

# Privacy Policy

## Processing of Personal Data of Smartly.io's Customers and Website Users

Updated: 5 February 2019

We at Smartly.io Solutions Oy (business ID 2555760-6) together with our affiliates (“**we**” or “**us**”) believe that protecting our customers’ and business partners’ privacy is crucial to our business and values. In the course of our business operations, we receive, collect, maintain, use and share personal data on customers and business partners. We are committed to protecting the privacy of individuals who visit our website (visitors), individuals who register to use our services (customers), and individuals who register to attend our corporate events (attendees) (collectively hereinafter “**Data Subject(s)**” or “**User(s)**”).

The purpose of this Privacy Policy is to demonstrate our robust commitment to the Data Subjects’ right to privacy and data protection. This Privacy Policy outlines how we handle information that can be used to directly or indirectly identify a Data Subject (the “**Personal Data**”) and describes our practices in relation to the use of our website(s) and the related applications and services offered by us (collectively, the “**Services**”), as well as Data Subjects’ choices regarding their rights such as use, access and rectification of Personal Data.

We act as a controller with respect to the information we process in connection with our business relationships. For example, we are the controller in relation to Data Subjects’ contact details and other commercial Personal Data. On the other hand, we may also act as a processor of Data Subjects’ Personal Data when our customer and business partners engage us to process Personal Data on their behalf, for example in connection with the provision of the Services. We may also act as a processor in certain circumstances when our customers use third party service providers in connection with our Services (e.g. Facebook). When we act as the processor, we process the data in accordance with applicable privacy laws and the data processing agreement entered into with the controller, where applicable. In such a case, please refer to the Privacy Policies of controllers for further information on the processing of Personal Data.

Unless otherwise expressly stated herein, the terms used in this Privacy Policy shall have the meaning set forth in the General Data Protection Regulation (EU) 2016/679 (the “**GDPR**”).

### 1 Processing of Personal Data

We process Personal Data of Data Subjects to offer the Services, including the processing and execution of demo requests relating to the Services, and to contact and market our Services to the participants of our business events and to contact and send marketing material to the visitors of our websites who submit us their information in a form or otherwise with the intent to receive marketing or other information from Smartly.io. In this context, Personal Data may be processed for market and customer analysis, reporting and statistical purposes, marketing purposes such as customised marketing, administration notices, database management and maintenance, product suggestions and offers, interaction with external social networks, access to third party services' accounts and platforms, heat mapping and newsletters. Personal Data may be used for direct marketing, including, where applicable, by electronic means unless objected by the Data Subject. Personal Data may also be processed to better understand how website visitors interact with Smartly.io's websites.

Further, Personal Data may be used for invoicing and to send important information to the Data Subject e.g. regarding changes of applicable fees, price list and conditions, or to contact the Data Subject and provide information customised Services according to the interests of the Data Subject.

We process Personal Data on the following basis:

- for the performance of the contract between us and the Data Subject (Article 6.1(b) of the GDPR);
- for the purposes of our legitimate interests related to the customer and business relationships between us and the Data Subjects (Article 6(f) of the GDPR);
- to comply with legal obligations applicable to us (Article 6(c) of the GDPR, such as corporate and accounting).

We may ask for Data Subject's consent for the processing of certain type of Personal Data (for example for a campaign). When collecting such consents, we inform the Data Subject of the

respective purposes of processing and such processing is conducted only when appropriate consent is received.

We may ask for certain Facebook permissions allowing us to perform actions with the Data Subject's Facebook account and to retrieve information, including Personal Data, from it. This allows our Services to connect with the User's account on the Facebook social network, provided by Facebook Inc. In this context, the following permissions may be asked: About Me, Access Rights (including but not limited to Ad Account Access, Business Manager Access), App Notifications, Contact Email, Manage Advertisements, and Manage Pages. For more information about the Facebook permissions, refer to the [Facebook permissions documentation](#) and to the [Facebook Data Policy](#).

## **2 Personal Data we collect and use**

Personal Data processed by us is mainly obtained directly from the Data Subject. Provision of such Personal Data is necessary to use and purchase our Services, to accommodate Data Subject's request for information relating to our Services and to organize communication in relation to our business events. We may not provide the Services to a Data Subject that refuses the processing of his/her Personal Data. We process also Personal Data accumulating from the use of our Services (including data collected under our [Cookie Policy](#)), and obtained from third party sources related to the Services. Personal Data may be updated and supplemented by collecting data from private and public registers.

We collect the following Personal Data in conjunction with the Data Subject's (i) use of our Services, (ii) requests for information through our website and (iii) participation to our business events: name, phone number, e-mail address, usage data and cookies or any other information the user can provide via form (in website). In addition, we may process various other types of Personal Data generated in connection with the Data Subject's use of any third-party services and applications as specified in the privacy policy of such third-party service or application.

We for example use Hotjar's technology services to understand our website users' needs better and to improve user experience in our website (e.g. by understanding how much time our visitors spend on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our service with user feedback. Hotjar uses cookies and other technologies to collect data on our users' behaviour and their devices (in particular device's IP address (captured and stored only in anonymized form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), preferred language used to display our website). Hotjar stores this information in a pseudonymized user profile. Neither Hotjar nor we will ever use this information to identify individual users or to match it with further data on an individual user. For further details, please see Hotjar's privacy policy by clicking on [this link](#). Visitor can opt-out from the creation of a user profile, Hotjar's storing of data about visitor's usage of our site and Hotjar's use of tracking cookies on other websites can be opted out by following this [opt-out link](#). In our Cookie Policy, you can also choose to not allow certain cookies to be used.

We do not collect sensitive information (Personal Data of special categories).

## **3 Disclosure of Personal Data**

For the purposes stated in this Privacy Policy, Personal Data may be disclosed, when necessary, to authorities, other companies within the same group of companies as us, companies which the group cooperates with and to other third parties, such as third-party service providers used in connection with our Services and services related thereto.

Personal Data may be transferred outside the European Union and the European Economic Area ("EU/EEA"), including but not limited to, the United States of America, China, Australia, Singapore and Argentina as well as other locations and jurisdictions in which we conduct our business. Such transfers outside the EU/EEA are performed subject to appropriate safeguards such as standard data protection clauses adopted or otherwise approved by the EU Commission in accordance with the GDPR ("**Standard Data Protection Clauses**").

The applicable Standard Data Protection Clauses are made available for review to the Data Subject upon request.

## **4 Retention Period**

We retain Data Subject's Personal Data for 3 years from Data Subject's latest purchase or contact with us. Personal Data may be, wholly or in part, retained for longer or shorter term if required by applicable law or if there is other justified reason to retain or delete them. In such a case, Data Subject's Personal Data shall be erased with no further delay after there is no longer any need for such a retention.

We evaluate the necessity and accuracy of the Personal Data on a regular basis.

## **5 Data Subjects' Rights**

Data Subject has a right to request from us:

- access to and rectification or erasure of Data Subject's Personal Data;
- for restriction of processing concerning the Data Subject or to object to processing; and
- to receive, under certain preconditions, Data Subject's Personal Data in a structured, commonly used and machine-readable format and to transmit those data to another controller.

Data Subject may exercise the aforementioned rights by sending a written request to us. Where the processing is based on consent, Data Subject has a right to withdraw such consent at any time. Please Policy that this will not affect the lawfulness of processing based on consent before its withdrawal.

In case the Data Subject considers that its rights under the data protection laws are infringed, the Data Subject may lodge a complaint with the supervisory authority of the Data Subject's residence in the EU (e.g. in Finland the Finnish Data Protection Ombudsman).

## **6 Security Safeguards**

Securing the integrity and confidentiality of Personal Data. We have taken adequate technical and organisational measures in order to keep Personal Data safe and to secure it against unauthorized access, loss, misuse or alteration by third parties, such as encryption, access controls and firewalls. Nevertheless, considering the cyber threats in modern day online environment, we cannot 100% guarantee that our security measures will prevent illegally and maliciously operating third parties from obtaining access to Personal Data and the absolute security of that information during its transmission or its storage on our systems.

## **7 Other**

We may make changes to this Privacy Policy at any time by giving Policy on the website and/or by other applicable means. It is highly recommended that Data Subjects check this Privacy Policy and the website every now and then, referring to the date of the last modification listed at the top of this page. If a Data Subject objects to any of the changes to this Privacy Policy, the Data Subject should cease using the Services, where applicable, and can request that we remove the Personal Data, unless applicable laws require storage of the Personal Data. Unless stated otherwise, the then-current Privacy Policy applies to all Personal Data we have about Data Subjects.

## **8 Contact information of data controller**

Data controller: Smartly.io Solutions Oy (business ID 2555760-6) and its affiliates

All contacts and inquiries related to this Privacy Policy should be addressed to [legal@smartly.io](mailto:legal@smartly.io).