus place in your computer, just like most websites. They are text files that websites store in your computer or mobile device when you start using the website.
- 6.2 The website will thus remember, for some time, the actions and settings you made on the website - for example, login information. Therefore, you do not need to re-enter this information when you re-visit the website or switch between website sections.
- 6.3 We also use cookies to collect statistical data and personalise ads so that we can further refine our website and improve the services we offer. Therefore, we share the information about how you use our website with our advertising and analysis partners, namely Google and Tiscali Media. You can find how Google handles cookies at <https://www.google.com/policies/technologies/cookies/>.
- 6.4 In the case of your disagreement with the use of cookies and data obtained through our website using cookies for the purposes stated above, you can:
- (a) Block the use of cookies in the settings of your Internet browser or other computer program (i.e. set your Internet browser or other computer program to block or disable cookies).

## **7. YOUR RIGHTS**

- 7.1 You have particularly the following rights in connection with the processing of your personal data:
- (a) The right to clear, transparent and understandable information about how we use your personal data and what your rights are;
  - (b) The right of access to personal data and other information related to their processing by the Company;
  - (c) The right to rectify incorrect and incomplete personal data;
  - (d) The right to erase your personal data, especially if (i) they are no longer required for further processing; (ii) you have withdrawn your consent to processing; (iii) you have legitimately objected to their processing; (iv) the data have been processed unlawfully; or (v) the data must be erased by law;
  - (e) The right to restrict the processing of your personal data if (i) you challenge the accuracy of your personal data until we have verified their accuracy; (ii) processing is unlawful; (iii) we do not need the data any longer but you need them for the purposes of exercising your legal entitlements, or (iv) you object to their processing until we have verified that our legitimate reasons outweigh your interests;
  - (f) The right to object to the processing of your personal data if we process them (i) for direct

- marketing purposes, or (ii) for the purposes of our legitimate interests;
- (g) The right to obtain your personal data and transfer them to another service provider;
  - (h) The right to file a complaint with the Office for Personal Data Protection, Pplk. Sochora 27, 170 00 Prague 7; [www.uoou.cz](http://www.uoou.cz)

7.2 If you wish to exercise any of the above rights, please contact us using the contact details given below.

## **8. HOW WE PROTECT YOUR PERSONAL DATA**

8.1 To ensure the security and confidentiality of your personal data, which is extremely important to us, we use technical and organisational measures to protect against unauthorised access to and misuse of data, to ensure the security of our IT systems and to recover data in the event of an incident. We use encryption to protect your data where appropriate. All measures are regularly reviewed and updated.

8.2 We process personal data manually as well as in electronic information systems that are subject to physical, technical and procedural control. For data protection, we have a security mechanism in place, including technical, organisational and personnel measures, and we require the same level of protection from our processors.

## **9. IN CASE YOU NEED FURTHER INFORMATION OR WANT TO EXERCISE YOUR RIGHTS**

9.1 The full version of our Privacy Policy is available at [www.sendelephant.com](http://www.sendelephant.com).

9.2 If you have any questions regarding the processing of your personal data, you need any other related assistance, or you want to exercise your rights, please contact the responsible person in the field of personal data protection electronically by e-mail at [support@sendelephant.com](mailto:support@sendelephant.com) or in writing at the above-mentioned address of the Company.