

## INFORMATION ON THE PROCESSING OF PERSONAL DATA

*Valid from 01. 10. 2023*

In this Personal Data Processing Information ("**Information**"), we describe what personal data we collect and process from you, in particular when you use our ITEMS App and the provision of related services. You will also learn about the purposes for which we as data controllers process your personal data, the sources from which we obtain this data, who processes your personal data and to whom we transfer it, and how we ensure the security of your data. In the last section, we outline what rights you have in the processing of your personal data and how you can exercise them.

The controller of your personal data is the company **AVAPS s.r.o.**, with registered office at U Obalovny 488, 250 67 Klecany, Business ID no.: 25650939 listed in the Commercial Register maintained by the Municipal Court in Prague under file no. C 58133 („**we/us**“)

This Information may be amended from time to time and the latest version of this information will always apply.

This Information operates with the definitions set forth in the ITEMS Terms and Conditions of Use (<https://app-ITEMS.com/terms-of-service>), unless otherwise specified herein.

### **A. PROCESSING OF PERSONAL DATA**

Below are the categories of personal data, including examples, that we process for the purposes set out in the following section. These categories are also referred to in other parts of this information:

#### **a) Identification data**

In particular, your name and surname, as well as your username, is important to enable us to create a user account for you upon registration and to identify you for the performance of the Agreement and for other purposes described in this information. We may also want to address you by the nickname that you provide upon registration.

#### **b) Contact details**

In particular, we need your email address in order to provide you with access to our platform and to be able to communicate with you.

#### **c) Payment details**

With regard to payment, we store data on payments made.

#### **d) Information on Services used**

When you use the App and Services, a range of information about your device is automatically sent to us, in particular IP and MAC addresses. From this data, we can also derive information about the network in which your device is located and your

approximate location. We may also use so-called cookies, which may tell us how you use the App, unless you have disabled their usage.

From your profile in the App, we then obtain information about your newsletter settings, search terms, your preferences and ratings for the App components and use of the Services.

For security reasons, we may also record information about your activities on the App, such as the time and duration of your login, the activities you perform on the App and the data you enter, etc. This relates to logs from which (if we take them) we can read the length of a single login to the App or the way you have used the Services.

We also collect information about your operating system (iOS, Android), its version, the devices you use (device type, screen resolution, browser version).

For more information on the use of cookies and similar technologies, please see part D "**Use of cookies and other technologies**".

**e) Information about ongoing communication**

In order to be able to respond to your suggestions and address your requests, we store data about communications between you and us. In particular, data on the time of the communication, its subject matter and content. This is how we store communications made via email, telephone, post or the App itself.

**f) Information from research and testing**

To further develop the Services and the App, we find out what you like about the App and how you use both the existing and new features. We may also test existing or new features to see if the App works as intended.

**B. PURPOSE OF PROCESSING**

If you choose to register, we will process your data for the following purposes:

**a) Making the App available and providing the Services**

This processing of personal data is necessary in order for us to fulfil our obligations under the Agreement in which we have agreed to make the App and Services available to you. For this purpose, we process your identification data, as well as data about your use of the Services, contact and payment details.

The legal basis for the processing is here performance of the Agreement. We process data from the time of registration until the end of the Agreement.

**b) Information about innovations and promotion**

In this case, we process data in order to inform you about new features of the App or new ways of providing the Services. By knowing how you use the App and

Services, we will only be able to inform you about what you are really interested in. We can use a variety of channels to keep you informed, but especially notifications in the App and through email. For this purpose, we process your identification data, contact data and data about your use of the Services.

You may opt-out of receiving informational and promotional communications via email or other electronic messages at any time, either at the time of registration itself or via the link at the end of each such communication.

The legal basis for processing here is our legitimate interest in informing you as our customers about our App, our Services and their promotion. We process data from the time of registration until 6 months from the end of validity of the Agreement.

**c) App and Service development and testing**

We process data about the use of the Services and, where applicable, your identification data in order to continuously improve the App and the Services provided and to adapt them to your preferences, which also includes statistical evaluation of the use of individual features of the App and their functionality. We may also anonymise this data for this purpose.

The legal basis for processing here is our legitimate interest in developing the App, removing its errors and adapting it to the preferences of our users. We process data from the time of registration until 12 months from the end of validity of the Agreement.

**d) Fulfilling our legal obligations**

We need certain data to comply with our legal obligations, in particular in the area of tax and accounting records. For this purpose, we process your identification data, contact data and data about your use of the Services. We process the data from the time of registration until the expiry of the period specified by the relevant legislation.

**e) Internal records and protection of our interests and rights**

We keep internal records about our users and the Services we provide to check that we properly record your requests and complaints, prevent risks to our App, protect the confidentiality of your data, record our compliance with our legal obligations and protect our legal rights. For this purpose, we process your identification data, contact details, data about the use of the Services and information about the communication that has taken place.

The legal basis for the processing here is our legitimate interest in recording and controlling the performance of Agreements, controlling internal processes, recording the performance of our legal obligations and protecting our rights. We process the data from the moment of registration until the expiry of the limitation period of the relevant right, including the period covering any suspension or interruption thereof, but typically no longer than 5 years from the termination of the Agreement.

## **C. SOURCES OF PERSONAL DATA**

As a rule, you provide data to us directly when you register or when you continue to use the App and use the Services. However, we may also obtain some of the data derivatively from your use of the App and the Services (including data about your behaviour on the App) or when you communicate with us.

## **D. USE OF COOKIES AND OTHER TECHNOLOGIES**

When you use the App, we may store cookies, small files containing information about your visit, on your device and read them on subsequent visits. We use both cookies that are deleted after your visit to the App and cookies that remain on your device for a set period of time, but no longer than 6 months. In addition to cookies, we also use other similar technologies that are loaded on your device and have a similar function to cookies.

Some of the cookies we use are necessary for the proper functioning of our App, for example, to identify you when you browse and re-login, including for security purposes, to use and customize the Services, and to mark Content that you have already viewed. If you block these cookies on your device, the App may not function properly and it may not be technically possible to provide you with certain Services.

## **E. PROCESSORS AND OTHER RECIPIENTS OF PERSONAL DATA**

The processing of your personal data involves processors who always process personal data for the purposes set out above and according to our instructions. The current list of processors can be found at: <https://app-ITEMS.com/personal-1>. In particular, cloud service providers such as Amazon Web Services, Inc. and other companies in its group.

## **F. PERSONAL DATA PROTECTION MEASURES**

The protection of your data is our priority. For this reason, we have adopted technical and organizational measures which we maintain and continuously improve to protect against the leakage, loss, deletion or misuse of personal data. This includes the following measures:

- encryption of data in transit, both the communication between our servers and your device and communication during technical transmissions as part of the operation of the Services;
- encryption of stored data, where we encrypt all stored data (including backups);
- pseudonymisation of personal data;
- ensuring the ongoing confidentiality, integrity, availability and resilience of systems and services processing personal data;
- ensuring the ability to restore the availability of and access to personal data in the event of any incident;
- regular testing, assessment and evaluation of the effectiveness of the processing

security measures in place;

- monitoring and recording of access to and any handling of personal data;
- ensuring the physical security of equipment and documents on which personal data are stored;
- regular backup of personal data to independent sites.

## **G. YOUR RIGHTS WHEN PROCESSING PERSONAL DATA**

Just as we have rights and obligations when processing your personal data, you have certain rights when processing your personal data as set out in the following paragraphs. All of these rights can be exercised, as well as questions or complaints by email to [info@app-items.com](mailto:info@app-items.com). We will always deal with your request as soon as possible, no later than within one month. In exceptional cases, we may extend this period by a further two months, in particular due to the complexity of your request, and in which case we will inform you of this.

You are specifically entitled to the following rights in relation to the processing of your personal data:

### **a) The right to withdraw consent**

You have the right to withdraw consent to the processing of personal data. You can do this by sending an email with the following wording: "I do not consent to the further processing of my data" or similar text to [info@app-items.com](mailto:info@app-items.com). However, the withdrawal of consent shall not affect the lawfulness of processing prior to such consent. Please note that if you do this, your data will be deleted and some features of the App may not be accessible.

### **b) The right to access**

You have the right to obtain confirmation from us as to whether or not we are processing your personal data.

If we process your personal data, you also have the right to request access to information about the purpose and scope of the processing, the recipients of the data, the duration of the processing, the right to rectification, erasure, restriction of processing and objection to processing, the right to lodge a complaint with a supervisory authority and the sources of the personal data (this information is already provided in this document).

You can also ask us for a copy of the personal data we process. We provide the first copy free of charge, for any additional copies a charge may be applied. The scope of the data provided may be limited so as not to interfere with the rights and freedoms of others.

### **c) The right to correction**

You have the right to request us to correct inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right for incomplete personal data to be completed, including by providing an additional declaration.

**d) The right to erasure**

You have the right to request the erasure of your personal data in cases where:

- We no longer need your personal data for the purposes for which it was collected or processed;
- you withdraw the consent on the basis of which the personal data was processed and there is no further reason for processing it;
- you object to processing and there are no other overriding reasons for processing, or you object to processing for direct marketing purposes;
- personal data is processed in violation of legal regulations.

However, you cannot exercise this right where the processing is necessary for compliance with our legal obligations or tasks entrusted to us in the public interest or for the establishment, exercise or defence of legal claims.

**e) The right to restriction of processing**

You have the right to request the restriction of processing of your personal data in cases where:

- you contest the accuracy of your personal data; in this case, you may request a restriction of processing until the accuracy of the personal data has been verified;
- the processing is in breach of the law and instead of erasure you request a restriction of the processing of personal data;
- We no longer need your personal data for the purposes for which it was collected or processed, but you require it for the establishment, exercise or defence of legal claims;
- you have objected to the processing of your personal data; in this case, you can request a restriction of the processing until it is verified that our legitimate interests prevail.

**f) The right to portability**

You have the right to obtain a copy of your personal data that we process automatically on the basis of your consent or for the performance of the Agreement. We will transmit this data in a commonly used and machine-readable format to you

or your designated controller, if technically feasible. The scope of the data provided may be limited so as not to interfere with the rights and freedoms of others.

**g) The right to object to processing**

You have the right to object to the processing of your personal data that we process on the basis of our legitimate interests. We will stop processing your data if there are no further overriding reasons for the processing or if the processing is not necessary for the establishment, exercise or defence of legal claims or if you object to the processing for direct marketing purposes.

**H. THE RIGHT TO MAKE A COMPLAINT**

In addition to exercising your rights with us, you can also file a complaint with the relevant supervisory authority, which is the Office for Personal Data Protection located at Pplk. Sochora 27, 170 00 Prague 7.