

Privacy Policy

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1. Aim and scope of this Privacy Policy

The aim of this Privacy Policy is to set out the privacy and data processing principles and the data protection and data processing policy used by **GROUP NOW Korlátolt Felelősségű Társaság** (seat: 1054 Budapest, Báthory utca 22. 2. em. 4., company registration number: 01-09-326240, VAT number: 22628350-2-41) (hereinafter: “**Controller**” or “**Company**”). The Company expresses consent to be bound by these policies.

A further purpose of this Privacy Policy is to provide information to all natural persons who are data subjects with the necessary information so they can understand how their data are being processed by the Company and to make sure that their fundamental freedoms and rights are being respected for the whole duration of data processing regardless of their nationality, place of residence or current location.

2. Controller information

The data processing activities set out in this Privacy Policy are carried out by the Company, therefore the Company shall be considered the controller of personal data.

Should subjects have any questions or comments regarding the way their data are processed, they can directly contact the Company by the following contact information:

Name: **GROUP NOW Korlátolt Felelősségű Társaság**
Seat and postal address: **1054 Budapest, Báthory u. 22., 2. floor 4.**
Email: hello@smuc.io

3. Definitions

Below, the Company lists short definitions to the terms used in this Privacy Policy:

- **Personal data:** any information related to a directly or indirectly identified or (based on one or more factors, characteristics) identifiable natural person.
- **Data processing:** any action carried out on personal data regardless of the method used; therefore, the collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction shall be considered data processing.
- **Joint control:** the type of data processing where two or more controllers jointly determine the purposes and means of processing. How their legal obligations and responsibilities are shared is set out in an agreement concluded between the controllers.
- **Controller:** GROUP NOW Kft., the company determining the purpose and means of data processing.
- **Data management:** technical tasks carried out on personal data and related to data processing activities, regardless of the method or means used or the location of the activity.
- **Processor:** a natural or legal person who processes data on behalf of the controller.
- **Consent:** any freely given, specific, informed and unambiguous indication of the data subject's wishes by which they signify agreement to the processing of personal data relating to them.
- **GDPR:** regulation (EU) 2016/679 of the European Parliament and of the Council that contains the mandatory regulations regarding the processing of personal data and the rights of data subjects and how they can be exercised.
- **Restriction of data processing:** the marking of stored personal data with the aim of limiting their processing in the future.
- **Recipient:** a natural or legal person, public authority, agency or another body, to which the personal data are disclosed.
- **Pseudonymization:** the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to identifiable natural persons.

- **Supervisory authority:** an independent authority created to protect the rights and freedoms of natural persons during data processing and to help the free movement of personal data within the European Union; in Hungary, this is the Hungarian National Authority for Data Protection and Freedom of Information.
- **Personal data breach:** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed.
- **Cookie:** cookies are anonymous visit identification tools that are placed and read on the computers of those who visit <https://smuc.io> or log in to their profiles on the website or in the application. A cookie is a unique string of data that allows website settings to be saved and traces how a visitor arrived at the website and what activities they performed there.
- **User:** a natural person, legal entity or sole proprietor who uses the Services of <https://smuc.io> on the website or through the application as per the General Terms and Conditions of the Company.
- **Website:** an online platform found at <https://smuc.io> and opened by Users in order to use the services provided by the Company and a platform that makes the services accessible.
- **Application:** an application that can be downloaded from Google Play Store or App Store to a smartphone or other smart device. When installed, the Application allows Users to register for the services of the Company and then log in to their profiles and use the services.
- **Consumer:** a natural person acting for purposes outside their trade, individual profession or business activity.

4. The method and basic principles of processing

In order to achieve the data processing purposes set forth in this Privacy Policy, the Company mainly processes, stores and uses personal data that are directly provided or shared by the subjects and data that is made accessible by the subjects to the Company. There are data that are not collected directly from the subject but from third parties; an example of such data transfer is when the User logs in to their profile from their own Google account and when the User uploads a video to their profile that displays other natural persons other than the User.

The Company pays special attention to the fact that processed data shall only be accessible to authorized persons who only process data for the necessary duration and to the necessary extent to fulfill their contractual obligations or activities. This applies to the Company and other agents of the Company as well.

The Company informs data subjects that as per Section 13 of this Privacy Policy and in accordance with the provisions set forth in the relevant data processing contracts, personal data is processed, in a limited way, by the data processing partners of the Company. In Sections 14-16, the Company provides a detailed description on how personal data – outside of the scope of data processing – can be accessed by third parties, including especially the case when controllers independent of the Company are involved, or when data is being transferred in the framework of joint data processing, or when official authorities contact the Company to transfer personal data to fulfill a legal obligation.

Personal data of subjects is being processed by the Company in line with the applicable regulations, for the specific purposes determined before the start of the data processing.

The Company processes all personal data lawfully and fairly, and in a way that is transparent to the subjects for the entire duration of data processing. The Company only collects personal data for the legitimate purposes clearly indicated in this Privacy Policy. The Company pays special attention to avoid data processing for purposes other than what is determined in this Privacy Policy.

The Company considers it important to emphasize that with the data processing they have no intention to track the subjects nor to monitor or profile their activities and behavior.

While setting the method of data processing and during the entire data processing, the Company complies with the technical and organizational measures necessary to ensure that the data processing principles are followed and the subjects' rights are protected. The controller, as a responsible controller, has implemented measures, taking into account the state of the art, the cost of implementation and the risks of varying likelihood and severity for rights and freedoms of natural persons posed by the processing.

The Company informs the subjects that the Company only processes data that is relevant to the data processing purpose and is absolutely necessary to achieve this purpose. The Company strives to keep the stored and processed personal data accurate and up-to-date all the time, and takes all measures in order to correct or delete inaccurate or incorrect data as soon as possible.

Regarding this, the Company requests the subjects to help the Company by sending a notification whenever their data have changed in the meantime or if their data need correction for some other reason.

The Company only stores personal data until it is absolutely necessary in order to achieve the specific data processing purpose. The Company uses all technical and organizational measures necessary to ensure appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage.

In all cases where the Company intends to process the personal data for a purpose other than the purposes set forth in this Privacy Policy, the Company informs – sending the new purpose for data processing as well as all additional information – all subjects in writing prior to that data processing. The Company will also make sure to have a legal basis that allows this data processing.

The Company considers it important to include technical and organizational measures in the data processing that ensures that data processing is only done for the specific purpose and to the necessary extent and duration and to allow access to data accordingly. In order to meet this obligation, the Company has implemented regulators into the data processing to ensure that data processing activities always adhere to the above provisions.

The Company pays special attention to immediately delete personal data where the purpose of data processing has been achieved, the duration for data processing has expired or the subject requested their data to be deleted. If, for any reason, deleting the data is not possible, data shall be pseudonymized so that no connection can be retrieved between the processed data and the data subject.

5. Data processing related to providing a service

The Company Operates the Website and the Application that enable registered users to use the Service provided by the Company. The Company offers a so-called stream application to the users that allows users to share videos promoting their products and services in their webshops and on their social media pages. The application also allows potential buyers and customers to buy the products and services displayed in the videos and on the platform.

The service may be used by natural persons, sole proprietors or companies that register on the Website or in the Application, so data processing depends on the user type as described in the following sections.

A. Natural persons or sole proprietors

Upon registration, subjects shall provide the following data: name, email address and password. If the subject registers using their own Google account, the Company processes the data received from Google, i.e. their name and email address.

In case the subject orders a paid service package from the Company, the Company processes the billing name (if different from the registered name), the billing address, the service package selected by the user, the preferred payment method and the fee to be paid. If the subject orders the package as a sole proprietor, the Company processes their VAT number in addition to the above data. If the subject pays for the package using the electronic payment system provided by Stripe, the Company processes the expiration date of the subject's bank card, the name of the issuing bank and the last four digits of the bank card.

If the subject uses the application to create and share a video where the subject is visible, the Company will process the image, voice, behavior and activities of the subject as displayed in the video as these will be considered personal data.

The legal basis to process subjects' data is the contract that is concluded between the Company and the user when the user starts using the service. Since the legal basis of data processing is the contract concluded between the Company and the subjects, if subjects fail to provide their data or provide incomplete data, or when registering with a Google account they do not allow Google to transfer their data to the Company, the Company is entitled to reject the registration and refuse to enter into a contract with the subject.

The Company processes the data of the subject to be able to provide the service to the user. The processing of the data of subjects is absolutely necessary for the Company to be able to provide access to the Website and the Application, or in case of paid packages, to enable the user to pay the fee online and to create and send the invoice to the subject. Since the service offered by the Company is strongly related to streaming the videos, the purpose of the processing of any personal data displayed in the video is also to be able to fulfill the contractual obligations and to provide the service offered by the Company. The legal basis of data processing of the data of the invoice issued by the Company is complying with applicable laws as set forth by paragraph 169 of VAT Act.

The Company informs the subject that the email address provided upon registration is processed to send information relevant to the use of the service, including the activation link, the confirmation of a successful registration or any amendments to the General Terms and Conditions. The aforementioned informative emails are neither newsletters, nor marketing or advertising emails, so the Company is authorized to send these without the subject's consent.

Data provided upon registration is processed by the Company until the subject deletes their account. Data that are included in the invoice issued by the Company shall be stored for 8 years from the date of issue of the individual invoices or the creation of the records according to Paragraph 169 (2) of the Accounting Act, since the Company is obliged to preserve invoices and any buyer recording that is part of the accounting. Processing of the data displayed on subject videos depends on the selected service package. If the subject has registered for a free package, the Company only processes the data found in the video in real time, until the video is streamed by the user. If the subject has selected a paid package that offers video playback and the storage of videos in the user profile, the Company processes subject's data until the video is deleted from the user account or the account is deleted.

B. Natural persons registering on behalf of a company

If the subject registers on behalf of a company User, the Company processes the data provided during registration, i.e. the name, email address and password of the subject. If the subject registers using a Google account, the Company processes the data received from Google, i.e. their name and email address.

The data processing of subjects is based on the Company's legitimate interest and the legitimate interest of the company on behalf the User registers on the Website or through the Application.

In order to perform data processing based on legitimate interest, the Company has followed the data protection provisions and conducted a balancing test, in which the Company assessed their own legitimate interests in contrast with the corporate User's legitimate interests and fundamental rights. As a result, it has been concluded that the Company's and the corporate User's interest to process the data of the person registering on behalf of the company to use the service is stronger than their interest to not have their data processed. Should the subject request the detailed results of the balancing test in writing, the Company shall make the results available to them.

Since the legal basis of the data processing described in this section is the Company's and the corporate User's legitimate interest, subjects may object to the processing of their data based on their individual circumstances. The Company notifies the subjects that if the Company processes their data for other reasons and/or on other legal basis as described in this Privacy Policy, accepting the objection will only affect the data processing activity that is done for the purpose described in this section. The Company notifies the subjects that further details on how to exercise the right to object are found in section 17.H. of this Privacy Policy.

The Company processes the data of the subject to be able to provide the service to the corporate User. The processing of the data of subjects is absolutely necessary for the Company to be able to provide access to the corporate User to the Website and the Application, and to create and send notifications to the corporate User regarding the use of the Application.

Subject's data is processed by the Company until the profile of the corporate User is deleted or the contact person in the profile is changed.

6. Data processing of those who opt in for newsletters

If the subject opts in for the Company's newsletter, the Company will process their name and email address. In this case, the legal basis of the data processing is the subject's consent that is given by the subject when the checkbox is checked on the registration page of the Website to opt in for newsletters.

The purpose of data processing is that the Company wishes to send their newsletters and online marketing and information materials to the subject. Data processing lasts until subject withdraws their consent.

The Company informs subjects who opt in for newsletters that their consent can be withdrawn anytime. For this, they need to click on the unsubscribe link found on the bottom of every newsletter sent by the Company. The Company's system automatically detects and records when a User unsubscribes – and thus withdraws their consent from the data processing –, and subject's data is no longer processed for the purpose of sending newsletters.

Whenever the subjects' email address is processed for other reasons described in this Privacy Policy (e.g. to use the Service provided by the Company), opting out from the newsletters will not result in the deletion of data from all of the Company's records and systems.

The Company also informs subjects that if a User registers to the Website and subscribes to newsletters, but later deletes their account, the Company may continue to send newsletters. To stop receiving newsletters, the subject needs to withdraw their consent by unsubscribing from newsletters.

The Company informs subjects that withdrawing their consent does not affect the legality of data processing where the subject had previously given consent.

7. Further data processing related to the use of the Service

Subjects may contact the Company regarding the use of the Service anytime via the contact details found on the Website and in the Application (hello@smuc.io).

Personal data (including subject's name and the email address used to send the message) shared by subjects in the email sent to the Company are processed for the purpose of answering the queries and providing assistance to the subject.

The legal basis of data processing is the legitimate interest of the Company for which the Company has conducted a balancing test. During the test, the Company compared the legitimate interest to process data on their side and the subject's interest to not have their data processed. During the balancing test, the Company concluded that their legitimate interest to process the data of persons contacting them is valid and overrides the legitimate interest on the subjects' side to be excluded from the scope of data processing. Should the subject request the detailed results of the balancing test in writing, the Company shall make the results available to them.

Since the Company processes data provided to them when contacting the Company is processed on the basis of a legitimate interest, subjects may object to the processing of their data based on their individual circumstances. The Company notifies the subjects that if the Company processes their data provided when contacting the Company for other reasons and/or on other legal basis as described in this Privacy Policy, accepting the objection will only affect the data processing activity that is done for the purpose described in this section. The Company notifies the subjects that further details on how to exercise the right to object are found in section 17.H. of this Privacy Policy.

The Company keeps processing subjects' data until subjects object to this or to a maximum of 1 year from the date the answer is sent.

8. Processing of personal data through cookies

The Company uses so-called cookies (hereinafter "cookie") on their Website and in the Application. These simplify the browsing process of the Website or the Application and serve system administration, statistical or marketing purposes.

For a customized service, cookies are placed on the visitors' device used for browsing. The information collected by the cookies are read by the Website and the Application system. A cookie is a unique string of data that allows website settings to be saved and traces how a visitor arrived at the website and what activities they performed there. The main purpose of cookies is to make browsing easier.

The Company informs subjects that there are two types of cookies based on their expiration: session and persistent cookies. Session cookies are temporary; they are saved when the Website or Application is opened and are automatically deleted when the session ends, i.e. when the Website or the Application is closed. Persistent cookies are stored for a longer period of time on the user's device and in the browser's cookie file. The expiration of these cookies depend on the cookie settings of the subject's browser.

The Company uses multiple types of cookies at the same time. See their short description below:

- Essential cookies: These cookies aid the use of the Website and the Application by enabling fundamental features such as navigation or access to secure (password protected) parts of the Website or the Application. These cookies ensure the intended operation of Website features. Without these, visitors would not be able to properly use the Website or the Application.
- Statistics cookies: These cookies create anonymized, aggregated statistics and thus help the Company to see the number of visitors or how they visit the Website or the Application and how visitors use certain features. The Company collects these data to create statistics and use their results to improve the Website and the Application or to meet visitors' demands with their Services.
- Functional cookies: These cookies enable tracking the browsing of the Website or the Application as well as browsing preferences. These cookies enable the Website and the Application to remember the visitor's settings after leaving

the site/platform, for example the data provided during registration, subpages seen by the visitor or language/currency settings.

- **Marketing cookies:** These cookies are used by the Company to monitor visitors' activity on the Website. Using these, the Company may display relevant advertisement on the Website and in the Application. Marketing cookies also help the Company to engage visitors when they are using the Website or the Application. Since marketing cookies are also used by parties other than the Company, because media, advertising and analytics partners in contract with the Company also need them, partners may also install cookies in the browser, on the computer or on the smart device of the visitor.

When the subject visits the Website or downloads and uses the Application, the Company explicitly notifies the subject that cookies are used.

The legal basis of the processing of data collected by essential cookies saved on the subject's device or in their browser when using the Website or the Application is the legitimate interest of the Company. To use this legal basis, the Company has conducted a balancing test, in which the Company assessed their own legitimate interests and compared it to the visitors' interest to not have their data processed. During the balancing test, the Company concluded that their legitimate interest to process the data collected by cookies is valid and overrides the legitimate interest on the subjects' side to be excluded from the scope of data processing. Should the subject request the detailed results of the balancing test in writing, the Company shall make the results available to them. Subjects may object to the processing of their data based on their individual circumstances. The Company notifies the subjects that further details on how to exercise the right to object are found in section 17.H. of this Privacy Policy.

Cookies that are non-essential to operate the Website or the Application are only saved on the subject's device or on their browser if the subject has given consent to their use and the data processing by clicking the appropriate buttons of the cookie panel on the Website or in the Application. The legal basis of the processing of data collected by such cookies is the subject's consent.

The Company informs subjects that they can delete these cookies from the computer or from the smart device used to visit the Website or download the Application anytime, and – apart from essential cookies – the use of cookies may be disabled in the browsers. However, some features of the Website or the Application might be limited or unavailable in these cases.

To implement the above settings, based on their browser, subjects may click on the following links to get further help:

- Google Chrome
<https://support.google.com/accounts/answer/61416?hl=hu&co=GENIE.Platform%3DDesktop&oco=1>
- Mozilla Firefox
<https://support.mozilla.org/hu/kb/sutik-informacio-amelyet-weboldalakat-tarolnak-szami>
- Microsoft Internet Explorer
<https://support.microsoft.com/hu-hu/windows/cookie-k-t%C3%B6r%C3%A9se-%C3%A9s-kezel%C3%A9se-168dab11-0753-043d-7c16-ed5947fc64d>
- Microsoft Edge
<https://support.microsoft.com/hu-hu/microsoft-edge/cookie-k-t%C3%B6r%C3%A9se-a-microsoft-edge-ben-63947406-40ac-c3b8-57b9-2a946a29ae09>
- Safari (Apple Mac computers required)
<https://support.apple.com/hu-hu/guide/safari/sfri11471/mac>
- Safari (other Apple smart devices)
<https://support.apple.com/hu-hu/HT201265>

Cookie settings are usually found in the browser's Tools/Settings menu in the cookie or tracking part of the Privacy menu. Further information about cookies and their use can be found on the following websites: www.aboutcookies.org, www.allaboutcookies.org.

The Company informs the subjects that the Company uses Google Analytics, a web analytics service provided by Google Ireland Limited (hereinafter: "Google") on their Website and in the Application. Google Analytics also uses cookies that are saved on the device used by the visitor when browsing. The purpose of these cookies is to help analyze the use of the Website and the Application. These cookies generate the following data regarding the use of the Website or the Application: the name of the internet provider of the visitor, the visitor's IP address, the version number of the browsing software, the type of the operation system, pages opened on the Website, keywords used to find the Website in a search engine, the website used to

jump to the Website of the Company. For more information about Google Analytics cookies, visit www.google.com/analytics/ and <https://support.google.com/analytics/answer/6004245>.

The purpose of the processing of the data collected and processed by Google Analytics cookies is to provide Google Analytics service for the Company on the Website. The legal basis of data processing is the consent of the visitors of the Website that is given using the pop-up cookie panel displayed when opening the Website or the Application.

Google, the provider of Google Analytics is entitled to process these data as processor of the Company. Google may only forward these data to third parties when instructed to do so by the Company or when Google is legally obliged to do so.

Subjects may withdraw their consent anytime by disabling the use of cookies in their browser. Installing an opt-out add-on also qualifies as withdrawal of consent. Such an add-on may be downloaded from here: <https://tools.google.com/dlpage/gaoptout>, <https://support.google.com/analytics/answer/181881>. The Company informs subjects that in this case, certain features of the Website or the Application may become disabled.

Users who use the service provided by the Company as per section 5. may also use the Google Analytics service, meaning that cookies are saved to the browser of those who visit the User's website. These cookies collect personal data, but in this case the processor of personal data is not the Company but the User operating the website.

9. Data processing to maintain official social media pages

If the subject follows or likes the Company's "smuc.io" Facebook page (<https://www.facebook.com/smuc.io.streaming>) and/or the Company's "smuc.io" Instagram page (<https://www.instagram.com/smuc.io/>) or performs an activity that entails providing their personal data on the above social media platforms, including but not limited to liking content on the pages or commenting on the contents, the Company may process the personal data of the subject based on their legitimate interest.

The data processing activity of the Company covers data that are public or shared in the subject's user profile, or data that are willingly shared with the Company through the subject's activity on the aforementioned social media platforms, including but not limited to by commenting on contents. The purpose of the processing of subject's data is that the Company intends to operate and maintain their social media pages effectively and continuously.

To be able to process subject's personal data based on their legitimate interest, the Company has conducted a balancing test. During the test, the Company compared the legitimate interest to process data on their side as well as the subject's interests, their rights and fundamental freedoms. When comparing these interests, the Company concluded that their legitimate interest to process the data for the purpose of this section is valid and overrides the legitimate interest on the subjects' side to not process personal data that are set as public in their profile or directly shared with the Company.

Without the processing of these personal data, the Company would be unable to operate and maintain their social media pages, since – due to the nature of all above social media platforms – the Company is required to access personal data of users that perform activities on their page. Should the subject request the detailed results of the balancing test in writing, the Company shall make the results available to them.

Since the Company processes subjects' data on the basis of a legitimate interest, subjects may object to the processing of their data based on their individual circumstances. Subjects may object to the processing of their data based on their individual circumstances. If the Company processes subjects' data for other reasons and/or on other legal basis as described in this Privacy Policy, accepting the objection will only affect the data processing activity that is done for the purpose described in this section.

The Company notifies the subjects that further details on how to exercise the right to object are found in section 17.H. of this Privacy Policy.

The Company processes data until the subject objects to the data processing or until – in harmony with its purpose – the Facebook or Instagram pages operating under the name "smuc.io" are deleted or the subject decides to delete their own Facebook and/or Instagram profile in which they shared their personal data.

10. Data processed while handling complaints

If the person using the Service provided by the Company on the Website or in the Application after registration qualifies as a consumer, they may file a complaint to the Company, and then the Company shall process their personal data based on the legal requirement stemming from Paragraph 17/A and 17/C of Act CLV of 1997 on consumer protection (hereinafter: "Consumer Protection Act"). The Company shall process the subject's data in order to evaluate and reply to the complaint. If the subject may have a quality claim, the Company shall process their personal data in order to fulfill their obligations stemming from the Civil Code and Government Decree 45/2014. (II.26.), i.e. to evaluate the claim. Subjects shall note that subjects are

required to provide certain data for identification purposes to enable the Company to evaluate the complaint or claim and – if the complaints or claims are found to be reasoned – to take the necessary measures.

In case of a complaint or a quality claim, the Company shall process the personal data of the subject for 3 years after the claim is replied as per the provisions set forth in Paragraph 17/A (7) of the Consumer Protection Act.

11. Processing of the personal data of third parties appearing in videos created and shared by Users

The Company processes the data of those persons other than the User who appear in the videos created and shared by the User. The data processing includes the image, voice, behavior and activities of the subjects appearing in the video.

The aim of the processing of data in the videos created and published by the Users is for the Company to be able to fulfill the obligations related to the Service offered by the Company.

The legal basis of subject data processing is the legitimate interest of the Company and the Users. To process personal data based on a legitimate interest, the Company has conducted a so-called balancing test. During the test, the Company compared the legitimate interest to process data on their side as well as the subject's interests, their rights to data processing and their fundamental freedoms. When comparing these interests, the Company concluded that their legitimate interest to process the personal data of the subjects appearing in the videos is valid and overrides the legitimate interest on the subjects' side to not process their personal data. Subjects may object to the processing of their data based on their individual circumstances. The Company notifies the subjects that further details on how to exercise the right to object are found in section 17.H. of this Privacy Policy.

How the Company processes the data of subjects depends on whether the User creating the video containing personal data is using a free or a paid package. If the User registers but uses the free service, the Company processes the personal data of the subjects found in the video in real time, until the video is streamed by the User. If the User subscribes for the service, the processing of the subjects' personal data lasts until the User deletes the videos containing personal data from their current account or until the User deletes their own account.

12. Processing of data displayed on the Website or in the Application

There are images displayed on the Website or in the Application that come from public sources and not from the people displayed in the images. The legal basis of the data processing of people appearing in such images is the legitimate interest of the Company, and its purpose is for the Company to display images on their Website or in the Application that are in synergy with the Company's profile and that are able to draw the attention of potential future customers, and to create a positive impression on visitors interested in the service provided by the Company. For the data processing based on a legitimate interest, the Company has conducted a balancing test. As a result, the Company has concluded that the legitimate interest of the Company to process the image of the subjects overrides the subjects' interest to not have their data processed at all. Should the subject request the detailed results of the balancing test in writing, the Company shall make the results available to them.

The duration of data processing ends when the subject objects to the processing of their personal data or when the Company removes the images from their Website and the Application.

Subjects may object to the processing of their data based on their individual circumstances. The Company notifies the subjects that further details on how to exercise the right to object are found in section 17.H. of this Privacy Policy.

13. Use of Processors

The Company informs the subjects that there are data processing operations for which – based on a separate written contract – the Company uses the cooperation or help of processors set forth in Annex 1 of this Privacy Policy. Regarding this, the Company ensures that their processor partners take the necessary steps to guarantee that the applicable data protection regulations and all measures to protect the subjects' rights are complied with.

The Company informs the subjects that processors make no substantial decisions regarding the data processing because they only process personal data sent to them as per the provisions and instructions of the Company. The Company is in contractual relationship with the data processing companies listed in Annex 1 of this Privacy Policy. The personal data shared with these parties are listed in the Annex.

The Company informs the subjects that they also cooperate with processors that use the services of other processors (hereinafter: “**subprocessors**”) to ensure that the contractual service is maintained for the Company. Furthermore, the

Company informs the subjects that some data of the subjects are transferred to subprocessors on the condition that when processing personal data, subprocessors take the same responsibilities and guarantees that processors do. If transferring the data to subprocessors entails data being transferred to a third country, the Company notes this in Annex 1 of this Privacy Policy and ensures to cooperate with processors whose subprocessors follow the provisions of the GDPR and offer a data protection level identical to that of the European Union.

14. Processing of personal data during the cooperation with PayPal (Europe) S.a.r.l.et Cie, S.C.A.

In order for the Company to provide an online payment option for the services offered on the Website or in the Application, the Company uses the services of PayPal (Europe) S.a.r.l.et Cie, S.C.A. (seat and postal address: 22-24 Boulevard Royal L-2449, Luxembourg, register number: B118349) (hereinafter "**PayPal**") that entails the processing of certain personal data.

If the subject decides to pay the fee of the package by bank card through the secure payment system of PayPal, the following personal data will be transferred to PayPal: the name of the service ordered, the price of the service.

Transferring the above data is essential for the Company to enable online, bank card payment for the services through the secure payment system of PayPal. The transfer of personal data is done according to the contract concluded between the subject and the Company when the subject orders the service.

The Company underlines that during the payment through the secure payment system of PayPal (using a bank card or PayPal account), PayPal may request further personal data. These data have to be provided once the subject has been automatically redirected from the Website or the Application to the secure payment platform of PayPal. Personal data provided on the payment platform is only accessible to PayPal. The Company is not entitled to access these data, therefore the Company does not process these data.

Regarding the data processed in connection with the online payment through the secure payment system of PayPal, both the Company and PayPal qualify as individual controllers. The Company and PayPal are obliged to meet the requirements of GDPR while conducting their data processing activity; to ensure secure processing of subjects' data; and to provide appropriate information to the subjects regarding the data processing.

The Company informs the subjects that regarding the processing of their personal data, they may exercise their rights towards the Company and PayPal anytime; such request shall be submitted to the Company according to Section 15 of this Privacy Policy or to PayPal according to their Privacy Policy.

If the subject initiates a payment through PayPal's secure payment platform, PayPal and third party providers may use cookies to identify the subject as the user, to enhance their browsing experience, to customize the service and other online content as well as advertisements, to measure the effectiveness of promotions, and to conduct and create analyses. These cookies are required to secure the subject's PayPal account and to prevent fraud. Certain features of the secure payment platform of PayPal are only enabled using cookies, therefore, if the subject disables cookies or refuses the use of cookies, they may not be able to use the secure payment platform of PayPal or certain features may be limited.

The Company informs the subjects that Do Not Track (DNT) is a setting available in all browsers. This setting helps users choose their own preferences regarding the tracking by advertisers and other third parties. The full Privacy Policy of PayPal including how data is processed using cookies is available here: https://www.paypal.com/hu/webapps/mpp/ua/cookie-full?locale.x=hu_HU

15. Processing of personal data during the cooperation with Stripe Payments Europe Limited

In order for the Company to provide an online payment option for the services offered on the Website or in the Application, the Company uses the services of Stripe Payments Europe Limited (seat and postal address: 1 Grand Canal Street Lower, Grand Canal Dock, Dublin, D02 H210, Ireland, privacy@stripe.com, register number: 513174) (hereinafter "**Stripe**") that entails the processing of certain personal data.

If the subject decides to pay the fee of the package by bank card through the secure payment system of Stripe, the Company transfers the following personal data to Stripe: the name of the service ordered, the price of the service, the time of purchase, the expiration date and the last four digits of the bank card used by subject, the name of the issuing company.

Transferring the above data is essential for the Company to enable online, bank card payment for the services through the secure payment system of Stripe. The transfer of personal data is done according to the contract concluded between the subject and the Company when the subject orders the service. These data are processed by Stripe – according to a separate

data processing contract – as a separate processor of the Company in order to maintain and operate the secure payment platform of Stripe and to support online payment.

The Company underlines that during the online bank card payment through the secure payment system of Stripe, Stripe may request further personal data that are processed by Stripe as an individual controller. To provide service for their own customers, to monitor, prevent and identify fraudulent transactions and other suspicious activities, and as a member of the financial sector to comply with legal requirements and regulations (including measures to prevent money laundering), to analyze and improve their products and services, Stripe processes the data of the bank card used by the subject (including owner's name, CVC code, card number, expiration date, issuing bank's name), the unique ID and IP address of the device used to complete the payment, and the email address of the subject. Personal data provided by subject on the payment platform is only accessible to Stripe. The Company is not entitled to access these data, therefore the Company does not process these data.

The Company and Stripe are obliged to meet the requirements of GDPR while conducting their data processing activity; to ensure secure processing of subjects' data; and to provide appropriate information to the subjects regarding the data processing. The Company informs the subjects that regarding the processing of their personal data, they may exercise their rights towards the Company and Stripe anytime; such request shall be submitted to the Company according to Section 15 of this Privacy Policy or to Stripe according to their Privacy Policy. The detailed Privacy Policy of Stripe can be found here: <https://stripe.com/en-hu/privacy>

The Company informs the subjects that personal data processed by Stripe are transferred to third countries (to the United States of America, Canada, Columbia, Malaysia, Philippines, United Kingdom) to subprocessors and Stripe's services providers, and data are transferred when the service of Stripe provided to the Company includes Stripe's subsidiaries located in third countries (Australia, Canada, Malaysia, Mexico, India, Japan, Singapore, New Zealand, Brazil, Hong Kong). Stripe guarantees that regarding the processing of the transferred personal data, it ensures the level of protection required by GDPR. The basis of data transfer: the adequacy decision of the European Commission or Standard Contractual Clauses (SCC) between controller and processor. The list of third country recipients that receive personal data from Stripe can be found here: <https://stripe.com/en-hu/service-providers/legal>

If the subject initiates a payment through Stripe's secure payment platform, Stripe and third party providers may use cookies to identify the subject as the user, to enhance their browsing experience, to customize the service and other online content as well as advertisements, to measure the effectiveness of promotions, and to conduct and create analyses. These cookies are essential and required to ensure the security of the payment initiated by the subject and to prevent fraud. Certain features of the secure payment platform of Stripe are only enabled using cookies, therefore, if the subject disables cookies or refuses the use of cookies, they may not be able to use the secure payment platform of Stripe or certain features may be limited. Stripe's guide on the use of cookies and about data processed using cookies can be found here: <https://stripe.com/cookies-policy/legal>.

16. Accessing personal data, data transfer

The Company informs the subjects that regarding the data that come into the possession of the Company when the subjects use the "smuc.io" Facebook page and/or the "smuc.io" Instagram page, the Company shall not be the only controller; in these cases, the data of subjects are controlled by the Company with Facebook Ireland Ltd. (seat: 4 Grand Canal Square, Grand Canal Harbour, D2 Dublin, Ireland) (hereinafter "**Facebook**") as a joint controller.

The Company informs the subjects that the Company and Facebook are obliged to meet the requirements of GDPR and applicable Hungarian data protection legislation while conducting their data processing activity; to ensure secure processing of subjects' data; and to provide appropriate information to the subjects regarding the data processing. The Privacy Policy of Facebook can be found here: <https://www.facebook.com/privacy/explanation/> and here: <https://www.facebook.com/policies/cookies/>, and for Instagram's Privacy Policy, see <https://help.instagram.com/519522125107875> and <https://www.facebook.com/help/instagram/1896641480634370>. Furthermore, the Company informs subjects that they may exercise their rights related to data processing to the Company or Facebook anytime, but for a request sent to the Company, they shall follow Section 17 of this Privacy Policy.

In case an authorized body or court sends an official request – including the reason of data transfer – for the transfer of all or parts of the personal data processed by the Company, to comply with this request, the Company is obliged and entitled to transfer the required personal data to these bodies.

17. Rights of subjects, exercising their rights

While processing data, the Company ensures that subjects whose data are processed for any purpose set forth in this Privacy Policy may exercise their rights fully, without unreasonable limitation or impediment.

Furthermore, the Company ensures that data owners have the right to access, erase or rectify their data, to restrict data processing, to object to data processing regarding data processing based on a legitimate interest, to withdraw their consent, to exercise their right to data portability and to exercise their right to a judicial remedy as described below.

A. Right to access data

The subject may request information anytime from the Company about what data is processed about them, as well as the purpose and methods of data processing. If the subject submits such a written request, the Company shall provide them with a copy of the data processed regarding them, inform about the purpose of data processing, the recipients that receive these personal data, the planned duration of data processing, the subject's rights and the rules of exercising these rights. The Company also notes that the request to provide a copy of personal data can only be met to the extent it does not violate the rights and freedoms of other natural persons.

The Company informs subjects that providing a copy of the personal data is only free for the first time such a document is requested by the subject. If the subject requests further copies once their request to provide a copy of the personal data being processed about them is met or submits the same request within a short period of time, the Company may charge a fee to meet the request; the exact fee to be paid is included in the response sent to the request of the subject.

B. Right to have accurate, complete and up-to-date data

The Company informs the subjects that they have the right to have the Company to process accurate, complete and up-to-date data about them. The Company requests the subjects to help the Company to meet the above requirement and notify the Company with proof if their data have changed in the meantime.

C. Right to rectification

If the subject learns that the Company processes their personal data inaccurately, they may request their data to be rectified by providing the missing parts of the inaccurate data. The subjects may do so in email via hello@smuc.io, or if they have registered on the Website or in the Application, they can do so in their User profile.

D. Right to erasure

In the following cases, the subjects may request the Company to erase the personal data they are processing about them without undue delay:

- the purpose of the data processing no longer exists;
- the subject has withdrawn their consent and no other legal basis can be determined for further data processing;
- in case of data processing based on a legitimate interest, the subject successfully objected to the data processing, and there is no overriding reason that would require their data to be processed;
- in case of unlawful data processing;
- law requires the Company to erase the data.

The Company informs subjects that they have the right to be forgotten, which enables their data to be made inaccessible on a wider scope. If the subject wishes to exercise this right, the Company utilizes all available IT solutions in order to make the personal data of the subject unavailable in any form. To meet this request, the Company deletes all electronic files containing the data from their backup, and in case any of the data were processed in printed form, the Company destroys the documents containing personal data or – if deletion is not possible for any reason – the Company takes the necessary steps to anonymize the personal data. The Company also obliges their processor partners to delete and destroy all data about the subject that were transferred to them, and the Company notifies their processors that the subject has filed such a request and necessary measures and required.

The Company underlines that the request to data erasure cannot be met, if (a) the further processing of the data is a legal interest or protects a legal interest; (b) the processing is required to comply with the freedom of speech and the right to be informed; (c) the processing is required to fulfill a legal requirement; (d) the processing serves statistical or research purposes; or (e) the processing is a public interest due to public health reasons. Furthermore, the Company informs the subjects that once a request for erasure has been fulfilled, there is no way to retrieve data that were processed earlier.

E. Right to restrict processing

The Company informs the subjects that they may request the data processing to be restricted in the following cases and for the following duration:

- if the subject learns that the Company processes their data inaccurately; in this case, the subject may request the restriction of the data processing until the accuracy of personal data is verified;
- if the subject believes that there have been unlawful data processing and the subject requests the Company not to erase their data;
- if the Company no longer needs the data for the purpose set forth in this Privacy Policy, but the subject requires the data to establish, enforce or protect legal claims;
- if the subject has objected to the data processing based on a legitimate interest, but their request was rejected; in this case, the restriction applies for the duration until it is decided whether the legitimate interests of the Company or the third party override the legitimate interests of the subject.

If the request of the subject is reasoned, the Company informs all recipients who had previously received the personal data about the restriction of data processing. The Company informs the subjects that in case of such a request, the restricted personal data are not processed, but they remain stored. However, if the subject consents to the further processing of their personal data; if it is necessary to establish, enforce or protect legal claims regarding the data processing; if the data processing is a legal interest of other natural or legal persons; or if required by public interest of the European Union or Member States, the Company continues to process the personal data.

If the reason to restrict data processing no longer exists, the Company informs the subject no later than 15 days before the restriction is removed.

F. Right to data portability

Due to their right to data portability, subjects may request information about the personal data the Company processes based on their consent or the contract concluded between them and where data processing is automatized; subjects may request and receive information about these data in a structured, commonly used, machine-readable format, and may request to transmit them to one or more controllers as determined by the subject.

If the subject exercises their right to data portability, the Company shall transfer the data in a format that enables them to be structured and machine-readable in other systems as well. The Company informs the subjects that if they request their personal data to be transmitted to another controller, the Company does not verify these controllers, so in case of any damages or negative legal consequences arising from the activity of other controllers, the liability of the Company is excluded.

G. Right to withdraw consent

If the data processing is conducted due to the consent of the subject, the subject may withdraw this consent anytime. The Company underlines that consent may only be withdrawn in writing and if sent to hello@smuc.io (except for opting out of newsletters where it is enough to click on the link at the bottom of the newsletter to withdraw consent, or in case of the consent to process data collected by cookies, where the consent may be withdrawn by using the appropriate browser setting). The Company informs subjects that withdrawing their consent does not affect the legality of the data processing activities that happened on this legal basis prior to withdrawing the consent.

As a result of withdrawing consent, the subject's data will be erased or anonymized, except where the data are processed by the Company based on other legal bases (e.g. contract, legitimate interest, legal requirement) or where the data are processed for other purposes and based on other consents.

H. Objecting to processing

If the Company processes data provided to them on the basis of a legitimate interest of the Company or third parties, subjects may object to the processing of their data based on their individual circumstances. The Company informs the subjects that in such cases the Company stops processing the data unless there is another legal basis that enables the Company to process the data, or if the data processing is required by compelling legitimate grounds that override the subject's interests, rights and freedoms, or if the data processing is required to establish, enforce or protect legal claims.

I. Examination of subject requests

Regardless of their content, the Company immediately starts to process requests filed in connection with data processing and the exercising of subjects' rights as described in Sections A-H. The Company then informs the subject about the results of the examination without undue delay but no later than within 1 month of receiving the request.

Considering the complexity of the request of the large number of requests sent to the Company, the above response period may be extended by up to an additional 2 months. If the deadline to respond to the request is extended, the Company shall – by indicating the reason of the delay – inform the subject about this within 1 month of receiving the request. The deadline may not be extended if the Company believes that there is no need for data protection measures; in this case, the request shall be responded without undue delay but no later than within 1 month of receiving the request. The subject shall also be informed about why no further measures are taken and what legal remedy options they have in response to the decision.

The Company does not charge any fees for the measures taken in response to the subject's request, except when the request is not reasoned, or in case of a repeated request where the request has the same content; in this case, the Company may charge a reasonable fee that is in line with the administrative costs arising from responding to the request; the exact fee to be paid is included in the response sent to the request of the subject.

J. Legal remedy options

The Company strives to meet all legality, fairness and data protection requirements when processing personal data, therefore, if the subject is not satisfied by how the Company processes their data, they shall turn to the Company using the contact details included in Section 2.

The Company always notifies subjects when the examination of the complaint has started, and the Company informs the subject about the decision and the reasons without undue delay but no later than within 1 month from receiving the request.

If the subject believes that the processing of their data was unlawful, they may turn to the **Hungarian National Authority for Data Protection and Freedom of Information** (seat: 1055 Budapest, Falk Miksa utca 9-11., postal address: 1363 Budapest, Pf. 9., email: ugyfelszolgalat@naih.hu) with their complaint. The rules on how complaints are accepted and examined and how the procedure is conducted can be found here: www.naih.hu. The Company informs the subject that if they disagree with the decision of the Authority, the Authority fails to examine their complaint before the deadline, or the Authority fails to inform the subject on the progress or the result of the procedure within 3 months, the subject may turn to the competent court at the seat of the Authority (Budapest-Capital Regional Court, address: 1055 Budapest, Markó u. 27., postal address: 1363 Budapest, Pf. 16.) for legal remedy.

If the subject believes that the Company has violated their rights by improper processing of their personal data, for a legal remedy, they may directly turn to the **Budapest-Capital Regional Court** (address: 1055 Budapest, Markó u. 27., postal address: 1363 Budapest, Pf. 16.), or they may initiate a procedure at the competent court at subject's residence. For the competent courts and their contact information see <https://birosag.hu/birosag-kereso>. The Company informs the subject that legal representation is mandatory on courts, so the subject may only file their claim to court with appropriate legal representation.

If the Company or any of their processors violate the applicable data protection regulations when processing the personal data of the subject and this results in a damage to the subject, the subject may turn to court for compensation of financial or non-financial losses. However, the processor shall only be held liable if they violate the legal provisions of data processing or the instructions of the controller. Regarding the claim for compensation, the subject may choose to turn to the competent court at the seat of the Company or the processor or the competent court at their own residence. For the competent courts and their contact information see <https://birosag.hu/birosag-kereso>.

The Company explicitly draws the subjects' attention to the fact that the Company – to avoid unauthorized access – may only fulfill their request to exercise their right to data processing if the subject may be clearly identified. This is why the Company requests subjects to indicate at least their name and email address in their request so that the Company may verify – comparing the data with what the Company possesses – that the sender of the request is the subject.

18. Data protection measures

The Company does its best to provide appropriate safeguards to the data processed by the Company. Choosing the most appropriate data protection measure happens individually in all cases, considering and assessing the existing and potential risks in connection with the data processed.

For the safe processing of personal data, the Company ensures that electronic records and software that enable the processing of personal data are always used confidentially, the electronic records and files have appropriate protection and are resilient to unauthorized interference and attack or to accidental destruction or loss of data. The Company guarantees that the records and software are fully available for the data processing activities and to enable the subjects to exercise and enforce their rights.

In order to fully meet the data protection provisions, the Company regularly reviews the effectiveness of the measures that safeguard data processing, and the results of the reviews are assessed and documented.

The Company has chosen data processing systems and tools that are able to ensure access to data in case of a personal data breach, and that restore data within an appropriate time frame in case of data destruction or loss. Before commencing data processing activities and during the data processing, the Company continuously monitors and assesses the potential risks regarding personal data, especially those risks that may result in the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data.

The IT systems and networks of the Company and their partners are protected against computer assisted fraud, spying, sabotage, vandalism, fire and flood, computer viruses, computer intrusions and attacks resulting in the denial of service.

While processing personal data, the measures taken by the Company to ensure the safety and protection of personal data are (including but not limited to):

- the IT system and network used by the Company to operate the Website and the Application is secured against fraud, spying, computer viruses and other malware, unauthorized access and attacks resulting in the denial of service (by using firewall and antivirus software);
- in terms of electronic systems and programs used to process personal data, the Company updates software on a regular basis;
- at regular intervals, the Company creates backup of electronic files that contain personal data;
- the systems that electronically manage personal data are designed so that they continuously record the time the data are accessed and the person accessing the data;
- accessing personal data is only allowed to authorized people, after unique identification;
- the Company uses appropriate technical measures to ensure that personal data of the subjects is not connected to other data;
- the Company stores personal data only in electronic format; there are no printed copies containing personal data.

19. Handling of personal data breaches

The Company informs the subjects that despite the data protection measures implemented and taken before and during data processing, unfortunate and unwanted incidents may occur. These events may violate or threaten the protection of personal data (personal data breaches).

If an incident affecting the personal data processed by the Company should occur, the Company – in line with the provisions of GDPR – ensures to report such breach to the Hungarian National Authority for Data Protection and Freedom of Information without undue delay but no later than within 72 hours after the incident is discovered.

The subjects should not be surprised if they receive a data breach notification from the Company; the Company is required by law to inform subjects about data protection breaches that might pose high risk to the rights and freedoms of the subjects. Such high risk is when the breach affects sensitive data (e.g. special data, financial data, data used for identity theft or data that unveil the social status of the subject). The Company shall send a mail to the subjects to inform them about the nature and consequences of the data breach and about the measures planned or taken by the Company to handle the incident and to negate the harmful consequences.

The Company requires all members of staff handling personal data to follow an action plan in order to detect and handle data breaches as soon as possible. In order for the Company to minimize data breaches while processing personal data and to follow the above rules to the fullest, the Company has incorporated regular control operations into their internal processes.

The Company informs the subjects that apart from reporting personal data breaches, the Company also creates protocols and records. These documents contain the description of the incidents, their effect on the subjects, as well as the measures planned or taken by the Company to handle the incident and to negate their consequences.

The Company ensures that their processors also adhere to the applicable laws when reporting and documenting data breaches. Moreover, the Company requires independent processors cooperating with them to focus on the prevention of data breaches, and to handle them in case data breaches occur.

20. Amendment of the Privacy Policy

The Company reserves the right to amend this Privacy Policy unilaterally and without limitation of time. The Company notifies the subjects on such amendments. The message about the amendment – including the amended sections and the effective date of the amendment – shall be displayed by the Company on the Website and in the Application with a highly visible notification. The amended, unified Privacy Policy shall continue to be available on the Website and in the Application.

21. Applied legislation

While creating this Privacy Policy, the Company considered all applicable and mandatory regulations, especially the following:

- Regulation (EU) 2016/679 of the European Parliament and of the Council 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 (“General Data Protection Regulation” or “GDPR”),
- Act CXII of 2011 on Informational Self-Determination and Freedom of Information (“Privacy Act”),
- Act V of 2013 on the Civil Code (“Civil Code”),
- Act CLV of 1997 (“Consumer Protection Act”),
- Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities (“Advertisement Act”),
- Act CVIII of 2001 on Electronic Commerce and on Information Society Services (“E-comm Act”),
- Government Decree 45/2014. (II.26.) on detailed rules governing contract concluded between consumers and businesses,
- Act CXXVII of 2007 on value added tax (“VAT Act”),
- Act C of 2000 on accounting (“Accounting Act”).

Budapest, 8 December 2021