

## **Privacy Statement**

This Privacy Statement gives you an overview of the processing of your personal data in the context of the use of the offers and online services in connection with the mobile and other applications provided under the name Sendy Messenger (the "App"). This Privacy Statement also informs you about your rights under the EU Data Protection Regulation ("GDPR") and the means you have to control your personal data and protect your privacy.

Responsible as a so-called data controller for all data processing within the framework of the App is Social solutions, JSC. If you have any questions regarding this Privacy Statement or our data processing within the framework of the App, you can contact us at [privacy@sendy.one](mailto:privacy@sendy.one)

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### **1. Which Personal Data We Process On Our App and From Which Sources They Originate:**

When we make our App available to you, we process personal data from various sources. On the one hand, for technical reasons, this is data that we automatically process for each and every User of the App. However, this may also include data which you have actively provided to us or which is only processed when you use our services.

### **Data We Automatically Process When You Open and Use the App:**

As soon as you start using the App, you send technical information to our web servers. This happens regardless of whether you subsequently post anything on the App or otherwise interact with other users.

For our App tracking, we process the following "Usage Data":

- the date and time of the visit and the duration of the use of the App;
- the IP address of your device;
- the visited sub-sections of the App;
- number and type of events you have created as well as the number of invitees and
- more information about your device (device type, browser type and version, settings, installed plug-ins, operating system).

We process the Usage Data to enable you to use the App and to ensure the functionality of the App. In addition, we process Usage Data in order to analyze the performance of the App, to continuously improve the App and to correct errors or to personalize the content on the App for you. We also process the Usage Data to ensure IT security and the operation of our systems and to prevent or detect misuse, in particular, fraud. We store Usage Data for a duration of the existence of your account with us. You can rest assured that we will use such data for the purposes explained above exclusively in aggregated form as they will be anonymized immediately after their collection. This means we will not be able to identify you as a person based on the tracked Usage Data. Instead, we will only use the data to determine the behavior of certain groups of users. After deletion of your account, the aggregated result of the processing of the Usage Data will be continued to be used by us for analytical purposes, e.g., to gain business intelligence insights. There will be no possibility for us to de-anonymize such data and attribute any kind of behaviour to your account. Our legal basis for the processing of this data is Art. 6 (1) lit. f) GDPR.

You can deactivate the processing of your data for usage analysis at any time by changing the settings of your device.

## **Data We Process When You Use the App Only After You Have Consented:**

***Location Data:*** Some of the functions of our App require to use your device's location services to collect location information. This is for the purpose of offering you services and content tailored to your current location. For example, our App can show you other Users in your area and suggest events happening close to your current location. If you allow the App to access location services, your location will be regularly transmitted to us for these purposes. We do not use this data to produce any movement profiles or record movement patterns about you.

***Push Notifications:*** You can opt to activate push notifications to let you know about particular events or topics even if you are not currently using the App. If you activate the push notification service, your device will be assigned a device-specific push ID. For technical reasons, no push notifications can be sent without a push ID. Push IDs are encrypted, randomly generated sequences of digits.

***Access to media files:*** The authorization is necessary for the App to access media files (reading access), upload media files to the App or media files produced by the App can be saved on your device (write access).

***Camera:*** Authorization is required so the App can use your device's camera function, perhaps to take photos or capture QR codes. The App will

only actually access the camera while you are using the relevant function in the App.

**Contacts:** You can choose to let Sendy Messenger access the contacts in your phone if you would like to share events details or send event invitations to your contacts. If you grant Sendy Messenger access to do so, the name you have entered for each contact along with the phone number listed in your device's contact list will be transmitted to Sendy Messenger. We will use this data solely for the purpose of enabling you to send event invitations to your contacts. Before sending your invitation, you are free to choose which of your contacts to send the invitation to.

We will process all data mentioned in this section only if you have granted us your consent to do so by activating the use of the respective data category on your device. Accordingly, our legal basis for processing such data is Art. 6 (1) lit. a) GDPR. If you do not want this data to be processed, you can withdraw your consent at any time by deactivating the push notifications at any time using your device settings and in the settings within the App.

## **Data You Actively Transmit to Us:**

In addition to the Usage Data, we also process other data when you use the App. More specifically, this will be the contents you upload to the App such as messages, pictures or interactions with other users (such as liking posts). We process such data only for the purpose of providing the App to you and enable you to use all functions of the App by getting in touch with other Users.

The legal basis in each case is Art. 6 (1) lit. a) GDPR (your consent). We process this data for as long as you grant us your consent to do so. You can revoke your consent at any time by choosing to delete such contents that you may have previously uploaded to the App.

## **2. Direct Messaging & Marketing Communications:**

We will send transactional messages not containing any advertising contents either as push messages on your devices or to the telephone number you provided when you signed up; this will also include asking you to complete a user survey or rate the App (please see section 8 below on how to opt out of these messages). We will also contact you with further marketing communications to your mobile phone number as long as you have granted us your consent to do so. You can revoke your consent at any time by changing your messaging preferences or using the opt-out link at the end of the message. We also offer to our users a functionality to invite their friends to Sendy Messenger by sending an invitation message to their friends' mobile number. For this reason, our users will share their friends' mobile numbers for the sole purpose of sending the invitation message to their friends. However, we oblige all of our users to invite only friends who have granted their prior consent to receiving such messages to their friends..

## **3. Further Purposes for Which we Process Your Data:**

We have already informed you above for which purposes we process your data in individual cases. In addition, we may process your data for other purposes. This includes, for example, passing on your personal data to

third parties if we are legally obliged to do so, but also the assertion of legal claims on our part or the defense against legal disputes. The legal basis in these cases is either a legal obligation (Art. 6 (1) lit. c) GDPR) or our legitimate interests.

#### **4. With Whom We Share Your Personal data:**

Your personal data will only be passed on to third parties if this is necessary for the provision of the App. For example, when you enable the use of your location data, this location data will be shared with other Users in the App. We also share data with our external service providers including our cloud solutions or analytics providers. For detailed information about the third parties we use web analytics and App tracking, please see the information about cookies, web analytics and other third-party technologies at the end of this Privacy Statement. All third-party providers have executed contractual agreements with us to process data exclusively within the scope of our instructions (so-called data processing agreements).

We also transmit your data to our hosting service provider, which enables us to provide the App.

#### **5. Storage Duration:**

We process and store your personal data to the extent necessary to fulfill our contractual or legal obligations. For example, data you upload to the App and which you have granted us consent to process will be stored for as long as you grant us your consent. Therefore, we store the data as long for as our contractual relationship with you exists and after termination only to the extent and for as long as legally required. If data is no longer required to fulfill legal obligations (e.g. under tax or commercial law), it is deleted regularly unless further processing is necessary to preserve evidence or defend against legal claims against us.

## **6. User Profiles:**

We use your data to create a user profile. This means that we use your personal data (as described above) to provide you with a personalized App experience based on your personal preferences and interests, and to provide you with customized offers based on your previous behavior. However, we will never process and analyses your personal data within the framework of this user profile in such a way that this leads to an automated decision which is legally valid for you or which similarly significantly affects you. Further, we will not combine any Usage or other personal data with any data provided by third parties. This means we will not be able to identify you as a person based on such data.

## **7. Your Legal Rights Under the GDPR:**

You can assert the following rights against us within the framework of the GDPR with regard to your personal data:

- Your right to information and access pursuant to Art. 15 GDPR,
- Your right to rectification pursuant to Art. 16 GDPR,
- Your right to erasure pursuant to Art. 17 GDPR,
- Your right to restriction of processing pursuant to Art. 18 GDPR and
- Your right to data portability pursuant to Art. 20 GDPR.

You also have the right to lodge a complaint with the competent data protection supervisory authority (Art. 77 GDPR).

In addition, you can also revoke your consent to the processing of your personal data at any time by deleting content or your account in the App. However, this revocation only applies to the future. Any processing that took place before the revocation remains unaffected by this. If you would like to exercise your rights as a data subject, you can also do so (as well as receive further information) by referring to [privacy@sendy.one](mailto:privacy@sendy.one)

## **Information About Your Right of Objection under Art. 21 GDPR**

**In addition to the rights already mentioned, you have the right, for reasons arising from your particular situation, to object at any time to the processing of your personal data, which takes place on the basis of Art. 6 (1) lit. f) GDPR (data processing on the basis of a balance of interests). If you object, we will no longer process your personal data unless we can prove compelling reasons for the processing worthy of protection which outweighs your interests, rights and freedoms, or the processing serves the assertion, exercise or defense of legal claims.**

**You also have the right at any time to object to the processing of your personal data for the purpose of direct marketing (including the subscription to a newsletter) without incurring any costs other than the transmission costs according to the basic tariffs; this also applies to the creation of a user profile (so-called "profiling"), insofar as this is associated with direct marketing. If you object, we will no longer process your personal data in the future.**

**Please note that if you do not provide us with certain data or if you object to the use of this data, you will not use the App or only use it to a limited extent.**

**The objection can be filed informally and is to be addressed to EMAIL**

## **9. Modification of this Privacy Statement**

In order to keep this information up to date, this Privacy Statement will be modified when the underlying data processing is changed. We will publish any intended changes to this Privacy Statement in advance if its content changes and not only editorial changes (e.g. to correct typographical errors) are made.

## **Web Analytics, User Tracking and Other Third-Party Tools in the App**

We use common tracking technologies to evaluate device, access and other Usage Data. This allows us to find out how our offering is being used by our Users in general. We do this using identification cookies and similar identifiers such as web beacons (invisible pixel tags used to measure the interaction between the device user and the App) or software development kits (SDKs). This allows us to find out, for example, which content and topics are particularly popular when our App is used the most, from which regions (down to the city level) our App is used and which browsers and devices our users generally use.

You can reset your device before or after your use our App so that all processing of Usage Data is rejected, or to indicate when a cookie is being sent. If you would like to object to Usage Data analysis, usage of analytical data can be changed in the general settings of your device. If you deactivate analytics data processing, it is possible, however, that our App does not function correctly.

All analytics providers process data solely on our behalf and strictly subject to our instructions.

## **Google Firebase Analytics**

Our App uses Google Firebase Analytics, a service provided by Google Ireland Ltd, Gordon House, Barrow Street, Dublin 4, Ireland ("Google Ireland"), a subsidiary of Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043 ("Google"). In the App, Google uses device identifiers that perform similar functions to cookies by assigning an ID to the App installed on your device; on Android, this is the so-called Advertising ID and, on iOS, it will be the Advertising Identifier. Google Firebase Analytics helps us to analyse the number of users and the general behavior of visitors on our App.

You can learn more about exactly which data Google Firebase Analytics processes by referring to <https://firebase.google.com/support/privacy>. This information is generally transmitted to a Google server in the U.S. and stored there. However, in the Member States of the European Union or in other signatory states to the Agreement on the European Economic Area, your IP address will initially be truncated by Google on our App. For this purpose, we have implemented the code "gat.\_anonymizeIp();" in order to ensure anonymous collection of IP addresses (so-called IP masking).

Only in exceptional cases is the complete IP address transmitted to a Google server in the USA and abbreviated there. If exceptionally, personal data is transferred to the USA, Google's certification according to the so-called "Privacy Shield Agreement" between the EU and the USA (<https://www.privacyshield.gov/participant?id=a2zt0000000001L5AAI&status=Active>) ensures a level of data protection corresponding to the data protection level in the EU.

Google will use the information about your use of the App on our behalf in the context of Google Analytics to evaluate your use of the App, to compile reports on App activity and to provide other services relating to App activity and internet usage. The IP address transmitted by your browser in the context of Google Analytics and Google Tag Manager is not combined with other data from Google by us.

To opt out of analytics by Google Firebase, follow the instructions below:

## **Android**

1. Find Google Settings in one of these places (depending on your device):
  1. A separate app called Google Settings
  2. In your main Settings app, scroll down and tap Google
  2. Tap Ads
  3. Switch on Opt out of interest-based ads

## **iOS**

Devices with iOS use Apple's Advertising Identifier. To learn more about your choices for use of this identifier, visit the Settings app on your device

Further information on the terms of use and data protection can be found at <http://www.google.com/analytics/terms/de.html> and <https://www.-google.de/intl/de/policies/privacy/> as well as on <https://firebase.google.-com/terms/analytics>.

## **Google Analytics Advertising Functions and Google Ads**

We also use Google Ads to advertise on the Apps of third parties. In relation to the data of the advertising campaigns, we can determine how successful the individual advertising measures are. We pursue with it the interest to show you an advertisement which is of interest to you and to make our web page more interesting for you.

Google uses so-called "ad servers" for this purpose, through which our ads are delivered. For this purpose, we use identifiers, which can be used to measure certain parameters such as the display of ads or clicks by users. If you access our App via a Google advertisement, Google Adwords will record this. The unique User ID, number of ad impressions per placement (frequency), last impression (relevant for post-view conversions) and opt-out information (marking that the user no longer wishes to be addressed) will be stored.

Google will be able to recognize your device for advertising purposes. If a User visits certain pages of an AdWords customer's App, Google can track whether the User clicked on the ad and was directed to that page. We can never personally identify you with the information we collect and only re-

ceive aggregated reports about User behavior. Based on these evaluations, we can identify which of the advertising measures used are particularly effective. We do not receive any further data from the use of the advertising media, in particular, we cannot identify the Users on the basis of this information.

Further information on data processing within the framework of Google Ads can be found at <https://policies.google.com/technologies/ads?hl=en> and <https://www.google.de/intl/de/policies/privacy/>.

## **Adjust Analytics**

Our App also uses Adjust provided by Adjust GmbH, Saarbrücker Str. 37a, 10405 Berlin (“Adjust”). Like Google and AWS, Adjust helps us to better understand the behaviour of our users and constantly improve our App. For this purpose, Adjust will process your anonymized (hashed) IP address, mobile identifiers such as the ID for Advertising for iOS (IDFA), Google Advertising ID or similar mobile identifiers, installation and first opening of the App on your mobile device, your interactions within the App (e.g. in-app purchases, registration), information regarding which advertisements you have seen or clicked on. You are free to opt out of analytics by Adjust at any time by de-registering your device at <https://www.adjust.com/forget-device/>.