

## PRIVACY POLICY

This Privacy Policy (hereinafter: "**Policy**") contains information on the processing of your personal data in connection with the use of the "Customino" application, operating at the internet address [www.customino.com](http://www.customino.com) (hereinafter: "**Application**").

All capitalized terms that are not otherwise defined in the Policy shall have the meaning given to them in the Terms and Conditions, available at: <https://customino.com/docs/en/terms.pdf>

### Personal data Controller

The Controller of your personal data is Jarosław Niewrzał, conducting business activity under the name "Jarosław Niewrzał GENSO" (address of the permanent place of business: Janiny Omańkowska 93A lok. 6, 60465 Poznań), entered into the Central Register of Information on Business kept by the minister in charge of economy, with NIP: 6991180034, REGON number: 301434576 (hereinafter: "**Controller**").

### Contact with the Controller

In all matters related to the processing of personal data, you can contact the Controller using e-mail: [contact@customino.com](mailto:contact@customino.com).

### Measures to protect personal data

The Controller uses modern organizational and technical safeguards to ensure the best possible protection of your personal data and guarantees that it processes them in accordance with the provisions 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) (hereinafter: "**GDPR**"), the Act of 10 May 2018 on the protection of personal data and other provisions on the protection of personal data.

### Information about the processed personal data

Using the Application requires the processing of your personal data. Below you will find detailed information about the purposes and legal bases of processing, as well as the period of processing and the obligation or voluntariness to provide them.

Purpose of processing	Personal data processed	Legal basis
Conclusion and performance of the Account Service Agreement	1) name and surname 2) e-mail address	Article 6(1)(b) of the GDPR  (processing is necessary for the performance of the Account Service Agreement concluded with the data subject or to take steps to conclude it)
Providing the above-mentioned personal data is a condition for the conclusion and performance of the contract for the provision of the Account Service (their provision is voluntary, but the consequence of not providing them will be the inability to conclude and perform the above-mentioned contract, including the creation of an Account).		

The Controller will process the above-mentioned personal data until the claims arising from the Account Service Agreement expire.

<b>Purpose of processing</b>	<b>Personal data processed</b>	<b>Legal basis</b>
Conclusion and performance of the Application Use Service Agreement	1) name and surname 2) e-mail address	Article 6(1)(b) of the GDPR  (processing is necessary for the performance of the Application Use Service Agreement concluded with the data subject or to take steps to conclude it)
<p>Providing the above-mentioned personal data is a condition for the conclusion and performance of the Application Use Service Agreement (their provision is voluntary, but the consequence of not providing them will be the inability to conclude and perform the Application Use Service Agreement).</p> <p>The Controller will process the above-mentioned personal data until the claims arising from the Application Use Service Agreement expire.</p>		

<b>Purpose of processing</b>	<b>Personal data processed</b>	<b>Legal basis</b>
Conclusion and performance of the Personalization Service Agreement	optional - name, surname, image and other data placed in Personalization	Article 6(1)(b) of the GDPR  (processing is necessary for the performance of the Personalization Service Agreement concluded with the data subject or to take steps to conclude it)
<p>Providing the above-mentioned personal data is a condition for the conclusion and performance of the Personalization Service Agreement (their provision is voluntary, but the consequence of not providing them will be the inability to conclude and perform the Personalization Service Agreement).</p> <p>The Controller will process the above-mentioned personal data until the claims arising from the Personalization Service Agreement expire.</p>		

<b>Purpose of processing</b>	<b>Personal data processed</b>	<b>Legal basis</b>
Conducting a complaint	1) name and surname 2) e-mail address	Article 6(1)(c) of the GDPR

procedure		<p>(processing is necessary to fulfill a legal obligation incumbent on the Controller, in this case the obligations of:</p> <ul style="list-style-type: none"> <li>- responding to a complaint - Article 7a of the Act on consumer rights;</li> <li>- exercise the Client's rights resulting from the provisions on the Controller's liability in the event of Non-compliance.</li> </ul>
<p>Providing the above-mentioned personal data is a condition for receiving a response to the complaint or exercising the User's rights under the provisions on the Controller's liability in the event of Non-compliance (their provision is voluntary, but the consequence of not providing them will be the inability to receive a response to the complaint and the implementation of the above-mentioned rights).</p> <p>The Controller will process the above-mentioned personal data for the duration of the complaint procedure, and in the case of the implementation of the above-mentioned rights of the User - until they expire.</p>		

<b>Purpose of processing</b>	<b>Personal data processed</b>	<b>Legal basis</b>
Handling inquiries submitted by Users	<ol style="list-style-type: none"> <li>1) name</li> <li>2) e-mail address</li> <li>3) other data contained in the message to the Controller</li> </ol>	<p>Article 6(1)(f) of the GDPR</p> <p>(processing is necessary to implement the legitimate interest of the Controller, in this case to respond to the received inquiry)</p>
<p>Providing the above-mentioned personal data is voluntary, but necessary to receive an answer to the inquiry (the consequence of not providing them will be the inability to receive an answer).</p> <p>The Controller will process the above-mentioned personal data until the objection is effectively raised or the purpose of processing is achieved (whichever occurs first).</p>		

<b>Purpose of processing</b>	<b>Personal data processed</b>	<b>Legal basis</b>
Conducting verification proceedings and dealing with Appeals against decisions on the handling of unacceptable content	<ol style="list-style-type: none"> <li>1) name and surname,</li> <li>2) contact details, including email address</li> </ol>	<p>Article 6(1)(c) of the GDPR</p> <p>(processing is necessary for compliance with a legal obligation to which the Controller is subject, in this case the obligations of:</p> <ol style="list-style-type: none"> <li>1. provide a mechanism for reporting unacceptable content (Article 16 of Regulation 2022/2065 on the Single Market</li> </ol>

		<p>for Digital Services and amending Directive 2000/31/EC (Digital Services Act) (hereinafter: "DSA"),</p> <ul style="list-style-type: none"> <li>- consideration of complaints (Article 20 of the DSA).</li> </ul>
<p>Providing the above-mentioned personal data is a condition for receiving a response to the Appeals or exercising the User's rights under the DSA regulations (their provision is voluntary, but the consequence of not providing them will be the inability to receive a response to the notification and the exercise of the above-mentioned rights).</p> <p>The Administrator will process the above-mentioned personal data for the duration of the complaint procedure, and in the case of exercising the above-mentioned rights of the User - until they expire.</p>		

Purpose of processing	Personal data processed	Legal basis
Fulfillment of obligations related to the protection of personal data	<ol style="list-style-type: none"> <li>1) name and surname</li> <li>2) contact details provided by you (e-mail address; correspondence address; telephone number)</li> </ol>	<p>Article 6(1)(c) of the GDPR</p> <p>(processing is necessary to fulfill the legal obligation incumbent on the Controller, in this case the obligations arising from the provisions on the protection of personal data)</p>
<p>Providing the above-mentioned personal data is voluntary, but necessary for the Controller to properly perform the obligations arising from the provisions on the protection of personal data, m.in. exercise the rights granted to you by the GDPR (the consequence of not providing the above-mentioned data will be the inability to properly implement the above-mentioned rights).</p> <p>The Controller will process the above-mentioned personal data until the expiry of the limitation periods for claims for violation of the provisions on the protection of personal data.</p>		

Purpose of processing	Personal data processed	Legal basis
Establishing, investigating, or defending against claims	<ol style="list-style-type: none"> <li>1) Name and surname/company</li> <li>2) e-mail address</li> <li>3) address of residence/registered office</li> <li>4) PESEL number</li> <li>5) Tax identification number</li> </ol>	<p>Article 6(1)(f) of the GDPR</p> <p>(processing is necessary to implement the legitimate interest of the Controller, in this case to establish, investigate or defend against claims that may arise in connection with the performance of Agreements concluded with the Controller)</p>
<p>Providing the above-mentioned personal data is voluntary, but necessary to establish, investigate or defend against claims that may arise in connection with the performance of the Agreements concluded with the Controller (the consequence of not providing the above-mentioned data will be</p>		

the inability of the Controller to take the above-mentioned actions)

The Controller will process the above-mentioned personal data until the expiry of the limitation periods for claims that may arise in connection with the performance of the Agreements concluded with the Controller.

Purpose of processing	Personal data processed	Legal basis
Analysis of your activity in the Application	<ol style="list-style-type: none"> <li>1) Date and time of visit</li> <li>2) IP number of the device</li> <li>3) device operating system type</li> <li>4) Applicationroximate location</li> <li>5) type of web browser</li> <li>6) time spent in the Application</li> <li>7) visited subpages and other activities undertaken as part of the Application</li> </ol>	<p>Article 6(1)(f) of the GDPR</p> <p>(processing is necessary to implement the legitimate interest of the Controller, in this case obtaining information about your activity in the Application)</p>
<p>Providing the above-mentioned personal data is voluntary, but necessary for the Controller to obtain information about your activity in the Application (the consequence of not providing them will be the Controller's inability to obtain the above-mentioned information).</p> <p>The Controller will process the above-mentioned personal data until the effective objection is raised or the purpose of processing is achieved.</p>		

Purpose of proceeding	Personal data processed	Legal basis
Application administration	<ol style="list-style-type: none"> <li>1) IP address</li> <li>2) server date and time</li> <li>3) web browser information</li> <li>4) operating system information</li> </ol> <p>The above data is saved automatically in the so-called server logs, each time you use the Application (administering it without using server logs and automatic saving would not be possible).</p>	<p>Article 6(1)(f) of the GDPR</p> <p>(processing is necessary to implement the legitimate interest of the Controller, in this case to ensure the proper operation of the Application)</p>
<p>Providing the above-mentioned personal data is voluntary, but necessary to ensure the proper operation of the Application (the consequence of not providing them will be the inability to ensure the operation of the Application in a proper manner).</p> <p>The Controller will process the above-mentioned personal data until the effective objection is raised or the purpose of processing is achieved.</p>		

## **Profiling**

Your personal data will not be used for automated decision-making, including profiling.

## **Recipients of personal data**

The recipients of personal data will be the following external entities cooperating with the Controller:

- 1) hosting company;
- 2) provider of online payment system.

In addition, personal data may also be transferred to public or private entities, if such an obligation results from generally applicable law, a final court judgment or a final administrative decision.

## **Transfer of personal data to a third country**

In connection with the Controller's use of services provided by Paddle.com Market Ltd., your personal data may be transferred to the following third countries: United Kingdom and the USA. The basis for the transfer of data to the above-mentioned third countries are:

- 1) in the case of the United Kingdom - decisions of the European Commission stating an adequate level of protection of personal data in United Kingdom;
- 2) in the case of the USA - Commission Implementing Decision EU 2023/1795 of 10 July 2023 pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate level of protection of personal data under the EU-US Data Privacy Framework.

You can obtain from the Controller a copy of the data transferred to a third country.

## **Your rights**

In connection with the processing of personal data, you have the following rights:

- 1) the right to information about what personal data concerning you is processed by the Controller and to receive a copy of this data (the so-called right of access). Issuing the first copy of the data is free, for the next one the Controller may charge a fee;
- 2) if the processed data becomes outdated or incomplete (or otherwise incorrect), you have the right to request its rectification;
- 3) in certain situations, you can ask the Controller to delete your personal data, e.g. when:
  - a) the data will no longer be needed by the Controller for the purposes of which he informed;
  - b) you have effectively withdrawn your consent to the processing of data - unless the Controller has the right to process data on another legal basis;
  - c) the processing is unlawful;
  - d) the need to delete data results from the Controller's legal obligation.
- 4) if personal data are processed by the Controller on the basis of consent to processing or for the purpose of performing the Agreement concluded with him, you have the right to transfer your data to another Controller;
- 5) if personal data is processed by the Controller on the basis of your consent to processing, you have the right to withdraw this consent at any time (withdrawal of consent does not affect the lawfulness of processing that was made on the basis of consent before its withdrawal);

- 6) if you consider that the processed personal data is incorrect, their processing is unlawful, or the Controller no longer needs certain data, you can request that for a specific, necessary time (e.g. checking the correctness of data or pursuing claims) the Controller does not perform any operations on the data, but only Applications them;
- 7) you have the right to object to the processing of personal data whose basis for processing is the legitimate interest of the Controller. In the event of an effective objection, the Controller will cease to process personal data for the above-mentioned purpose;
- 8) you have the right to lodge a complaint with the President of the Office for Personal Data Protection if you believe that the processing of personal data violates the provisions of the GDPR.

## **Cookies**

- 1) The Controller informs that the Application uses "cookies" installed on your end device. These are small text files that can be read by the Controller's system, as well as by systems belonging to other entities whose services are used by the Controller.
- 2) The Controller uses cookies for the following purposes:
  - a) ensuring the proper operation of the Application - thanks to cookies, it is possible to operate efficiently the Application, use its functions and conveniently move between individual subpages;
  - b) increasing the comfort of browsing the Application - thanks to cookies, it is possible to detect errors on some subpages and their constant improvement;
  - c) creating statistics - cookies are used to analyze how users use the Application. Thanks to this, it is possible to constantly improve the Application and adapt its operation to the preferences of users.
- 3) Controller can place both permanent and temporary (session) files on your device. Session files are usually deleted when you close the browser, but closing the browser does not delete persistent files.
- 4) Information about cookies used by the Controller is displayed in the panel located at the bottom of the Application's website. Depending on your decision, you can enable or disable cookies of individual categories (except for necessary cookies) and change these settings at any time.
- 5) Data collected using cookies do not allow the Controller to identify you.
- 6) Through most used browsers, you can check whether cookies have been installed on your end device, as well as delete installed cookies and block them from being installed by the Application in the future. Disabling or limiting the use of cookies may, however, cause quite serious difficulties in using the Application, e.g. in the form of the need to log in to each subpage, a longer loading period of the Application's restrictions on the use of certain functionalities.

## **Final provisions**

To the extent not regulated by the Policy, generally applicable provisions on the protection of personal data shall apply.

This policy is effective from 2024-12-17