

W.UP PRIVACY POLICY

04 March 2022 2

PRIVACY POLICY

04 March 2022

The present Privacy Policy of **W.UP**. (hereinafter referred to as "**W.UP**" or "**we**") contains the information on the data processing activities conducted as a controller by **W.UP Ltd.** and on the rights of those concerned.

The present Privacy Policy covers accordingly the processing conducted through the **W.UP** website (www.finshape.com), social networks and all forms of offline processing as well.

W.UP is committed to protect the personal data of its partners and its website's visitors ("you") and considers highly important that its customer's right to informational self-determination is respected.

THE CONTACT INFORMATION OF THE DATA CONTROLLER:

Name: W.UP Ltd

Address: 1027 Budapest, Ganz street 16.

E-mail address: info@wup.digital

Telephone: +36 1 870 0252

DEFINITIONS

Terms used in the present Privacy Policy are as follows:

1. **data subject:** an identified natural person or a – directly or indirectly – identifiable natural person based on personal data;
2. **personal data:** any information relating to a data subject, such as a name, an identification number, location data or an online identifier;
3. **consent:** any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
4. **controller:** the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data;
5. **processing:** any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by

automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

6. **processor:** a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
7. **recipient:** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not;
8. **third party:** a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
9. **third country:** any State which is not member of the European Economic Area (EEA) territory of which is the territory of the Member States of the EU plus Iceland, Lichtenstein and Norway;
10. **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;
11. **GDPR:** the General Data Protection Regulation, i.e. Regulation (EU) 2016/679 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.

Any terms not defined above shall have the meaning set forth in the GDPR or any other applicable legislation.

PRINCIPLES OF PROCESSING AND DATA SECURITY

Personal data can be processed only for specific purposes, in order to exercise rights and perform obligations. The purpose of the processing, the data recording and the processing have to be fair and lawful. Only personal data which is essential and suitable to achieve the purpose of processing can be processed. The personal data can be processed only to the extent and for the time necessary to achieve that purpose. During processing, it has to be ensured that the data is accurate, complete and – if necessary for the purpose of the processing – up to date, and that the data subject can be identified only

as long as it is necessary for the purpose of processing.

We plan and carry out processing operations in ways that ensure the protection of the privacy of the data subjects during processing. **W.UP** – or if data processing is conducted, then the data processor – ensures the security of the data and takes all the necessary technical and organizational measures and develops procedural rules that are required by the Infotv and all other data protection and confidentiality regulations in force.

We protect the personal data with adequate measures especially against unauthorized access, alteration, transmission, disclosure, deletion or destruction and accidental destruction and damages and also against data becoming inaccessible due to the changes in the technology used.

If we take data processing to other organizations (data processors), it informs the data subject on the fact of data processing and the identity of the data processor prior the consent of the data subject. The data processor will perform only the technical tasks related to processing and is not entitled to make substantive decisions concerning the processing, it can process the personal data obtained only in accordance with the provisions laid down by **W.UP**, it cannot perform data processing for its own purpose and it stores and preserves the personal data in accordance with the provisions laid down by **W.UP**.

During processing and data processing, the data will be available only to **W.UP**. – and in case of data processing, to the data processor –, and **W.UP's** – and in case of data processing, to the data processor's – employees who participate in the implementation of the objectives set out in the present Privacy Policy and who have an obligation of confidentiality regarding the data obtained, who may not disclose, use or make available to a third party or to the public this data, in accordance with their employment contract and the legal provisions.

THE LEGAL BASIS AND THE PURPOSE OF PROCESSING

We process personal information only based on a valid legal basis. This can be inter alia your consent, preparation or performance of a contract with you, complying with legal obligation and **W.UP's** or a third party's legitimate interest. We inform you on the applicable legal basis, on the categories of the personal data processed, the purpose and the duration of the processing and the persons authorized to perform the processing.

SUBSCRIPTION TO NEWSLETTERS

In regard to sending newsletters, the purpose is to inform you by direct response, such as electronic mail or other equivalent means of communication of our services and for the purposes of direct marketing regarding the our services.

You acknowledge that, if an explicit and prior consent was given, we will send the newsletters to the e-mail addresses provided by you and will process the related data given until you withdraw your consent. Our newsletters might contain promotional offers, invitations and other offers, which aim to communicate to you via electronic mail the current information, promotions, programs, events, important news, new features.

You can unsubscribe from newsletter at any time, free of charge, without any restrictions and any reasons given, by pressing the „unsubscribe“ button or in a response message. In case that the subscription is cancelled, the personal data related to the sending of newsletters managed by us for this purpose will be deleted.

The cancellation of subscription to newsletters does not imply the withdrawal of consent regarding the processing of the data handled for other purposes. The deletion of the registration on the website (if applicable) does not mean the cancellation of subscription to newsletter, it must be requested separately.

THE COLLECTION AND STORAGE OF DATA

When accessing its website, due to technical reasons and in order to produce statistics on user behavior, we are entitled to store the IP address of the visitor, the time of the visit and the address of the page visited. By accessing the website, the visitor accepts that this anonymized data is stored.

THE USE OF COOKIES

In order to ensure the personalized and efficient use and to provide the most complete user experience on the websites, our websites place small data packets, so-called cookies on the website's visitors computers. Cookies are identifiers which can be sent by the **W.UP** server to the computer used by the website's visitor to identify the computer used during the stay on the website. The default setting for most browsers is to automatically accept these cookies. The storage of cookies can be turned off, or it is possible to set the browser to notify the user before the cookies are stored. With the first use of the website the visitor agrees that cookies will be stored in his or her computer.

We also use external contributors to collect statistics on the use of its websites. The service used GoogleAnalytics provided by Google Inc. Google Inc., as an external service provider has no access to the personal data related to the use of **W.UP's** websites (especially data provided during online registration). The **W.UP** websites include links to Google Inc. servers which are independent from **W.UP**. Contact: <http://www.google.com/analytics/>.

THIRD PARTY PROCESSORS

Our carefully selected partners and service providers may process personal

information about you on our behalf as described below:

“Digital Marketing Service Providers

We periodically appoint digital marketing agents to conduct marketing activity on our behalf, such activity may result in the compliant processing of personal information. Our appointed data processors include:

- 1. Prospect Global Ltd (trading as Sopro) Reg. UK Co. 09648733. You can contact Sopro and view their privacy policy here: <http://sopro.io>. Sopro are registered with the ICO Reg: ZA346877 their Data Protection Officer can be emailed at: dpo@sopro.io.”*
- 2. Mndwrk Technologies Korlátolt Felelősségű Társaság Address: 1119 Budapest, Andor utca 21/C. fszt. 1. tax number: HU25868847, Reg. 01-09-293537. You can contact Mndwrk and view their privacy policy here: <https://www.mndwrk.com/legal/privacy-policy>. For questions regarding their privacy policies, send an email to: hello@mndwrk.com*

YOUR RIGHTS

You have the following rights regarding processing of your personal data:

- **Right to access**

You have the right to request from us access to your personal data processed by us and obtain information regarding the purpose of processing, what categories of personal data are processed, for or towards who we are transferring or disclosing your personal data, for what period we are processing your personal data, your rights in connection with processing carried out by us regarding your personal data, your right to lodge a complaint with a supervisory authority regarding the processing. Additionally, in the case we collect your personal data from other sources than from you, any available information as to the source, and the existence of automated decision-making and related information, including the logic involved, as well as the significance and the envisaged consequences of such processing for you, whether your personal data is transferred outside the EEA, and the conditions of these transfers. We provide you with a copy of your personal data processed by us in case you require us to do so.

- **Right to rectification**

You have the right to request us to rectify your inaccurate personal data and to request us to complete your incomplete personal data by means of providing us with a supplementary statement.

- **Right to erasure**

We erase any of your personal data without delay if you request us to do so in the event of the following:

1. your personal data is no longer necessary for the concerning purpose;
2. you withdraw your consent and there is no other legal basis for the processing;
3. the legal basis of processing is legitimate interest and
 - (i) you object to the processing and there are no overriding legitimate grounds for the processing, or
 - (ii) you object to the processing for the purpose of direct marketing;
4. your personal data has been processed unlawfully;
5. your personal data has to be erased according to relevant laws.

Please note that we are entitled to not erase your personal data if it is necessary - among others - for exercising the right of freedom of expression and information, compliance with legal obligation, establishment, exercise or defence of legal claims.

- ***Right to restriction of processing***

You have the right to obtain from us restriction of processing where one of the following applies:

1. You have contested the accuracy of your personal data, for a period enabling us to verify the accuracy of your personal data;
2. the processing is unlawful and you oppose the erasure of your personal data and request the restriction of their use instead;
3. We need no longer your personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims.

Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with your consent or for the establishment, exercise or defense of legal claims, or for the protection of the rights of another natural or legal person, or for reasons of important public interest of the European Union or of a Member State.

- ***Right to object to processing***

Where personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing.

You also generally have the right to object to the processing of personal data where the legal basis of the processing activity is our legitimate interest, or the legitimate interest of a third party.

- ***Right to data portability***

You have the right to receive your personal data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit that data to another controller without hindrance from us. You

also have the right to have your personal data transmitted directly from us to another controller, where technically feasible. You are entitled to this right if (i) the processing is based on consent or (ii) the processing is carried out by automated means.

- ***Right to withdraw your consent***

You have the right to withdraw your consent at any time, without affecting the lawfulness of processing based on your consent before its withdrawal.

We take actions requested in relation to exercising your above rights without undue delay and in any event within one month of receipt of your request. This period may be extended by two months where necessary, with a reasoned notification to you, taking into account the complexity and number of requests. In case we do not take any action regarding your request, we inform you as to the reasons within one month of receipt of your request. We take the necessary actions regarding exercising your rights in relation to the processing free of charge except when your request is manifestly unfounded or excessive.

In the event when you make such a request by electronic means, we provide you with information by electronic means where possible, unless you request otherwise.

In case we have reasonable doubts as to the identity of the natural person making the request, we may request additional information necessary to confirm the identity of such person.

REMEDIES

In case you would not agree with our response or action, you have the possibility to lodge your complaint with the Hungarian National Authority for Data Protection and Freedom of Information (in Hungarian: Nemzeti Adatvédelmi és Információszabadság Hatóság, NAIH):

Headquarters: 1125 Budapest, Szilágyi Erzsébet fasor 22/c Postal address: 1530 Budapest, Pf.: 5.

Phone: +36 (1) 391-1400

Fax: +36 (1) 391-1410

Email: ugyfelszolgalat@naih.hu

If you believe that your rights have been infringed, then you may have recourse to courts. You can bring the case before the court within 30 days from the communication of the decision or from the last day of the deadline for communication.

The court shall give priority to the case. In this matter the tribunal (in Hungarian: törvényszék) has jurisdiction. The tribunal from the domicile or the residence of the data subject– at the option of the data subject – has jurisdiction over the lawsuit.

FINAL PROVISIONS

The aspects not regulated by the present Privacy Policy shall be governed by Hungarian law. We may review this Privacy Policy from time to time and amend it as necessary. In latter case we publish it on our website. Please review this Privacy Policy from time to time.

Should you have any questions in relation to this Privacy Policy or processing of your personal data by **W.UP** then please send an email to info@wup.digital or contact us by other means. Our contact information can be found at the beginning of this Privacy Policy.